

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 87

THURSDAY, 19 MARCH 2009

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

2 **SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED**

Mr Dutton moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Dickson moving immediately—That the Minister for Health and Ageing:

- (1) introduce legislation to validate the collection of additional excise on premixed ready to drink alcoholic beverages; and
- (2) include in that legislation a provision to quarantine the funds for measures to address binge drinking.

*Closure of Member*

Ms Plibersek (Minister for Housing) moved—That the Member be no longer heard.

Question—put.

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

AYES, 78

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

## NOES, 61

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

\* Tellers

And so it was resolved in the affirmative.

Mr Pyne (seconded) addressing the House—

*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)—

## AYES, 78

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

## NOES, 61

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

\* Tellers

And so it was resolved in the affirmative.

Ms Roxon (Minister for Health and Ageing) addressing the House—

*Closure moved*

Mr Pyne moved—That the question be now put.

Question—That the question be now put—put.

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

## AYES, 61

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

## NOES, 80

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

\* Tellers

And so it was negatived.

Ms Roxon addressing the House—

*Closure of Member moved*

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

Question—put.

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

## AYES, 60

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

## NOES, 80

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

\* Tellers

And so it was negatived.

Mr Albanese addressing the House—

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

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

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

## AYES, 60

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

## NOES, 80

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

\* Tellers

And so it was negatived.

### 3 MESSAGE FROM THE SENATE

Message No. 240, 18 March 2009, from the Senate was reported informing the House of the following resolution agreed to by the Senate, relating to the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and the Excise Tariff Amendment (2009 Measures No. 1) Bill 2009:

That, if further legislation to validate the collection of the revenue so far under these measures were to be presented by noon on 19 March 2009, the Senate would be disposed to expedite the consideration of that legislation.

### 4 SUSPENSION OF STANDING AND SESSIONAL ORDERS—PRIVATE MEMBERS' NOTICE

Ms Plibersek (Minister for Housing), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent notice No. 27, private Members' business, being called on immediately.

Question—put and passed.

### 5 ASSOCIATION OF FORMER MEMBERS OF THE PARLIAMENT OF AUSTRALIA

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

- (1) recognises the Association of Former Members of the Parliament of Australia, formed in 1988, as a forum in which former Members and Senators can meet, discuss and promote parliamentary democracy;
- (2) acknowledges the contribution made by the Association and its members to debate on public policy in Australia and the furthering of parliamentary democracy in general;
- (3) welcomes the role of the Association in encouraging former Members and Senators to maintain their contacts, associations and friendships established during their tenure as Australian parliamentarians; and
- (4) endorses the Association's role in establishing fraternal relations with kindred organisations within Australia and internationally.

Question—put and passed.

**6 FAIR WORK (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 2009**

Ms Gillard (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend laws, and deal with transitional matters, in connection with the *Fair Work Act 2009*, and for other purposes.

*Document*

Ms Gillard presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**7 TAX LAWS AMENDMENT (SMALL BUSINESS AND GENERAL BUSINESS TAX BREAK) BILL 2009**

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.

**8 THERAPEUTIC GOODS AMENDMENT (2009 MEASURES NO. 1) BILL 2009**

Mrs Elliot (Minister for Ageing), for Ms Roxon (Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the *Therapeutic Goods Act 1989*, and for related purposes.

*Document*

Mrs Elliot presented an explanatory memorandum to the bill.

Bill read a first time.

Mrs Elliot 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 POSTPONEMENT OF NOTICES**

Ordered—That notices Nos 3 to 5, government business, be postponed until a later hour this day.

**10 OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE LEGISLATION AMENDMENT BILL 2009**

Mr M. J. Ferguson (Minister for Resources and Energy), pursuant to notice, presented a Bill for an Act to amend the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*, and for other purposes.

*Document*

Mr M. J. Ferguson presented an explanatory memorandum to the bill.

Bill read a first time.

Mr M. J. Ferguson 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.

**11 OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (SAFETY LEVIES) AMENDMENT BILL 2009**

Mr M. J. Ferguson (Minister for Resources and Energy) presented a Bill for an Act to amend the *Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Act 2003*, and for other purposes.

*Document*

Mr M. J. Ferguson presented an explanatory memorandum to the bill.

Bill read a first time.

Mr M. J. Ferguson 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.

**12 FINANCIAL SECTOR LEGISLATION AMENDMENT (ENHANCING SUPERVISION AND ENFORCEMENT) BILL 2009**

Mr Bowen (Assistant Treasurer), pursuant to notice, presented a Bill for an Act to amend the law relating to banking, insurance and superannuation, 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.

**13 INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL (NO. 1) 2009**

Mr Bowen (Assistant Treasurer) presented a Bill for an Act to amend the *International Tax Agreements Act 1953*, 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.

**14 TAX LAWS AMENDMENT (2009 MEASURES NO. 2) BILL 2009**

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.

**15 INTERNATIONAL MONETARY AGREEMENTS AMENDMENT BILL 2009**

Mr Bowen (Assistant Treasurer), pursuant to notice, presented a Bill for an Act to amend the *International Monetary Agreements Act 1947*, 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.

**16 EVIDENCE AMENDMENT (JOURNALISTS' PRIVILEGE) BILL 2009**

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Evidence Act 1995*, and for related purposes.

*Document*

Mr McClelland presented an explanatory memorandum to the bill.

Bill read a first time.



Mr McClelland 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.

**17 LAW AND JUSTICE (CROSS BORDER AND OTHER AMENDMENTS) BILL 2009**

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to amend various Acts relating to law and justice, and for related purposes.

*Document*

Mr McClelland presented an explanatory memorandum to the bill.

Bill read a first time.

Mr McClelland 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.

**18 NATIVE TITLE AMENDMENT BILL 2009**

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Native Title Act 1993*, and for other purposes.

*Document*

Mr McClelland presented an explanatory memorandum to the bill.

Bill read a first time.

Mr McClelland 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.

**19 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—CONSTRUCTION OF HOUSING FOR DEFENCE AT YAMANTO HILLS, IPSWICH, QUEENSLAND**

Dr Kelly (Parliamentary Secretary for Defence Support), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Construction of housing for Defence at Yamanto Hills, Ipswich, Queensland.

Question—put and passed.

**20 ENHANCED LAND FORCE STAGE 1 FACILITIES PROJECT, LAVARACK BARRACKS, TOWNSVILLE, QUEENSLAND AND OTHER DEFENCE BASES AROUND AUSTRALIA—APPROVAL OF WORK**

Dr Kelly (Parliamentary Secretary for Defence Support), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Enhanced Land Force Stage 1 Facilities Project, Lavarack Barracks, Townsville, Queensland and other Defence bases around Australia.

Question—put and passed.

**21 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 26 February, it recommends that the following be made Parliamentary Papers:

Australian Competition and Consumer Commission—Report—Telecommunications—Telstra's compliance with price control arrangements for 2007-08.

Australian Electoral Commission—Report—2009 Redistribution of Tasmania into electoral divisions.

Commonwealth Grants Commission—State revenue sharing relativities—2009 update, incorporating a corrigendum.

*Housing Assistance Act 1996*—Report for 2006-07.

*War Crimes Act 1945*—Report on the operation of the Act for 2007-08.

CHRIS HAYES MP

Chair

19 March 2009

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

**22 COMMUNICATIONS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

Ms Neal (Chair) presented the following documents:

Communications—Standing Committee—Phoning home: Inquiry into international mobile roaming—Report, March 2009.

Evidence received by the committee.

Minutes of proceedings.

Report ordered to be made a Parliamentary Paper.

Ms Neal and Mr Billson, by leave, made statements in connection with the report.

Ms Neal 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.

Ms Neal, by leave, moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

**23 TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

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

Treaties—Joint Standing Committee—Report 100: Treaties tabled on 25 June 2008 (2)—Report, incorporating a dissenting report, March 2009.

Ordered to be made a Parliamentary Paper.

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

Mr K. J. Thomson 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.

Mr K. J. Thomson, by leave, moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

**24 HIGHER EDUCATION LEGISLATION AMENDMENT (STUDENT SERVICES AND AMENITIES, AND OTHER MEASURES) BILL 2009**

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, Mrs Moylan, in the Chair)—

## AYES, 77

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

## NOES, 58

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

\* Tellers

And so it was resolved in the affirmative—bill read a second time.

*Message from the Governor-General*

Message No. 161, 24 February 2009, 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 Ms K. M. Ellis (Minister for Youth), the bill was read a third time.

**25 PRIVILEGES AND MEMBERS' INTERESTS COMMITTEE—DOCUMENT**

Mr Raguse (Chair) presented the following document:

Privileges and Members' Interests Committee—Register of Members' Interests for the 42nd Parliament—Notifications of alterations of interests and statements of registrable interests received during the period 4 December 2008 to 18 March 2009.

**26 MESSAGE FROM THE SENATE**

Message No. 241, 19 March 2009, from the Senate was reported requesting the House to immediately consider the Senate amendments to the Reserve Bank Amendment (Enhanced Independence) Bill 2008.

**27 CUSTOMS LEGISLATION AMENDMENT (NAME CHANGE) BILL 2009**

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 Albanese—Leader of the House), and the resumption of the debate made an order of the day for a later hour this day.

**28 SUSPENSION OF STANDING ORDERS 31 AND 33**

Mr Albanese (Leader of the House), by leave, moved—That standing order 31 (automatic adjournment of the House) and standing order 33 (limit on business after 10 p.m.) be suspended for this sitting.

Question—put and passed.

**29 CUSTOMS LEGISLATION AMENDMENT (NAME CHANGE) BILL 2009**

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.

Dr Stone addressing the House—

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

**30 DEATH OF FORMER MEMBER (MR WILLIAM GEORGE BURNS)**

The Speaker informed the House of the death, on 16 March 2009, of Mr William George (Bill) Burns, a Member of this House for the Division of Isaacs from 1977 to 1980.

As a mark of respect to the memory of the deceased all Members present stood, in silence.

**31 DEATH OF CORPORAL MATHEW RICKY ANDREW HOPKINS**

Mr Rudd (Prime Minister) referred to the death of Corporal Mathew Ricky Andrew Hopkins, and moved—That the House record its deep regret at the death on 16 March 2009 of Corporal Mathew Hopkins while on combat operations in Afghanistan, place on record its appreciation of his service to the country and tender its profound sympathy to his family in their bereavement.

Mr Turnbull (Leader of the Opposition) having seconded the motion, and all Members present having risen, in silence—

Question—passed.

**32 QUESTIONS**

Questions without notice being asked—

*Document*

Mr Randall, in accordance with standing order 201, having called for a document quoted from by Ms Roxon (Minister for Health and Ageing)—

Ms Roxon presented the following document:

Senate Standing Committee on Community Affairs inquiry into Excise Tariff Amendment (2009 Measures No. 1) Bill 2009 and Customs Tariff Amendment (2009 Measures No. 1) Bill 2009—Distilled Spirits Industry Council of Australia submission, 3 March 2009.

Questions without notice continuing—

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*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 this House censures the Prime Minister for his Government's incompetent management of Australia's economy which has delivered a trifecta of higher unemployment, higher government debt and more strikes, greatly increasing the risk of a Rudd Recession, and, in particular, for recklessly:

- (1) delivering a failed stimulus package, squandering a \$22 billion Budget surplus and burdening future generations with a \$226 billion debt;
- (2) sacrificing jobs by pandering to union demands for a re-regulated industrial relations system;
- (3) proposing a bureaucratic, costly and jobs destroying Emissions Trading Scheme that will fail the economy and the environment;
- (4) ignoring the interests of Australian workers by not modelling the employment impact of its misguided policies;
- (5) increasing Australia's skilled migration intake by 20 per cent in 2008 despite the slowing global economy;
- (6) borrowing money to fund cash hand outs, diminishing the resources available for critical government spending on services such as pensions and health care; and
- (7) rejecting alternative views or proposals and arrogantly pursuing policies that are making a difficult economic situation much worse.

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, 60

Mr Abbott	Mr Farmer	Mr Laming	Mr Ruddock
Mr Andrews	Mr Forrest	Ms Ley	Mr Schultz
Fran Bailey	Mrs Gash	Mr Macfarlane	Mr Scott
Mr Baldwin	Mr Georgiou	Ms Marino	Mr Secker
Mr Billson	Mr Haase	Mrs May	Mr Simpkins
Mrs B. K. Bishop	Mr Hartsuyker	Mrs Mirabella	Mr Slipper
Ms J. I. Bishop	Mr A. G. Hawke	Mr Morrison	Mr A. D. H. Smith
Mr Briggs	Mr D. P. M. Hawker	Mrs Moylan	Mr Somlyay
Mr Broadbent	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 Turnbull
Mr Costello	Dr Jensen	Mr Randall	Mrs Vale
Mr Coulton	Mr Johnson*	Mr Robb	Dr Washer
Mr Dutton	Mr Keenan	Mr Robert	Mr Wood

## NOES, 77

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

\* Tellers

And so it was negatived.

Questions without notice continuing—

*Member directed to leave*

At 3.51 p.m. the Member for Flinders (Mr Hunt) 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.

**33 DEATH OF CORPORAL MATHEW RICKY ANDREW HOPKINS—DOCUMENT—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

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

Death of Corporal Mathew Ricky Andrew Hopkins—Copy of the Prime Minister's motion of condolence.

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

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

Mr Albanese, by leave, moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

**34 AUDITOR-GENERAL'S REPORT**

The Speaker presented the following document:

Auditor-General—Audit report No. 26 of 2008–2009—Performance audit—Rural and remote health workforce capacity—The contribution made by programs administered by the Department of Health and Ageing: Department of Health and Ageing.

Ordered to be made a Parliamentary Paper.

**35 DOCUMENTS**

The following documents were presented:

Australian Human Rights Commission—Report No. 40—Complaints by immigration detainees against the Commonwealth of Australia.

*Superannuation (Government Co-contribution for Low Income Earners) Act 2003*—Quarterly report on the operation of the Act for the period 1 October to 31 December 2008.

Treaties—Joint Standing Committee—Report 93: Treaties tabled on 12 March and 14 May 2008—Government response.

**36 DOCUMENT—MOTION TO TAKE NOTE OF DOCUMENT**

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

Treaties—Joint Standing Committee—Report 93: Treaties tabled on 12 March and 14 May 2008—Government response.

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

**37 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—EXPORT INDUSTRY JOBS**

The House was informed that Mr Truss (Leader of the Nationals) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to protect jobs in Australia’s export industries”.

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)—

AYES, 70

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

## NOES, 55

Mr Andrews	Mrs Gash	Mr Macfarlane	Mr Schultz
Fran Bailey	Mr Georgiou	Ms Marino	Mr Scott
Mr Baldwin	Mr Haase	Mrs May	Mr Secker
Mr Billson	Mr Hartsuyker	Mrs Mirabella	Mr Simpkins
Ms J. I. Bishop	Mr A. G. Hawke	Mr Morrison	Mr Slipper
Mr Briggs	Mr D. P. M. Hawker	Mrs Moylan	Mr A. D. H. Smith
Mr Broadbent	Mr Hockey	Mr Neville	Mr Somlyay
Mr Chester	Mrs Hull*	Mr Oakeshott	Dr Southcott
Mr Ciobo	Mr Irons	Mr Pearce	Dr Stone
Mr Cobb	Dr Jensen	Mr Pyne	Mr Truss
Mr Coulton	Mr Johnson*	Mr Ramsey	Mr Turnbull
Mr Dutton	Mr Keenan	Mr Randall	Mrs Vale
Mr Farmer	Mr Laming	Mr Robert	Mr Wood
Mr Forrest	Ms Ley	Mr Ruddock	

\* Tellers

And so it was resolved in the affirmative.

**38 MESSAGES FROM THE SENATE**

Messages from the Senate, 19 March 2009, were reported:

- (a) returning the Social Security Amendment (Liquid Assets Waiting Period) Bill 2009 without amendment—Message No. 242; and
- (b) informing the House that the Senate concurs with the resolution of the House in relation to the variation to the resolution of appointment of the Joint Standing Committee on Foreign Affairs, Defence and Trade—Message No. 243.

**39 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE**

The House was informed that the Chief Government Whip had nominated Mr Murphy, and Mr Oakeshott had nominated himself, to be members of the Joint Standing Committee on Foreign Affairs, Defence and Trade.

Mr Albanese (Leader of the House), by leave, moved—That Mr Murphy and Mr Oakeshott be appointed members of the Joint Standing Committee on Foreign Affairs, Defence and Trade.

Question—put and passed.

**40 CUSTOMS LEGISLATION AMENDMENT (NAME CHANGE) BILL 2009**

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 Debus (Minister for Home Affairs), the bill was read a third time.

**41 INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT AND LOCAL GOVERNMENT—STANDING COMMITTEE**

The House was informed that the Chief Government Whip had nominated Mr Oakeshott and Ms Parke to be supplementary members of the Standing Committee on Infrastructure, Transport, Regional Development and Local Government for the purpose of the committee's inquiry into the impact of the global financial crisis on regional Australia.

Ms McKew (Parliamentary Secretary for Early Childhood Education and Childcare), by leave, moved—That Mr Oakeshott and Ms Parke be appointed supplementary members of the Standing Committee on Infrastructure, Transport, Regional Development and Local Government for the purpose of the committee's inquiry into the impact of the global financial crisis on regional Australia.

Question—put and passed.



*Suspension of sitting*

At 5.56 p.m., the Speaker left the Chair.

FRIDAY, 20 MARCH 2009

*Resumption of sitting*

At 12.34 p.m., the Speaker resumed the Chair.

**42 MESSAGE FROM THE SENATE—AVIATION LEGISLATION AMENDMENT (2008 MEASURES NO. 2) BILL 2008**

Message No. 245, 20 March 2009, from the Senate was reported returning the Aviation Legislation Amendment (2008 Measures No. 2) Bill 2008 with an amendment.

Ordered—That the amendment be considered immediately.

On the motion of Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government), the amendment was agreed to, after debate.

**43 RESALE ROYALTY RIGHT FOR VISUAL ARTISTS 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 Albanese—Leader of the House), and the resumption of the debate made an order of the day for a later hour this day.

**44 MESSAGE FROM THE SENATE—FAIR WORK BILL 2008**

Message No. 244, 20 March 2009 a.m., from the Senate was reported returning the Fair Work Bill 2008 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Ms Gillard (Minister for Employment and Workplace Relations), amendments Nos 1 to 30, 35 to 93, 95 to 135, and 137 to 231 were agreed to, after debate.

Ms Gillard moved—That amendments Nos 31 to 34, 94 and 136 be disagreed to.

Debate ensued.

Question—put.

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

AYES, 64

Mr Adams	Mr Debus	Ms Jackson	Mr Price*
Mr Albanese	Mr Dreyfus	Dr Kelly	Ms Rea
Mr Bevis	Mrs Elliot	Mr Kerr	Mr Ripoll
Mr Bidgood	Ms A. L. Ellis	Mr McClelland	Ms Rishworth
Ms Bird	Ms K. M. Ellis	Ms McKew	Mr Rudd
Mr Bowen	Mr M. J. Ferguson	Ms Macklin	Ms Saffin
Mr Bradbury	Mr Fitzgibbon	Mr McMullan	Mr Shorten
Mr Butler	Mr Garrett	Mr Marles	Mr Snowdon
Mr Byrne	Mr Georganas	Mr Melham	Mr Sullivan
Ms Campbell	Ms George	Mr Murphy	Mr Swan
Mr Champion	Mr Gibbons	Mr Neumann	Mr Symon
Mr Cheeseman	Ms Gillard	Mr O'Connor	Mr C. R. Thomson
Mr Clare	Ms Grierson	Ms Owens	Mr K. J. Thomson
Ms Collins	Mr Griffin	Ms Parke	Mr Trevor
Mr Combet	Mr Hayes*	Mr Perrett	Ms Vamvakinou
Mrs D'Ath	Mrs Irwin	Ms Plibersek	Mr Zappia

## NOES, 47

Mr Andrews	Mr Haase	Ms Marino	Mr Ruddock
Mr Baldwin	Mr Hartsuyker	Mrs Markus	Mr Schultz
Mr Billson	Mr A. G. Hawke	Mrs Mirabella	Mr Secker
Mr Briggs	Mr D. P. M. Hawker	Mr Morrison	Mr A. D. H. Smith
Mr Broadbent	Mr Hockey	Mrs Moylan	Mr Somlyay
Mr Chester	Mrs Hull*	Dr Nelson	Dr Southcott
Mr Ciobo	Mr Hunt	Mr Neville	Dr Stone
Mr Coulton	Mr Irons	Mr Oakeshott	Mr Truss
Mr Farmer	Dr Jensen	Mr Pyne	Mr Turnbull
Mr Forrest	Mr Johnson*	Mr Ramsey	Mrs Vale
Mrs Gash	Mr Keenan	Mr Robb	Mr Wood
Mr Georgiou	Ms Ley	Mr Robert	

\* Tellers

*Pairs*

Mr A. S. Burke	Mr Abbott
Mr Crean	Fran Bailey
Dr Emerson	Mr Dutton
Mr L. D. T. Ferguson	Mr Cobb
Mr Gray	Mr Tuckey
Ms King	Ms J. Bishop
Mr Raguse	Mr Lindsay
Ms Roxon	Mr Costello
Mr S. F. Smith	Mrs B. K. Bishop
Mr Tanner	Mr Simpkins
Mr Turnour	Mr Laming
Mr Sidebottom	Mr Pearce
Ms Neal	Mr Macfarlane
Ms Livermore	Mr Scott
Mr Hale	Mrs May
Mr Danby	Mr Randall

And so it was resolved in the affirmative.

Ms Gillard presented reasons, which were circulated, and are as follows:

*Reasons of the House of Representatives for disagreeing to the amendments of the Senate  
Senate amendments 31 to 34—Definition of small business employer*

These amendments would change the definition of small business employer so that instead of meaning an employer that employs fewer than 15 employees, it means an employer that employs fewer than 20 full-time equivalent positions, not as an individual head count of employees.

In April 2007 the Government released its election policy *Forward with fairness—Labor's plan for fairer and more productive Australian workplaces*. This document clearly set out the unfair dismissal policy contained in the Fair Work Bill as introduced into the House of Representatives. The policy is that an employee who is employed by an employer who employs 15 or more employees for six months will be eligible to bring an unfair dismissal claim, and an employee who is employed by an employer who employs fewer than 15 employees must have been employed for 12 months.

The bill aligns unfair dismissal with long standing redundancy provisions.

The House of Representatives does not accept these amendments.

*Senate amendment 94—Independent contractors*

This amendment would make certain terms in enterprise agreements relating to independent contractors 'unlawful terms'.

The Government considers that terms relating to conditions or requirements about engaging independent contractors may appropriately be included in enterprise agreements as they sufficiently and legitimately relate to employees' job security, provided such terms do not amount to a general

prohibition against the engagement of such contractors. Further, this approach is consistent with jurisprudence about which matters pertain to the employment relationship in the context of the Commonwealth's workplace relations laws. The explanatory memorandum to the Fair Work Bill outlines this at page 108.

The House of Representatives does not accept this amendment.

*Senate amendment 136—Objects of the Act*

This amendment would amend the object of the bill. It would replace a reference to achieving productivity and fairness through an emphasis on 'enterprise-level' bargaining to 'enterprise or workplace level' bargaining.

The reference to enterprise-level bargaining reflects a long standing approach to describing the scope of collective bargaining and is consistent with the language used to describe the bargaining framework established by the Fair Work Bill.

The House of Representatives does not accept this amendment.

On the motion of Ms Gillard, the reasons were adopted.

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*Suspension of sitting*

At 2.07 p.m., the Deputy Speaker left the Chair.

*Resumption of sitting*

At 5.35 p.m., the Speaker resumed the Chair.

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#### 45 ADJOURNMENT

Mr Rudd (Prime Minister) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 5.36 p.m., adjourned until 2 p.m. on Tuesday, 12 May 2009.

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#### DOCUMENTS

The following documents were deemed to have been presented on 19 March 2009:

Airports Act—Regulations—Select Legislative Instrument—2009 No. 43 [F2009L01022].

*Australian Citizenship Act 2007*—Instrument of authorisation—2009 No. IMMI 08/108 [F2009L01069].

Broadcasting Services Act—Commercial Television Conversion Scheme 1999—Variation—2009 No. 1 [F2009L01058].

Charter of the United Nations Act—Charter of the United Nations (Sanctions—Iran) Regulations—Determination—2009 Export sanctioned goods list Amendment (No. 1) [F2009L00923].

Civil Aviation Act—

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

AD/BELL 212—

No. 22—Cancellation [F2009L00977].

No. 31—Cancellation [F2009L00975].

No. 32—Cancellation [F2009L00974].

No. 36—Amendment (No. 1)—Cancellation [F2009L00973].

AD/BELL 412—No. 14—Amendment (No. 1)—Cancellation [F2009L01037].

AD/DHC-8—No. 146 [F2009L01091].

AD/ECUREUIL—No. 71—Amendment (No. 4) [F2009L01000].

AD/PA-44—No. 16—Cancellation [F2009L00999].

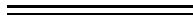
AD/PA-46—

No. 6—Amendment (No. 1)—Cancellation [F2009L00997].

No. 8—Cancellation [F2009L00950].

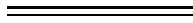
- No. 10—Cancellation [F2009L00995].  
No. 11—Cancellation [F2009L00949].  
No. 13—Cancellation [F2009L00994].  
No. 14—Amendment (No. 2)—Cancellation [F2009L00993].  
No. 17—Cancellation [F2009L00991].  
No. 25—Cancellation [F2009L00989].  
Part 39-106—AD/CF6—  
No. 46—Cancellation [F2009L00960].  
No. 71 [F2009L00932].  
Part 39-107—  
AD/GOV—  
No. 9—Cancellation [F2009L01027].  
No. 10—Amendment (No. 1)—Cancellation [F2009L01025].  
AD/INST—No. 56—Amendment (No. 2) [F2009L01074].  
AD/PHS—  
No. 3—Cancellation [F2009L00941].  
No. 6—Cancellation [F2009L00940].  
No. 12—Cancellation [F2009L00939].  
No. 13—Cancellation [F2009L00938].  
AD/RAD—  
No. 17—Cancellation [F2009L00915].  
No. 19—Cancellation [F2009L00914].  
No. 20—Cancellation [F2009L00913].  
No. 21—Cancellation [F2009L00912].  
No. 22—Cancellation [F2009L00911].  
No. 25—Cancellation [F2009L00910].  
AD/RES—  
No. 3—Cancellation [F2009L00864].  
No. 6—Cancellation [F2009L00863].  
No. 11—Amendment (No. 1)—Cancellation [F2009L00862].  
No. 15—Cancellation [F2009L00861].  
Exemption—2008 No. CASA EX16—Revocation No. CASA 10/09 [F2009L01057].  
Corporations Act—Variations under section 827D—Financial stability standards Nos FSS 2009.1, FSS 2009.2 [F2009L00714], [F2009L00713].  
Customs Act—  
Orders—Tariff Concession—  
2008—No. 0830239 [F2009L00641].  
2009—Nos 0839785, 0840334, 0840468 [F2009L00642], [F2009L00644], [F2009L00643].  
Regulations—Select Legislative Instrument—2009 No. 40 [F2009L01001].  
Environment Protection and Biodiversity Conservation Act—Instruments under section 209—12 March 2009 [2] [F2009L01063], [F2009L01064].  
Higher Education Support Act—Higher education provider—Notices of approval—2009 Nos 1, 2 [F2009L01061], [F2009L01062].  
Migration Act—Regulations—Select Legislative Instrument—2009 No. 42 [F2009L01048].  
National Health Act—  
Amendment declaration and amendment determination under section 85—2009 No. PB 20 [F2009L01071].  
Amendment determination under section 98C—2009 No. PB 26 [F2008L01117].  
Amendment special arrangements under section 100—2009 Nos PB 24, PB 25 [F2009L01115], [F2009L01116].  
Determination under section 99L(1)—2009 No. PB 14 Amendment (No. 1) [F2009L00832].  
Payment Systems (Regulation) Act—Regulations—Select Legislative Instrument—2009 No. 44 [F2009L00895].  
Radiocommunications Act—Determination—2009 Allocation of spectrum licences by auction or pre-determined price Amendment (No. 1) [F2009L01067].

Social Security Act—Determination—2009 Deeming threshold rates—FaHCSIA (No. 2) [F2009L01068].  
Taxation Administration Act—  
Determinations—2009—TD Nos 6, 7, 8, 9, 20 (Withdrawal), 26 (Withdrawal).  
Rulings—  
2008—  
CR No. 24 (Addendum).  
PR No. 73A (Addendum).  
2009—PR Nos 10, 11.



**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Katter and Mr Tuckey.



**I. C. HARRIS**  
Clerk of the House of Representatives

2008-09

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 87

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

THURSDAY, 19 MARCH 2009

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1 Due to a division having been called in the House, the Main Committee met at 9.37 a.m.

**2 MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements were made.

*Petition*

Mr Wood presented the following petition approved by the Standing Committee on Petitions:

Funding for Fernlea House—1,021 petitioners.

Members' constituency statements continuing—

*Petition*

Mrs May presented the following petition approved by the Standing Committee on Petitions:

Older Australians—7,090 petitioners.

Members' constituency statements continued.

**3 AUSTRALIAN PARLIAMENTARY DELEGATION—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 A. L. Ellis—That the House take note of the document (*presented on 16 March 2009*), viz.—

Australian Parliamentary Delegation to Egypt and Israel, 24 October to 6 November 2008—Report, March 2009—

Debate resumed.

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

**4 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 March 2009*), viz.—

Electoral Matters—Joint Standing Committee—Report on the 2007 federal election electronic voting trials: Inquiry into the conduct of the 2007 election and matters related thereto—Interim report, March 2009—

Debate resumed.

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

**5 ADJOURNMENT**

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

Debate ensued.

*Petition*

Ms A. E. Burke presented the following petition approved by the Standing Committee on Petitions:

Asylum seekers—2,064 petitioners.

Debate continuing—

*Petition*

Mr Johnson presented the following petition approved by the Standing Committee on Petitions:

Redevelopment of Commonwealth Land—401 petitioners.

Debate continued.

Question—put and passed.

At 1 p.m., the Deputy Speaker adjourned the Main Committee until 9.30 a.m. on Wednesday, 13 May 2009.



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