2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 49

THURSDAY, 25 SEPTEMBER 2008

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

2 TAX LAWS AMENDMENT (EDUCATION REFUND) BILL 2008

Mr Swan (Treasurer) presented a Bill for an Act to amend the law relating to taxation, 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 (Mr Wood), and the resumption of the debate made an order of the day for the next sitting.

3 INTERSTATE ROAD TRANSPORT CHARGE AMENDMENT BILL (NO. 2) 2008

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government) presented a Bill for an Act to amend the *Interstate Road Transport Charge Act 1985*, and for related purposes.

Documents

Mr Albanese presented an explanatory memorandum to the bill, and a regulatory impact statement.

Bill read a first time.

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

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

4 ROAD CHARGES LEGISLATION REPEAL AND AMENDMENT BILL 2008

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government) presented a Bill for an Act to repeal and amend the law relating to road charges, 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 Wood), and the resumption of the debate made an order of the day for the next sitting.

5 TRANSPORT SECURITY 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 the law relating to the security of aviation and maritime transport and offshore facilities, 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 Wood), and the resumption of the debate made an order of the day for the next sitting.

6 TAX LAWS AMENDMENT (2008 MEASURES NO. 5) 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 (Mr Wood), and the resumption of the debate made an order of the day for the next sitting.

7 TEMPORARY RESIDENTS' SUPERANNUATION LEGISLATION AMENDMENT BILL 2008

Mr Bowen (Assistant Treasurer), pursuant to notice, presented a Bill for an Act to amend legislation in relation to temporary residents' superannuation, and for related purposes.

Document

Mr Bowen presented an explanatory memorandum to the bill and to the Superannuation (Departing Australia Superannuation Payments Tax) Amendment Bill 2008.

Bill read a first time.

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

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

8 SUPERANNUATION (DEPARTING AUSTRALIA SUPERANNUATION PAYMENTS TAX) AMENDMENT BILL 2008

Mr Bowen (Assistant Treasurer) presented a Bill for an Act to amend the *Superannuation (Departing Australia Superannuation Payments Tax) Act 2007*, and for related purposes.

Bill read a first time.

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

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

9 TRADE PRACTICES AMENDMENT (CLARITY IN PRICING) BILL 2008

Mr Bowen (Assistant Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Trade Practices Act 1974*, 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 (Mr Randall), and the resumption of the debate made an order of the day for the next sitting.

10 POSTPONEMENT OF NOTICE

Ordered—That notice No. 4, government business, be postponed until a later hour this day.

11 PARLIAMENTARY ZONE—NATIONAL PORTRAIT GALLERY FORECOURT SCULPTURE—APPROVAL OF PROPOSAL

Mr Debus (Minister for Home Affairs), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 22 September 2008, namely: National Portrait Gallery forecourt sculpture.

Question—put and passed.

12 FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION AMENDMENT (FURTHER 2008 BUDGET AND OTHER MEASURES) 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 Markus, viz.—That all words after "That" be omitted with a view to substituting the following words: "while not declining to give the bill a second reading the House:

- (1) notes the Coalition's support for the provisions concerning the maternity immunisation allowance and child support;
- (2) notes the Coalition's agreement to setting at 50 years of age eligibility for partner service pension for the partners of veterans who are in receipt of the equivalent of or less than the special rate but above the general rate disability, or who have at least 80 impairment points; and
- (3) condemns the Government's stubborn determination to insist that from 1 January 2009 partners who are separated but not divorced from their veteran spouse and who have not reached the age for the age pension, will have their partner service pension eligibility cease 12 months after being separated or immediately if the veteran enters a marriage-like relationship"—

Debate resumed.

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

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

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

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

* Tellers

Pairs

Mr Bevis Mr Abbott
Mr S. F. Smith Mr Laming

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.

Message from the Governor-General

Message No. 83, 18 September 2008, from Her 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 Shorten (Parliamentary Secretary for Disabilities and Children's Services), the bill was read a third time.

13 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 the Parliament since 4 September, it recommends that the following be made Parliamentary Papers:

Commonwealth Ombudsman—Activities in monitoring controlled operations conducted by the Australian Crime Commission, the Australian Federal Police and the Australian Commission for Law Enforcement Integrity for 2007-08.

Export Market Development Grants Act 1997—Review of the Export Market Development Grants Scheme—1 September 2008.

Finance—Budget 2008-09—Budget Paper No. 3—Australia's federal relations—Corrigendum.

Research Involving Human Embryos Act 2002—Report pursuant to section 47C—Report on the feasibility of establishing a national legislative or regulatory approach for effective governance of non-blood human tissue based therapies.

Reserve Bank of Australia—Report for 2007-08.

Witness Protection Act 1994—Report on the operation of the National Witness Protection Program for 2007-08.

CHRIS HAYES MP

Chair

25 September 2008

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

14 TAX LAWS AMENDMENT (POLITICAL CONTRIBUTIONS AND GIFTS) 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.

Debate adjourned (Ms Roxon—Minister for Health and Ageing), and the resumption of the debate made an order of the day for a later hour this day.

15 TAX LAWS AMENDMENT (MEDICARE LEVY SURCHARGE THRESHOLDS) BILL (NO. 2) 2008

Ms Roxon (Minister for Health and Ageing) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

Document

Ms Roxon presented an explanatory memorandum to the bill.

Bill read a first time.

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

Debate adjourned (Mr A. D. H. Smith), and the resumption of the debate made an order of the day for the next sitting.

16 DOCUMENT

Mr Byrne (Parliamentary Secretary to the Prime Minister) presented the following document:

Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Further 2008 Budget and Other Measures) Bill 2008—Correction to the explanatory memorandum.

17 TAX LAWS AMENDMENT (POLITICAL CONTRIBUTIONS AND GIFTS) 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.

Debate adjourned (Mr McMullan—Parliamentary Secretary for International Development Assistance), and the resumption of the debate made an order of the day for a later hour this day.

18 WATER AMENDMENT BILL 2008

Mr Garrett (Minister representing the Minister for Water), pursuant to notice, presented a Bill for an Act to amend the *Water Act 2007*, 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 Dutton), and the resumption of the debate made an order of the day for the next sitting.

19 TAX LAWS AMENDMENT (POLITICAL CONTRIBUTIONS AND GIFTS) 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 Danby addressing the House—

It being 2 p.m., the debate was interrupted in accordance with standing order 97, Mr Danby was granted leave to continue his speech when the debate is resumed, and the resumption of the debate made an order of the day for a later hour this day.

20 RETURN TO WRIT—MAYO DIVISION

The Speaker announced that he had received a return to the writ which he had issued on 4 August 2008 for the election of a Member to serve for the electoral division of Mayo, in the State of South Australia, to fill the vacancy caused by the resignation of the Honourable Alexander Downer. By the endorsement on the writ, it was certified that Jamie Edward Briggs had been elected.

21 OATH OF ALLEGIANCE BY MEMBER

Mr Briggs made and subscribed the oath of allegiance required by law.

22 **QUESTIONS**

Questions without notice being asked—

Member directed to leave

At 3.13 p.m. the Member for McEwen (Fran Bailey) was directed, under standing order 94, to leave the Chamber for one hour for raising a frivolous point of order, and she accordingly left the Chamber.

Questions without notice continuing—

Suspension of standing and sessional orders moved

Mr Turnbull (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 the Rudd Government be condemned for being out of touch, out of its depth and out of the country. In particular:

- (1) that the Government be condemned for its complete indifference to the plight of Australian pensioners who are struggling on a daily basis to meet the rising costs of petrol, groceries and rent;
- (2) for their complete indifference to the plight of Australian families who are facing increasing job uncertainty and rising day to day living costs, when they were led to believe that Kevin 07 would do something about it;
- (3) that the Prime Minister be condemned for becoming "Kevin 747" and spending more time and effort on his grandiose plans for the world, than on real plans for Australia; and
- (4) that this House condemns the Treasurer for his complete lack of understanding about the domestic impact of the global financial crisis and his inability to understand the impact it will have on Australian families, their jobs and their mortgages.

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)—

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

Mr Andrews	Mr Hartsuyker	Mrs Moylan	Mr Slipper
Mr Billson	Mr A. G. Hawke	Dr Nelson	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr D. P. M. Hawker	Mr Neville	Mr Somlyay
Ms J. I. Bishop	Mr Hockey	Mr Oakeshott	Dr Southcott
Mr Briggs	Mrs Hull*	Mr Pearce	Dr Stone
Mr Chester	Mr Hunt	Mr Pyne	Mr Truss
Mr Ciobo	Mr Irons	Mr Ramsey	Mr Tuckey
Mr Cobb	Mr Johnson*	Mr Randall	Mr Turnbull
Mr Costello	Mr Keenan	Mr Robb	Mrs Vale
Mr Coulton	Ms Ley	Mr Robert	Dr Washer
Mr Dutton	Mr Macfarlane	Mr Ruddock	Mr Windsor
Mr Farmer	Ms Marino	Mr Schultz	Mr Wood
Mr Forrest	Mrs Markus	Mr Scott	
Mr Georgiou	Mrs May	Mr Secker	
Mr Haase	Mr Morrison	Mr Simpkins	

* Tellers

Pairs

Mr Bevis Mr Abbott
Mr S. F. Smith Mr Laming

And so it was resolved in the affirmative.

