

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 64

WEDNESDAY, 26 NOVEMBER 2008

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

2 WHIPS' REPORT

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

Whips' report—Report relating to committee and delegation reports and private Members' business on Monday, 1 December 2008—

and moved—That the report be adopted.

Question—put and passed.

3 AGED CARE AMENDMENT (2008 MEASURES NO. 2) BILL 2008—REPORT FROM MAIN COMMITTEE

The Speaker reported that the bill had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported, and the bill had been agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Mr A. S. Burke (Minister for Agriculture, Fisheries and Forestry), by leave, the bill was read a third time.

4 AUSTRALIAN CURRICULUM, ASSESSMENT AND REPORTING 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.

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

Leave granted for third reading to be moved immediately.

On the motion of Ms McKew (Parliamentary Secretary for Early Childhood Education and Childcare), the bill was read a third time.

5 CORPORATIONS AMENDMENT (SHORT SELLING) 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, Mr Turnour 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.

6 MINISTERIAL ARRANGEMENTS

Mr Rudd (Prime Minister) informed the House that, during the absence overseas of Mr S. F. Smith (Minister for Foreign Affairs), Mr Crean (Minister for Trade) would answer questions on his behalf.

7 PRIME MINISTER—AUSTRALIA'S RESPONSE TO THE GLOBAL FINANCIAL CRISIS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF DOCUMENT

Mr Rudd (Prime Minister), by leave, made a ministerial statement concerning Australia's response to the global financial crisis, and presented the following document.

Prime Minister—Australia's response to the global financial crisis—Ministerial statement, 26 November 2008.

Mr Albanese (Leader of the House) moved—That the House take note of the document.

Suspension of standing and sessional orders—Time for speech

Mr Albanese, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Turnbull (Leader of the Opposition) speaking for a period not exceeding twenty-two minutes.

Question—put and passed.

Mr Turnbull addressed the House.

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

8 QUESTIONS

Questions without notice were asked.

9 DOCUMENT

Mr Albanese (Leader of the House) presented the following document:

Shadow Minister for silly statements—Article from *Illawarra Mercury*, 20 November 2008.

10 DOCUMENTS

The following documents were presented:

Australian Postal Corporation (Australia Post)—Equal employment opportunity program—Report for 2007-08.

Commonwealth Ombudsman—Activities under Part V of the *Australian Federal Police Act 1979*—Report for 2007-08.

Crimes Act 1914—Authorisations for the acquisition and use of assumed identities—Report for 2007-08—Australian Customs Service.

Equal Opportunity for Women in the Workplace Agency—Report for 2007-08.

Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Act 2004—Report on financial assistance granted to each State in respect of 2007.

Treaty—*Bilateral—Text, together with national interest analyses*—Agreement between the Government of Australia and the North Atlantic Treaty Organisation on the security of information, done at New York on 26 September 2007.

11 TRANS PACIFIC PARTNERSHIP—MINISTERIAL STATEMENT

Mr Crean (Minister for Trade), by leave, made a ministerial statement on the Trans Pacific Partnership—Australia to join efforts to promote free trade in the Asia Pacific, 26 November 2008.

Document

Mr Crean presented the following document:

Priorities and objectives for participation in the Trans Pacific Partnership—Views expressed in public consultations.

Suspension of standing and sessional orders—Time for speech

Mr Crean, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Truss (Leader of the Nationals) speaking for a period not exceeding sixteen minutes.

Question—put and passed.

Mr Truss addressed the House.

12 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIAN JOBS

The House was informed that Mr Keenan had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to develop a plan to save Australian jobs”.

The proposed discussion having received the necessary support—

Mr Keenan addressed the House.

Discussion ensued.

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

13 NATION-BUILDING FUNDS BILL 2008—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Main Committee had resolved that further proceedings on the bill be conducted in the House, and presented a certified copy of the bill.

Ordered—That further proceedings on the bill be made an order of the day for a later hour this day.

14 NATION-BUILDING FUNDS (CONSEQUENTIAL AMENDMENTS) BILL 2008—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Main Committee had resolved that further proceedings on the bill be conducted in the House, and presented a certified copy of the bill.

Ordered—That further proceedings on the bill be made an order of the day for a later hour this day.

15 COAG REFORM FUND BILL 2008—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Main Committee had resolved that further proceedings on the bill be conducted in the House, and presented a certified copy of the bill.

Ordered—That further proceedings on the bill be made an order of the day for a later hour this day.

16 PARLIAMENTARY ZONE—OLD PARLIAMENT HOUSE NEW COOLING PLANT ENCLOSURE—APPROVAL OF PROPOSAL

Mr Gray (Parliamentary Secretary for Regional Development and Northern Australia), for 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 24 November 2008, namely: Old Parliament House new cooling plant enclosure.

Question—put and passed.

17 BUSINESS OF THE MAIN COMMITTEE

Mr Price (Chief Government Whip), by leave, moved—That, unless otherwise ordered:

- (a) for the Main Committee meeting tomorrow Members’ constituency statements may continue for one hour, irrespective of suspensions for divisions in the House; and
- (b) the order of the day for the resumption of the debate on the motion to take note of the Prime Minister’s statement on Australia’s response to the global financial crisis be referred to the Main Committee.

Question—put and passed.

18 CORPORATIONS AMENDMENT (SHORT SELLING) 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.

Consideration in detail

Bill, by leave, taken as a whole.

Mr Pearce moved the Opposition amendment.

Debate continued.

