

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 65

THURSDAY, 27 NOVEMBER 2008

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

2 **PRIVILEGE—COMPLAINT OF BREACH—MOTION BY MEMBER**

Mrs B. K. Bishop raised, as a matter of privilege, the remarks of the Leader of the House on 26 November 2008, relating to Port Macquarie Shire Council.

Mrs B. K. Bishop moved—That the Member for Grayndler be suspended from the House for a minimum of two days for a contempt of the House in deliberately misleading the House, in accordance with the Aldred precedent.

Question—put.

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

AYES, 56

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

## NOES, 66

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

\* Tellers

*Pairs*

Ms Vamvakinou	Mrs Gash
Mr Fitzgibbon	Mr Baldwin
Ms Owens	Mr Ruddock
Mr S. F. Smith	Mrs Moylan

And so it was negatived.

**3 TIME FOR MEETING AND ORDER OF BUSINESS FOR MONDAY, 1 DECEMBER 2008**

Mr Albanese (Leader of the House), pursuant to notice, moved—That:

- (1) on Thursday, 27 November 2008, the House at its rising adjourn until 10 a.m. on Monday, 1 December 2008; and
- (2) on Monday, 1 December 2008, notices and orders of the day, government business, have precedence until noon, then the order of business for the remainder of the sitting be as provided for in standing order 34.

Question—put and passed.

**4 RESALE ROYALTY RIGHT FOR VISUAL ARTISTS BILL 2008—REFERENCE TO COMMITTEE**

Mr Garrett (Minister for the Environment, Heritage and the Arts), pursuant to notice, presented a Bill for an Act to create a right to resale royalty in relation to artworks, 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 Lindsay), and the resumption of the debate made an order of the day for the next sitting.

Mr Garrett moved—That the bill be referred to the Standing Committee on Climate Change, Water, Environment and the Arts for consideration and an advisory report to the House by 20 February 2009.

Question—put and passed.

**5 POSTPONEMENT OF ORDERS OF THE DAY**

Ordered—That orders of the day Nos 1 to 7, government business, be postponed until a later hour this day.

**6 SAME-SEX RELATIONSHIPS (EQUAL TREATMENT IN COMMONWEALTH LAWS—GENERAL LAW REFORM) 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 McClelland (Attorney-General), the amendments were agreed to.

**7 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.

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

*Message from the Governor-General*

Message No. 115, 25 November 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 Bowen (Assistant Treasurer), the bill was read a third time.

**8 MESSAGE FROM THE SENATE**

Message No. 175, 26 November 2008, from the Senate was reported returning the Guarantee Scheme for Large Deposits and Wholesale Funding Appropriation Bill 2008 without amendment.

**9 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.

Debate adjourned (Mr Byrne—Parliamentary Secretary to the Prime Minister), and the resumption of the debate made an order of the day for a later hour this day.

**10 ECONOMICS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT**

Mr C. R. Thomson (Chair) presented the following document:

Economics—Standing Committee—Competition in the banking and non-banking sectors—

Report, November 2008.

Minutes of proceedings.

Report ordered to be made a Parliamentary Paper.

Mr C. R. Thomson and Mr Andrews, by leave, made statements in connection with the report.

Mr C. R. Thomson moved—That the House take note of the report.

In accordance with sessional order 39, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

**11 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.

Mr Hartsuyker addressing the House—

It being 2 p.m., the debate was interrupted in accordance with standing order 97, Mr Hartsuyker 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.

**12 QUESTIONS**

Questions without notice being asked—

*Member directed to leave*

At 2.41 p.m. the Member for Sturt (Mr Pyne) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour after a warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continued.

**13 AUDITOR-GENERAL'S REPORT**

The Speaker presented the following document:

Auditor-General—Audit report No. 9 of 2008–2009—Assurance report—Defence Materiel Organisation major projects report 2007-08.

Ordered to be made a Parliamentary Paper.

**14 DOCUMENT**

The Speaker presented the following document:

Intelligence and Security—Parliamentary Joint Committee—Report—Annual report of committee activities 2007-08—Presiding Officers' response, November 2008.

**15 DOCUMENT**

The Speaker presented the following document:

Norfolk Island governance—Resolution of the Legislative Assembly of Norfolk Island forwarding the Chief Minister's statement and *Hansard* transcript, dated 19 November 2008, in response to statements made in the House of Representatives on 23 October 2008.

**16 DOCUMENTS**

The following documents were presented:

Administrative Review Council—Report No. 49—Administrative accountability in business areas subject to complex and specific regulation, November 2008.

Australian Public Service Commission—State of the service—Report for 2007-08.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Australia's aid program in the Pacific—Government response.

Snowy Hydro Limited—Report for the period 1 July 2007 to 28 June 2008.

Statutory Fishing Rights Allocation Review Panel Selection Committee—Report for 2007-08.

Telstra Sale Company Limited—Report for 2007-08.

**17 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—BUDGET SURPLUSES**

The House was informed that Ms J. Bishop (Deputy Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's failure to responsibly manage the Budget and to honour its pre-election and post-election commitments to deliver Budget surpluses".

The proposed discussion having received the necessary support—

Ms J. Bishop addressed the House.

Discussion ensued.

Mr Andrews addressing the House—

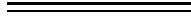
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18 **ADJOURNMENT**

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

Debate ensued.

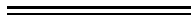
The House continuing to sit until 5 p.m.—The Deputy Speaker adjourned the House until 10 a.m. on Monday, 1 December 2008, in accordance with the resolution agreed to this sitting.



**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Baldwin, Mr Fitzgibbon, Mrs Gash\*, Mr Oakeshott\*, Ms Owens, Mr Ruddock, 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. 65

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

THURSDAY, 27 NOVEMBER 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 **INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT AND LOCAL GOVERNMENT—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 Ms King—That the House take note of the document (*presented on 24 November 2008*), *viz.*—

Infrastructure, Transport, Regional Development and Local Government—Standing Committee—Funding regional and local community infrastructure: Proposals for the new Regional and Community Infrastructure Program—Interim report, incorporating a dissenting report, November 2008—

Debate resumed.

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

4 **ADJOURNMENT**

Mr Melham moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 1.02 p.m., the Deputy Speaker adjourned the Main Committee until 6.40 p.m. on Monday, 1 December 2008.

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