Ms J. Bishop (Deputy Leader of the Opposition) (seconder) addressing the House— ${\it Closure~of~Member}$

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

Question—put.

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

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

Mr Andrews	Mr Hartsuyker	Mrs Moylan	Mr Slipper
Mr Billson	Mr A. G. Hawke	Dr Nelson	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr D. P. M. Hawker	Mr Neville	Mr Somlyay
Ms J. I. Bishop	Mr Hockey	Mr Oakeshott	Dr Southcott
Mr Briggs	Mrs Hull*	Mr Pearce	Dr Stone
Mr Chester	Mr Hunt	Mr Pyne	Mr Truss
Mr Ciobo	Mr Irons	Mr Ramsey	Mr Tuckey
Mr Cobb	Mr Johnson*	Mr Randall	Mr Turnbull
Mr Costello	Mr Keenan	Mr Robb	Mrs Vale
Mr Coulton	Ms Ley	Mr Robert	Dr Washer
Mr Dutton	Mr Macfarlane	Mr Ruddock	Mr Windsor
Mr Farmer	Ms Marino	Mr Schultz	Mr Wood
Mr Forrest	Mrs Markus	Mr Scott	
Mr Georgiou	Mrs May	Mr Secker	
Mr Haase	Mr Morrison	Mr Simpkins	

* Tellers

Pairs

Mr Bevis Mr Abbott
Mr S. F. Smith Mr Laming

And so it was resolved in the affirmative.

Question—That the motion for the suspension of standing and sessional orders be agreed to—stated.

Mr Hockey 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)—

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

Mr Andrews	Mr Hartsuyker	Mrs Moylan	Mr Slipper
Mr Billson	Mr A. G. Hawke	Dr Nelson	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr D. P. M. Hawker	Mr Neville	Mr Somlyay
Ms J. I. Bishop	Mr Hockey	Mr Oakeshott	Dr Southcott
Mr Briggs	Mrs Hull*	Mr Pearce	Dr Stone
Mr Chester	Mr Hunt	Mr Pyne	Mr Truss
Mr Ciobo	Mr Irons	Mr Ramsey	Mr Tuckey
Mr Cobb	Mr Johnson*	Mr Randall	Mr Turnbull
Mr Costello	Mr Keenan	Mr Robb	Mrs Vale
Mr Coulton	Ms Ley	Mr Robert	Dr Washer
Mr Dutton	Mr Macfarlane	Mr Ruddock	Mr Windsor
Mr Farmer	Ms Marino	Mr Schultz	Mr Wood
Mr Forrest	Mrs Markus	Mr Scott	
Mr Georgiou	Mrs May	Mr Secker	
Mr Haase	Mr Morrison	Mr Simpkins	

* Tellers

Pairs

Mr Bevis Mr Abbott
Mr S. F. Smith Mr Laming

And so it was resolved in the affirmative.

Mr Albanese addressing the House—

Closure

Mr Hockey moved—That the question be now put—put and passed.

And the question—That the motion for the suspension of standing and sessional orders be agreed to—being accordingly put—

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

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

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

* Tellers

Pairs

Mr Bevis Mr Abbott
Mr S. F. Smith Mr Laming

And so it was negatived.

Questions without notice continuing—

Member directed to leave

At 3.54 p.m. the Member for Kalgoorlie (Mr Haase) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour.

Member named and suspended

The Speaker named the Member for Kalgoorlie (Mr Haase) for defying the Chair.

Mr Albanese (Leader of the House) moved—That the Member for Kalgoorlie be suspended from the service of the House.

Question—put.

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

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

NOES, 55

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

* Tellers

Pairs

Mr Bevis Mr Abbott
Mr S. F. Smith Mr Laming

And so it was resolved in the affirmative.

The Member was, therefore, suspended at 4.01 p.m. for 24 hours under standing order 94, and he accordingly left the Chamber.

Questions without notice continued.

23 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 5 of 2008–2009—Performance audit—The Senate order for departmental and agency contracts (Calendar year 2007 compliance).

Ordered to be made a Parliamentary Paper.

24 DOCUMENTS

The following documents were presented:

Defence Housing Australia—Statement of corporate intent for 2008-09.

Electoral Matters—Joint Standing Committee—Report—Review of certain aspects of the administration of the Australian Electoral Commission—Government response, September 2008.

Health Services Australia—Statement of corporate intent for 2008-11.

25 MESSAGE FROM THE SENATE—EXCISE LEGISLATION AMENDMENT (CONDENSATE) BILL 2008

Message No. 128, 25 September 2008, from the Senate was reported returning the Excise Legislation Amendment (Condensate) Bill 2008 with requests for amendments.

Ordered—That the amendments requested by the Senate be considered immediately.

On the motion of Mr Bowen (Assistant Treasurer), the requested amendments were made.

26 MESSAGE FROM THE SENATE—EXCISE TARIFF AMENDMENT (CONDENSATE) BILL 2008

Message No. 129, 25 September 2008, from the Senate was reported returning the Excise Tariff Amendment (Condensate) Bill 2008 with requests for amendments.

Ordered—That the amendments requested by the Senate be considered immediately.

On the motion of Mr Bowen (Assistant Treasurer), the requested amendments were made.

27 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—MEDICARE LEVY SURCHARGE

The House was informed that Mr Dutton had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's failure to fully disclose the real impact on families and the public hospital system of its proposed changes to the Medicare Levy Surcharge".

The proposed discussion having received the necessary support—

Mr Albanese (Leader of the House) moved—That the business of the day be called on.

Question—put.

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

Mr Dreyfus	Ms Jackson	Mr Raguse
Mrs Elliot	Dr Kelly	Ms Rea
Ms A. L. Ellis	Mr Kerr	Mr Ripoll
Dr Emerson	Ms Livermore	Ms Rishworth
Mr L. D. T. Ferguson	Mr McClelland	Ms Roxon
Mr M. J. Ferguson	Ms McKew	Ms Saffin
Mr Fitzgibbon	Ms Macklin	Mr Shorten
Mr Garrett	Mr McMullan	Mr Sidebottom
Mr Georganas	Mr Marles	Mr Snowdon
Ms George	Mr Melham	Mr Sullivan
Mr Gibbons	Mr Murphy	Mr Swan
Mr Gray	Ms Neal	Mr Symon
Ms Grierson	Mr Neumann	Mr Tanner
Mr Griffin	Mr O'Connor	Mr C. R. Thomson
Mr Hale	Ms Owens	Mr K. J. Thomson
Ms Hall*	Ms Parke	Mr Trevor
Mr Hayes*	Ms Plibersek	Mr Turnour
Mrs Irwin	Mr Price	Mr Zappia
	Mrs Elliot Ms A. L. Ellis Dr Emerson Mr L. D. T. Ferguson Mr M. J. Ferguson Mr Garrett Mr Georganas Ms George Mr Gibbons Mr Gray Ms Grierson Mr Griffin Mr Hale Ms Hall* Mr Hayes*	Mrs Elliot Dr Kelly Ms A. L. Ellis Mr Kerr Dr Emerson Ms Livermore Mr L. D. T. Ferguson Mr McClelland Mr M. J. Ferguson Ms McKew Mr Fitzgibbon Ms Macklin Mr Garrett Mr McMullan Mr Georganas Mr Marles Ms George Mr Melham Mr Gibbons Mr Murphy Mr Gray Ms Neal Ms Grierson Mr Neumann Mr Griffin Mr O'Connor Mr Hale Ms Owens Ms Hall* Ms Plibersek

Mr Andrews	Mr Hartsuyker	Mrs May	Mr Scott
Mr Billson	Mr A. G. Hawke	Mr Morrison	Mr Secker
Mrs B. K. Bishop	Mr D. P. M. Hawker	Mrs Moylan	Mr Simpkins
Ms J. I. Bishop	Mr Hockey	Dr Nelson	Mr Slipper
Mr Briggs	Mrs Hull*	Mr Neville	Mr A. D. H. Smith
Mr Chester	Mr Hunt	Mr Pearce	Mr Somlyay
Mr Ciobo	Mr Irons	Mr Pyne	Dr Southcott
Mr Cobb	Mr Johnson*	Mr Ramsey	Dr Stone
Mr Coulton	Mr Keenan	Mr Randall	Mr Truss
Mr Dutton	Ms Ley	Mr Robb	Mr Tuckey
Mr Farmer	Mr Macfarlane	Mr Robert	Mrs Vale
Mr Forrest	Ms Marino	Mr Ruddock	Dr Washer
Mr Georgiou	Mrs Markus	Mr Schultz	Mr Wood

* Tellers

Pairs

Mr Bevis Mr Abbott
Mr S. F. Smith Mr Laming

And so it was resolved in the affirmative.

28 ADJOURNMENT NEGATIVED

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

Mr Albanese (Leader of the House) requiring the question to be put immediately without debate—Question—That the question be put immediately without debate—put.

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

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

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* Tellers

Pairs

Mr Bevis Mr Abbott
Mr S. F. Smith Mr Laming

And so it was resolved in the affirmative.

And the question—That the House do now adjourn—being accordingly put—The House divided (the Deputy Speaker, Ms A. E. Burke, in the Chair)—

Mr Andrews	Mr Hartsuyker	Mrs May	Mr Scott
Mr Billson	Mr A. G. Hawke	Mr Morrison	Mr Secker
Mrs B. K. Bishop	Mr D. P. M. Hawker	Mrs Moylan	Mr Simpkins
Ms J. I. Bishop	Mr Hockey	Dr Nelson	Mr Slipper
Mr Briggs	Mrs Hull*	Mr Neville	Mr A. D. H. Smith
Mr Chester	Mr Hunt	Mr Pearce	Mr Somlyay
Mr Ciobo	Mr Irons	Mr Pyne	Dr Southcott
Mr Cobb	Mr Johnson*	Mr Ramsey	Dr Stone
Mr Coulton	Mr Keenan	Mr Randall	Mr Truss
Mr Dutton	Ms Ley	Mr Robb	Mr Tuckey
Mr Farmer	Mr Macfarlane	Mr Robert	Dr Washer
Mr Forrest	Ms Marino	Mr Ruddock	Mr Wood
Mr Georgiou	Mrs Markus	Mr Schultz	

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

* Tellers

Pairs

Mr Bevis Mr Abbott Mr S. F. Smith Mr Laming

And so it was negatived.

29 AUSTRALIAN ORGAN AND TISSUE DONATION AND TRANSPLANTATION AUTHORITY BILL 2008— REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Dr Kelly (Parliamentary Secretary for Defence Support), by leave, the bill was read a third time.

30 COMMITTEES—MEMBERSHIP

The House was informed that the Chief Opposition Whip had nominated Members to be members of certain committees.

Mr Albanese (Leader of the House), by leave, moved—That:

- (1) Mr Morrison be discharged from the Standing Committee on Health and Ageing and that, in his place, Mr Briggs be appointed a member of the committee;
- Mrs Markus be discharged from the Standing Committee on Family, Community, Housing and Youth and that, in her place, Mr Morrison be appointed a member of the committee;
- (3) Mr Dutton and Mr Keenan be discharged from the Standing Committee on Economics and that, in their place, Ms J. Bishop (Deputy Leader of the Opposition) and Mr A. D. H. Smith be appointed members of the committee;
- (4) Mr Baldwin and Mr Morrison be discharged from the Joint Committee of Public Accounts and Audit and that, in their place, Mrs B. K. Bishop and Mr Briggs be appointed members of the committee:
- (5) Mr Pyne be discharged from the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity and that, in his place, Ms Ley be appointed a member of the committee;
- (6) Mr Pyne be discharged from the Parliamentary Joint Committee on the Australian Crime Commission and that, in his place, Ms Ley be appointed a member of the committee; and

(7) Mr Robb be discharged from the Joint Standing Committee on Foreign Affairs, Defence and Trade and that, in his place, Mrs Markus be appointed a member of the committee.

Question—put and passed.

31 TAX LAWS AMENDMENT (POLITICAL CONTRIBUTIONS AND GIFTS) 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.

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

AYES, 72

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

NOES, 46

Mr Andrews	Mr Hartsuyker	Mrs May	Mr Secker
Mr Billson	Mr A. G. Hawke	Mr Morrison	Mr Slipper
Mrs B. K. Bishop	Mr D. P. M. Hawker	Mrs Moylan	Mr A. D. H. Smith
Ms J. I. Bishop	Mr Hockey	Mr Neville	Mr Somlyay
Mr Briggs	Mrs Hull*	Mr Pearce	Dr Southcott
Mr Chester	Mr Hunt	Mr Pyne	Dr Stone
Mr Cobb	Mr Irons	Mr Randall	Mr Truss
Mr Coulton	Mr Johnson*	Mr Robb	Mr Tuckey
Mr Dutton	Mr Keenan	Mr Robert	Dr Washer
Mr Farmer	Ms Ley	Mr Ruddock	Mr Wood
Mr Forrest	Ms Marino	Mr Schultz	
Mr Georgiou	Mrs Markus	Mr Scott	

* Tellers

Pairs

Mr Bevis Mr Abbott
Mr S. F. Smith Mr Laming

And so it was resolved in the affirmative.

32 MESSAGES FROM THE SENATE

Messages from the Senate, 25 September 2008, were reported:

(a) returning the following bills without amendment:

No. 130—AusLink (National Land Transport) Amendment 2008;

No. 131—Australian Research Council Amendment 2008;

- (b) returning the Tax Laws Amendment (Luxury Car Tax) Bill 2008 and informing the House that the Senate had agreed to the bill as amended by the House at the request of the Senate—Message No. 127; and
- (c) requesting the House to consider immediately the Urgent Relief for Single Age Pensioners Bill 2008—Message No. 126.

33 ADJOURNMENT

Mr Albanese (Leader of the House) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 5.08 p.m., adjourned until 12 noon on Monday, 13 October 2008.

DOCUMENTS

The following documents were deemed to have been presented on 25 September 2008:

AusLink (National Land Transport) Act—Variation under section 6—2008 National land transport network (No. 2) [F2008L03488].

Commonwealth Inscribed Stock Act, Loans Securities Act and Financial Management and Accountability Act—Directions—2008 Commonwealth borrowing, securities lending and the investment of public money [F2008L03184].

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Abbott, Mr Bevis, Mr Broadbent, Mrs Gash*, Dr Jensen, Mr Laming, Mr Lindsay, Mrs Mirabella*, Mr Rudd and Mr S. F. Smith.

* On leave

B. C. WRIGHT

Acting Clerk of the House of Representatives

2008

HOUSE OF REPRESENTATIVES

SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 49

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 25 SEPTEMBER 2008

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' CONSTITUENCY STATEMENTS

Members' constituency statements were made.

3 AUSTRALIAN ORGAN AND TISSUE DONATION AND TRANSPLANTATION AUTHORITY 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.

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Suspension of meeting

At 10.28 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of meeting

At 10.42 a.m., the proceedings were resumed.

Debate continued.

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 DAY OF DEMOCRACY

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

- (1) notes that, on 8 November 2007, the United Nations General Assembly decided in resolution 62/7 that the International Day of Democracy would be observed annually on the fixed date of 15 September, and that all Member States, organizations, non-governmental organizations and individuals are invited to commemorate the International Day of Democracy in an appropriate manner that contributes to raising public awareness;
- (2) notes further that the United Nations General Assembly invited Member States to make sure that parliamentarians and civil society organizations are given appropriate opportunities to be involved in, and contribute to, the celebration of the International Day of Democracy;
- (3) notes also that the United Nations General Assembly reaffirmed that "democracy is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems, and their full participation in all aspects of life;" and that "While democracies share common features, there is no single model of democracy and that democracy does not belong to any country or region.";

- (4) notes that the Inter-Parliamentary Union adopted a Universal Declaration on Democracy on 16 September 1997 in which it recalled the principles of democracy, the elements and exercise of democratic government and the international dimension of democracy;
- (5) notes further the Inter-Parliamentary Union's strong support for the International Day of Democracy held on 15 September as declared by the United Nations;
- (6) notes that the Inter-Parliamentary Union has urged parliaments to celebrate the International Day of Democracy as an opportunity for parliaments to:
 - emphasize the importance of democracy, what it involves, the challenges it faces as well as
 the opportunities it offers, and the central responsibility that all parliaments have as the key
 institution of democracy; and
 - (b) examine and discuss how well parliament performs its democratic functions and identify what steps it may take to strengthen its effectiveness; and
- (7) declares its strong support for the International Day of Democracy—

Debate resumed.

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

5 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

At 1.01 p.m., the Deputy Speaker adjourned the Main Committee until 6.40 p.m. on Monday, 13 October 2008.

B. C. WRIGHTClerk of the Main Committee