Question—That the amendment be agreed to—put.

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

AYES, 55

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

NOES, 72

Mr Adams	Mr Danby	Ms Jackson	Mr Raguse
Mr Albanese	Mrs D'Ath	Dr Kelly	Ms Rea
Mr Bevis	Mr Dreyfus	Mr Kerr	Mr Ripoll
Mr Bidgood	Ms A. L. Ellis	Ms King (<i>proxy</i>)	Ms Rishworth
Ms Bird	Dr Emerson	Ms Livermore	Ms Roxon
Mr Bowen	Mr L. D. T. Ferguson	Ms McKew	Ms Saffin
Mr Bradbury	Mr M. J. Ferguson	Ms Macklin	Mr Shorten
Ms A. E. Burke	Mr Garrett	Mr McMullan	Mr Sidebottom
Mr A. S. Burke	Mr Georganas	Mr Marles	Mr Snowdon
Mr Butler	Ms George	Mr Melham	Mr Sullivan
Mr Byrne	Mr Gibbons	Mr Murphy	Mr Swan
Ms Campbell	Mr Gray	Ms Neal	Mr Symon
Mr Champion	Ms Grierson	Mr Neumann	Mr Tanner
Mr Cheeseman	Mr Griffin	Mr O'Connor	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

* Tellers

And so it was negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Bowen (Assistant Treasurer), by leave, the bill was read a third time.

19 MESSAGES FROM THE SENATE

Messages from the Senate, 26 November 2008, were reported:

- (a) acquainting the House that Senator Ludlam had been appointed a member of the Joint Standing Committee on Foreign Affairs, Defence and Trade—Message No. 172; and
- (b) returning the Same-Sex Relationships (Equal Treatment in Commonwealth Laws—Superannuation) Bill 2008 and acquainting the House that the Senate does not insist on its amendment No. 1 disagreed to by the House and has agreed to the amendments made by the House in its place—Message No. 174.

20 MESSAGE FROM THE SENATE—SAME-SEX RELATIONSHIPS (EQUAL TREATMENT IN COMMONWEALTH LAWS—GENERAL LAW REFORM) BILL 2008

Message No. 173, 26 November 2008, from the Senate was reported returning the Same-Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Bill 2008 with amendments.

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

21 TAX LAWS AMENDMENT (LUXURY CAR TAX—MINOR AMENDMENTS) 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 Truss (Leader of the Nationals) addressing the House—

22 ADJOURNMENT

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Deputy Speaker adjourned the House until 9 a.m. tomorrow.

DOCUMENTS

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

Appropriation (Northern Territory National Emergency Response) Act (No. 1) 2007-2008—Determination to reduce appropriation upon request—2008-09 No. 8 [F2008L04347].

Australian Prudential Regulation Authority Act—Determination under section 57—2008 Confidentiality (No. 13) [F2008L04377].

Australian Research Council Act—Determination—2008 No. 62.

Civil Aviation Act—

Civil Aviation Regulations—Exemption—2008 No. CASA EX78 [F2008L04309].

Civil Aviation Safety Regulations—Airworthiness Directive under Part 39-105—AD/B737 No. 346 [F2008L04349].

Environment Protection and Biodiversity Conservation Act—Instruments under—section 184—14 November 2008 [2] [F2008L04356], [F2008L04359].

section 303DC—2008—

13 November [F2008L04417].

21 November [2] [F2008L04385], [F2008L04395].

Higher Education Funding Act—Declaration under section 4—11 November 2008 [F2008L04384].

Higher Education Support Act—VET provider—Notice of approval—2008 No. 7 [F2008L04365].

Migration Act—Migration Regulations—Instruments—2008—

eVisitor-eligible passports, No. IMMI 08/106 [F2008L04321].

Travel agents for PRC citizens applying for tourist visas, No. IMMI 08/103 [F2008L04346].

National Environment Protection Council Act—National Environment Protection Measure—National Pollutant Inventory—Variation—2008 No. 1 [F2008L04326].

National Health Security Act—Determination under section 35—2008 SSBA standards [F2008L04331].

Social Security Act—Determination—2008 Australian Government disaster recovery payment (No. 3)—Amendment (No. 1) [F2008L04379].

Superannuation Industry (Supervision) Act—Declaration under section 332—2008 Modification (No. 1) [F2008L04381].

Therapeutic Goods Act—Orders—2008—

Conformity Assessment Standard—Standard for quality management systems and quality assurance techniques [F2008L04337].

Medical Device Standards—Standards for biological safety of medical devices [F2008L04338].

Trade Practices Act—Determinations—2008—

Class exemption (No. 3) [F2008L04332].

Model non-price terms and conditions [F2008L04341].

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Baldwin, Mr Fitzgibbon, Mrs Gash*, Mrs Moylan, Mr Oakeshott*, Ms Owens, Mr S. F. Smith and Ms Vamvakinou.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2008

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 64

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 26 NOVEMBER 2008

1 The Main Committee met at 9.30 a.m.

2 **MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements were made.

3 **NATION-BUILDING FUNDS 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.

Ms Hall moved—That further proceedings on the bill, on the Nation-building Funds (Consequential Amendments) Bill 2008 and the COAG Reform Fund Bill 2008, be conducted in the House.

Question—put and passed.

4 **ADJOURNMENT**

On the motion of Ms Hall, the Main Committee adjourned at 1.05 p.m.

The Deputy Speaker fixed 9.30 a.m. tomorrow for the next meeting of the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee