

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 103

MONDAY, 22 JUNE 2009

1 The House met, at 12 noon, pursuant to adjournment. The Speaker (Mr Jenkins) took the Chair, and read Prayers.

2 **LEADER OF THE OPPOSITION—RESOLUTION OF CENSURE**

Mr Turnbull (Leader of the Opposition), by leave, moved—That this House require the Treasurer to:

- (1) immediately attend the House and make a full and unreserved statement about his personal involvement and that of his office in the OzCar “deals for mates” scandal and disclose the following information: How many car dealers:
  - (a) received special treatment from the Treasurer, his office and senior Treasury officials—as they were “not your average constituent”—as was the case with John Grant?
  - (b) did the Treasurer personally hold telephone conversations with, to discuss their financing troubles, as was the case with John Grant?
  - (c) were the subject of regular and lengthy updates to the Treasurer’s personal home fax, as was the case with John Grant?
  - (d) had their telephone contact details handed over to Treasury officials at a high level meeting to discuss a half a billion dollar funding proposal, as was the case with John Grant? and
  - (e) were described in meetings between Treasury officials and finance companies as an “acquaintance” of the Prime Minister, as was the case with John Grant? and
- (2) lay before the House all emails (from departmental, APH and personal accounts), all correspondence, all fax records and all phone records related to the OzCar “deals for mates” scandal by no later than 12 noon tomorrow.

Mr Rudd (Prime Minister) moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “this House censures the Leader of the Opposition for relying on, actively communicating and promoting the contents of a fake email to attack the integrity of the Prime Minister and the Treasurer”.

Mr Albanese (Leader of the House) moved—That Mr Rudd be granted an extension of time.

Question put, and a division having been called for—

The Speaker, having indicated that it suited the House that the division not proceed—

Division, by leave, not proceeded with.

Question—put and passed.

Debate continuing—

*Member directed to leave*

At 12.51 p.m. the Member for Wakefield (Mr Champion) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and he accordingly left the Chamber.

Debate continuing—

*Member directed to leave*

At 12.56 p.m. the Member for Solomon (Mr Hale) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Debate continuing—

It being 2 p.m., the debate was interrupted—debate, by leave, continued.

Question— That the amendment be agreed to—put.

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

AYES, 78

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

NOES, 59

Mr Abbott	Mrs Gash	Mr Macfarlane	Mr Scott
Mr Andrews	Mr Georgiou	Ms Marino	Mr Secker
Mr Baldwin	Mr Haase	Mrs Markus	Mr Simpkins
Mr Billson	Mr Hartsuyker	Mrs May	Mr Slipper
Mrs B. K. Bishop	Mr A. G. Hawke	Mrs Mirabella	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 Ramsey	Mr Tuckey
Mr Cobb	Mr Johnson*	Mr Randall	Mr Turnbull
Mr Coulton	Mr Keenan	Mr Robb	Mrs Vale
Mr Dutton	Mr Laming	Mr Robert	Dr Washer
Mr Farmer	Ms Ley	Mr Ruddock	Mr Wood
Mr Forrest	Mr Lindsay	Mr Schultz	

\* Tellers

*Pairs*

Ms Gillard	Mr Costello
Mr Dreyfus	Mr Pyne

And so it was resolved in the affirmative.

Question—That the motion, as amended, be agreed to—put.

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

## AYES, 78

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

## NOES, 59

Mr Abbott	Mrs Gash	Mr Macfarlane	Mr Scott
Mr Andrews	Mr Georgiou	Ms Marino	Mr Secker
Mr Baldwin	Mr Haase	Mrs Markus	Mr Simpkins
Mr Billson	Mr Hartsuyker	Mrs May	Mr Slipper
Mrs B. K. Bishop	Mr A. G. Hawke	Mrs Mirabella	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 Ramsey	Mr Tuckey
Mr Cobb	Mr Johnson*	Mr Randall	Mr Turnbull
Mr Coulton	Mr Keenan	Mr Robb	Mrs Vale
Mr Dutton	Mr Laming	Mr Robert	Dr Washer
Mr Farmer	Ms Ley	Mr Ruddock	Mr Wood
Mr Forrest	Mr Lindsay	Mr Schultz	

\* Tellers

*Pairs*

Ms Gillard	Mr Costello
Mr Dreyfus	Mr Pyne

And so it was resolved in the affirmative.

**3 MINISTERIAL ARRANGEMENTS**

Mr Rudd (Prime Minister) informed the House that, during the absence overseas of Ms Gillard (Deputy Prime Minister), Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government) and Mr McClelland (Attorney-General) would answer questions on her behalf.

Mr Rudd also informed the House that, during the absence overseas of Mr Crean (Minister for Trade), Mr M. J. Ferguson (Minister for Resources and Energy) would answer questions on his behalf.

Mr Rudd also informed the House that, during the absence overseas of Mr Garrett (Minister for the Environment, Heritage and the Arts), Mr A. S. Burke (Minister for Agriculture, Fisheries and Forestry) would answer questions on his behalf.

**4 QUESTIONS**

Questions without notice were asked.

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

Mr Turnbull moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Wentworth moving immediately—That this House censures the Treasurer:

- (1) for failing to make a full and unreserved statement about his personal involvement and that of his office in the OzCar “deals for mates” scandal and for his failure to disclose the number of car dealers that:
  - (a) received special treatment from the Treasurer, his office and senior Treasury officials—as was the case with John Grant;
  - (b) held personal telephone conversations with the Treasurer to discuss their financing troubles—as was the case with John Grant;
  - (c) were the subject of regular and lengthy updates to the Treasurer’s personal home fax—as was the case with John Grant;
  - (d) had their telephone contact details handed over by Treasury officials at a high level meeting to discuss a half a billion dollar funding proposal—as was the case with John Grant; and
  - (e) were described in meetings between Treasury officials and finance companies as an “acquaintance” of the Prime Minister—as was the case with John Grant; and
- (2) importantly, for failing to table all emails (from departmental, APH and personal accounts), all correspondence, all fax records and all phone records related to the OzCar “deals for mates” scandal.

Debate ensued.

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, 58

Mr Abbott	Mr Georgiou	Ms Marino	Mr Secker
Mr Andrews	Mr Haase	Mrs Markus	Mr Simpkins
Mr Baldwin	Mr Hartsuyker	Mrs May	Mr Slipper
Mr Billson	Mr A. G. Hawke	Mrs Mirabella	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 Ramsey	Mr Tuckey
Mr Cobb	Mr Johnson*	Mr Randall	Mr Turnbull
Mr Coulton	Mr Keenan	Mr Robb	Mrs Vale
Mr Dutton	Mr Laming	Mr Robert	Dr Washer
Mr Farmer	Ms Ley	Mr Ruddock	Mr Wood
Mr Forrest	Mr Lindsay	Mr Schultz	
Mrs Gash	Mr Macfarlane	Mr Scott	

## NOES, 74

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

\* Tellers

*Pairs*

Ms Gillard	Mr Costello
Mr Dreyfus	Mr Pyne

And so it was negatived.

**6 AUDITOR-GENERAL'S REPORT**

The Speaker presented the following document:

Auditor-General—Audit report No. 42 of 2008–2009—Financial statement audit—Interim phase of the audit of financial statements of general government sector agencies for the year ending 30 June 2009.

Ordered to be made a Parliamentary Paper.

**7 PRIVATE MEMBERS' MOTIONS—PRESENTED BY SPEAKER**

The Speaker presented copies of the terms of the following private Members' motions:

Ms Saffin—Daw Aung San Suu Kyi (*see item No. 3, Minutes of Proceedings of the Main Committee*).

Mr Slipper—Poland (*see item No. 4, Minutes of Proceedings of the Main Committee*).

Mr Danby—Australia and the Republic of Turkey (*see item No. 5, Minutes of Proceedings of the Main Committee*).

Mr Baldwin—Australian Defence Industry Manufacturers.

In accordance with standing order 41(h) the motions were made orders of the day and referred to the Main Committee.

**8 MESSAGES FROM THE SENATE**

Messages from the Senate, 18 June 2009, were reported returning the following bills without amendment or requests:

No. 280—Defence Legislation Amendment (No. 1) 2009.

No. 281—Family Assistance Legislation Amendment (Child Care) 2009.

No. 282—Social Security and Other Legislation Amendment (Australian Apprentices) 2009.

No. 283—Tax Laws Amendment (2009 Measures No. 3) 2009.

No. 284—Private Health Insurance (National Joint Replacement Register Levy) 2009 (*without requests*).

No. 285—Social Security Legislation Amendment (Digital Television Switch-over) 2009.

**9 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILL**

A message from Her Excellency the Governor-General was announced informing the House that Her Excellency, in the name of Her Majesty, had assented to the following bill:

17 June 2009—Message No. 202—Therapeutic Goods Amendment (Medical Devices and Other Measures) 2009.

**10 APPROPRIATION BILL (NO. 1) 2009-2010—REPORT FROM MAIN COMMITTEE**

The 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 Mr Griffin (Minister for Veterans' Affairs), by leave, the bill was read a third time.

**11 APPROPRIATION BILL (NO. 2) 2009-2010—REPORT FROM MAIN COMMITTEE**

The 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 Mr Griffin (Minister for Veterans' Affairs), by leave, the bill was read a third time.

**12 APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL (NO. 1) 2009-2010—REPORT FROM MAIN COMMITTEE**

The 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 Mr Griffin (Minister for Veterans' Affairs), by leave, the bill was read a third time.

**13 EXCISE TARIFF AMENDMENT (2009 MEASURES NO. 1) BILL 2009 [NO. 2]**

Ms Roxon (Minister for Health and Ageing) presented a Bill for an Act to amend the *Excise Tariff Act 1921*, and for related purposes.

*Document*

Ms Roxon presented an explanatory memorandum to the bill and to the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 [No. 2].

Bill read a first time.

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

Debate adjourned (Mr Lindsay), and the resumption of the debate, by leave, made an order of the day for a later hour this day.

**14 CUSTOMS TARIFF AMENDMENT (2009 MEASURES NO. 1) BILL 2009 [NO. 2]**

Ms Roxon (Minister for Health and Ageing) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

Bill read a first time.

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

Debate adjourned (Mr Lindsay), and the resumption of the debate, by leave, made an order of the day for a later hour this day.

**15 ACCESS TO JUSTICE (CIVIL LITIGATION REFORMS) AMENDMENT BILL 2009**

Mr McClelland (Attorney-General), by leave, presented a Bill for an Act to amend legislation relating to federal courts, 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 Lindsay), and the resumption of the debate made an order of the day for the next sitting.

**16 ROAD TRANSPORT REFORM (DANGEROUS GOODS) REPEAL BILL 2009**

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government), by leave, presented a Bill for an Act to repeal the *Road Transport Reform (Dangerous Goods) Act 1995*, 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 Lindsay), and the resumption of the debate made an order of the day for the next sitting.

**17 AUSTRALIAN WINE AND BRANDY CORPORATION AMENDMENT BILL 2009**

Mr A. S. Burke (Minister for Agriculture, Fisheries and Forestry), by leave, presented a Bill for an Act to amend the *Australian Wine and Brandy Corporation Act 1980*, and for related purposes.

*Document*

Mr A. S. Burke presented an explanatory memorandum to the bill.

Bill read a first time.

Mr A. S. Burke moved—That the bill be now read a second time.

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

**18 EXCISE TARIFF AMENDMENT (2009 MEASURES NO. 1) BILL 2009 [NO. 2]**

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.

A division having been called for, in accordance with standing order 133 the division was deferred until 8 p.m.

Debate adjourned, and the resumption of the debate made an order of the day for a later hour this day.

**19 CUSTOMS TARIFF AMENDMENT (2009 MEASURES NO. 1) BILL 2009 [NO. 2]**

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—

A division having been called for, in accordance with standing order 133 the division was deferred until 8 p.m.

Debate adjourned, and the resumption of the debate made an order of the day for a later hour this day.

**20 RURAL ADJUSTMENT AMENDMENT 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, and the resumption of the debate made an order of the day for a later hour this day.

**21 EXCISE TARIFF AMENDMENT (2009 MEASURES NO. 1) BILL 2009 [NO. 2]—DEFERRED DIVISION**

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—

The following question, on which a division had been called for and deferred in accordance with standing order 133, was put—

Question—That the bill be now read a second time.

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

AYES, 72

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

NOES, 5

Mr Chester	Mr Schultz*	Mr Windsor
Mr Neville	Mr Tuckey*	

\* Tellers

*Pairs*

Ms Gillard	Mr Costello
Mr Dreyfus	Mr Pyne

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

Leave granted for third reading to be moved immediately.

On the motion of Ms Roxon (Minister for Health and Ageing), the bill was read a third time.

## 22 CUSTOMS TARIFF AMENDMENT (2009 MEASURES NO. 1) BILL 2009 [NO. 2]—DEFERRED DIVISION

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—

The following question, on which a division had been called for and deferred in accordance with standing order 133, was put—

Question—That the bill be now read a second time.

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



## AYES, 72

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

## NOES, 5

Mr Chester	Mr Schultz*	Mr Windsor
Mr Neville	Mr Tuckey*	

\* Tellers

*Pairs*

Ms Gillard	Mr Costello
Mr Dreyfus	Mr Pyne

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

Leave granted for third reading to be moved immediately.

On the motion of Ms Roxon (Minister for Health and Ageing), the bill was read a third time.

**23 MESSAGE FROM THE SENATE**

Message No. 286, 22 June 2009, from the Senate was reported informing the House that Senator Fierravanti-Wells had been discharged from attendance on the Joint Standing Committee on Migration, and Senator Boyce had been appointed a member of the committee.

**24 RURAL ADJUSTMENT AMENDMENT 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.

Ms Ley addressing the House—

It being 8.30 p.m., the debate was interrupted in accordance with standing order 34, Ms Ley 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 the next sitting.

**25 PETITIONS—STANDING COMMITTEE—PRESENTATION OF PETITIONS AND MINISTERS' RESPONSES—STATEMENTS BY MEMBERS**

Mrs Irwin (Chair) presented petitions and Ministers' responses to petitions previously presented to the House.

Statements in connection with petitions were made.

**26 AUSTRALIAN CRIME COMMISSION—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS**

Mr Hayes presented the following documents:

Australian Crime Commission—Parliamentary Joint Committee—Examination of the Australian Crime Commission annual report 2007-08—

Report, June 2009.

Evidence received by the committee.

Report ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

**27 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—REPORTS—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

Mr Melham (Chair) presented the following documents:

Electoral Matters—Joint Standing Committee—

Report on the conduct of the 2007 federal election and matters related thereto—

Report, incorporating dissenting reports and supplementary remarks, June 2009.

Minutes of proceedings.

Advisory report on the Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008—

Report, incorporating a dissenting report, June 2009.

Minutes of proceedings.

Reports ordered to be made Parliamentary Papers.

Statements in connection with the reports were made.

The time allotted for making statements on the reports having expired—

Mr Melham moved—That the House take note of the report on the conduct of the 2007 federal election and matters related thereto.

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

Question—put and passed.

**28 INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT AND LOCAL GOVERNMENT—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

Ms King (Chair) presented the following documents:

Infrastructure, Transport, Regional Development and Local Government—Standing Committee—Level crossing safety: An update to the 2004 Train Illumination Report—

Report, June 2009.

Evidence received by the committee.

Minutes of proceedings.

Report ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

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

Question—put and passed.

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

Ms Grierson (Chair) presented the following documents:

Public Accounts and Audit—Joint Committee—Report 414: Review of Auditor-General's reports tabled between August 2007 and August 2008—Report, June 2009.

Ordered to be made a Parliamentary Paper.

Ms Grierson made a statement in connection with the report.

The time allotted for making statements on the report having expired—

**30 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

Mr Randall presented the following document:

Report of the Official Parliamentary Delegation to Colombia and Argentina, 9 to 24 August 2008—Report, June 2009.

Mr Randall made a statement in connection with the report.

The time allotted for making statements on the report having expired—

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

Question—put and passed.

**31 TRADE PRACTICES AMENDMENT BILL 2009**

Mr Katter, pursuant to notice, presented a Bill for an Act to amend the *Trade Practices Act 1974*.

Mr Katter made a statement in relation to the bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 41.

**32 QUARANTINE PROCLAMATION AMENDMENT BILL 2009**

Mr Katter, pursuant to notice, presented a Bill for an Act to amend the *Quarantine Proclamation 1998*.

**33 ADJOURNMENT**

It being 9.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 9.59 p.m., adjourned until 2 p.m. tomorrow.

**DOCUMENTS**

The following documents were deemed to have been presented on 22 June 2009:

Aged Care Act—Determinations—2009—

Amount of flexible care subsidy—

Extended aged care at home—

(No. 1) [F2009L02384].

Dementia (No. 1) [F2009L02385].

Innovative care services (No. 1) [F2009L02388].

Multi-purpose services (No. 1) [F2009L02387].

Transition care services (No. 1) [F2009L02389].

Community care subsidy amount (No. 1) [F2009L02383].  
Residential care subsidy—  
Adjusted subsidy reduction (No. 1) [F2009L02381].  
Amount of—  
enteral feeding supplement (No. 1) [F2009L02379].  
oxygen supplement (No. 1) [F2009L02378].  
viability supplement (No. 1) [F2009L02382].  
Basic subsidy amount (No. 1) [F2009L02377].  
Airports Act—Regulations—Select Legislative Instrument—2009 No. 117 [F2009L02391].  
Australian Meat and Live-stock Industry Act—Regulations—Select Legislative Instrument—2009 No. 108 [F2009L02110].  
Civil Aviation Act—  
Civil Aviation Regulations—Exemption—2009 No. CASA EX47 [F2009L02374].  
Civil Aviation Safety Regulations—Instrument—2009 No. CASA 263 [F2009L02447].  
Civil Aviation Safety Regulations—Airworthiness Directives under—  
Part 39-105—  
AD/A320—No. 230—Cancellation [F2009L02243].  
AD/BEA 121—  
No. 4—Cancellation [F2009L02252].  
No. 11—Cancellation [F2009L02253].  
No. 21—Cancellation [F2009L02185].  
AD/BEA 206—No. 3—Cancellation [F2009L02254].  
AD/DAUPHIN—No. 100 [F2009L02449].  
AD/DH 94—No. 1—Amendment (No. 1)—Cancellation [F2009L02194].  
AD/FA-200—  
No. 1—Cancellation [F2009L02261].  
No. 3—Cancellation [F2009L02270].  
No. 11—Cancellation [F2009L02274].  
No. 12—Cancellation [F2009L02276].  
AD/FU24—No. 64—Amendment (No. 1) [F2009L02206].  
AD/L200—  
No. 7—Cancellation [F2009L02210].  
No. 8—Cancellation [F2009L02211].  
No. 9—Cancellation [F2009L02212].  
AD/LA-4—  
No. 7—Cancellation [F2009L02213].  
No. 11—Cancellation [F2009L02214].  
No. 18—Cancellation [F2009L02215].  
No. 20—Cancellation [F2009L02216].  
AD/ROBIN—No. 1—Cancellation [F2009L02220].  
AD/S-76—  
No. 13—Cancellation [F2009L02227].  
No. 14—Cancellation [F2009L02228].  
No. 18—Cancellation [F2009L02229].  
No. 20—Cancellation [F2009L02230].  
No. 28—Cancellation [F2009L02231].  
No. 39—Amendment (No. 1)—Cancellation [F2009L02232].  
No. 41—Cancellation [F2009L02233].  
No. 42—Cancellation [F2009L02234].  
No. 53—Cancellation [F2009L02235].  
No. 59—Amendment (No. 1)—Cancellation [F2009L02236].  
AD/SC7—No. 6—Cancellation [F2009L02238].  
AD/SM-205—  
No. 16—Cancellation [F2009L02239].  
No. 21—Cancellation [F2009L02240].  
AD/TB10—No. 5—Amendment (No. 1) [F2009L02241].  
AD/TB20—No. 1—Cancellation [F2009L02242].

Part 39-107—AD/SUPP—No. 22 [F2009L02448].

Commonwealth Authorities and Companies Act—Notice under section 45—Commonwealth ceasing to be a member of Telstra Sale Company Limited.

Corporations Act—ASIC Class Orders—2009 Nos 68, 69, 425, 459, 462, 465 [F2009L02435], [F2009L02437], [F2009L02440], [F2009L02441], [F2009L02445], [F2009L02438].

Environment Protection and Biodiversity Conservation Act—Instruments under section 303DC—2009—

15 June [F2009L02401].

18 June [F2009L02455].

Export Control Act—Export Control (Orders) Regulations—Orders—2009 Export control (Fees) Amendment No. 1 [F2009L02097].

Export Inspection (Establishment Registration Charges) Act—Regulations—Select Legislative Instrument—2009 No. 109 [F2009L02113].

Export Inspection (Quantity Charge) Act—Regulations—Select Legislative Instrument—2009 No. 110 [F2009L02104].

Navigation Act—Marine Orders—2009 Nos 1, 2 [F2009L02305], [F2009L02309].

Taxation Administration Act—

Determination—2003—SGD No. 7 (Withdrawal).

Rulings—

2002—GSTTR No. 2 (Addendum).

2005—

MT No. 1 (Partial withdrawal).

TR No. 24 (Withdrawal).

2009—

CR Nos 31, 32, 33.

TR No. 3.

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#### ATTENDANCE

All Members attended (at some time during the sitting) except Ms Campbell, Mr Costello, Mr Crean, Mr Danby, Mr Dreyfus, Mr Garrett, Ms Gillard, Dr Jensen, Mr Morrison, Mr Pyne and Mr S. F. Smith.

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

2008-09

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

No. 103

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

MONDAY, 22 JUNE 2009

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1 The Main Committee met at 6.40 p.m.

**2 MEMBERS' STATEMENTS**

Members' statements being made—

*Documents*

Mr Hawker, by leave, presented the following documents:

Youth allowance [2]—753 and 650 signatures respectively—(*Receipt of documents as petitions subject to approval by the Standing Committee on Petitions*).

Members' statements continued.

**3 DAW AUNG SAN SUU KYI**

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

(1) notes that:

- (a) 27 May is the 19th anniversary of the National League for Democracy's (NLD) overwhelming election victory in Burma's first democratically held elections in many decades; and
- (b) the NLD is led by General Secretary and Nobel Peace Laureate Daw Aung San Suu Kyi, Burma's highly regarded and respected political leader, both in her own country and internationally;

(2) condemns the State Peace and Development Council led by General Than Shwe, for not honouring the 1990 election, which violates both domestic and international law and norms;

(3) notes with deep concern that Daw Aung San Suu Kyi and U Tin Oo were detained, following an assassination attempt on their lives on 30 May 2003, being charged under the Orwellian sounding law, The Law to Safeguard the State Against the Dangers of Those Desiring to Cause Subversive Acts 1975, also called the State Protection Act, and that their sentences have both been increased, extra legally;

(4) condemns:

- (a) General Than Shwe for the above incident and the continued unlawful incarceration, which the United Nations Working Group on Arbitrary Detention has issued Opinions findings in both cases that the deprivation of their liberty is arbitrary, inter alia; and
- (b) General Than Shwe's actions for orchestrating the current trumped up charges, against Daw Aung San Suu Kyi, and her companions Daw Khin Khin Win and Daw Win Ma Ma;

- (5) calls upon General Than Shwe to:
- (a) immediately and unconditionally release political prisoner Daw Aung San Suu Kyi, her companions Daw Khin Khin Win and Daw Win Ma Ma and her fellow political prisoners, including NLD Executive Members U Tin Oo and U Win Htein, and Shan Nationalities League for Democracy Leader Hkun Htun Oo, and up to the 2,000 others reported, according to Amnesty International; and
  - (b) do the right thing and enter into talks with all parties so that the national reconciliation that has evaded Burma's people, including the large population of ethnic nationalities, can begin to take place; and
- (6) notes:
- (a) the statement issued by the Association of Southeast Asian Nations (ASEAN) chairman stating inter alia that “with the eyes of the international community on Burma at the present, the honour and credibility of the Burmese regime were at stake”, and further expressing grave concerns over the treatment of Daw Aung San Suu Kyi, and expressing support for ASEAN nations including Indonesia, Malaysia and The Philippines who have spoken out on this matter;
  - (b) that the United Nations Secretary General said inter alia that he “...believes that Daw Aung San Suu Kyi is an essential partner for dialogue in Myanmar's national reconciliation and calls on the Government not to take any further action that could undermine this important process...”;
  - (c) the press statement issued on 22 May 2009 by the United Nations Security Council with its President for the month of May, Ambassador Vitaly Churkin of Russia, stating: “The members of the Security Council express their concern about the political impact of recent developments relating to Daw Aung San Suu Kyi” and “The members of the Security Council reiterate the need for the Government of Myanmar [Burma] to create the necessary conditions for a genuine dialogue with Daw Aung San Suu Kyi and all concerned parties and ethnic groups in order to achieve an inclusive national reconciliation with the support of the United Nations”, and which reaffirms the sentiments of two previous statements issued by the Security Council in 2007 and 2008; and
  - (d) the Australian Government's condemnation of Daw Aung San Suu Kyi's detention, and its calls for her immediate release, as well as the Australian Government's financial sanctions targeting senior members of the regime, their immediate families and associates (*see item No. 7, Votes and Proceedings*)—

Debate resumed.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

#### 4 POLAND

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

- (1) notes that:
- (a) 4 June 2009 was the 20th anniversary of the first post war free elections in Poland, and that these elections marked the end of undemocratic communist party rule in Poland; and
  - (b) the example of free election in Poland led to the overthrow of all the communist regimes of central and eastern Europe, to the fall of the Berlin Wall and the reunification of Germany, and eventually also to the dissolution of the Soviet Union;
- (2) congratulates the people of Poland for their unbroken record of struggle over more than 60 years against both Nazi and Communist occupiers to regain their independence and restore democracy and freedom; and
- (3) notes that the restoration of democracy and a free market economy has led to the increasing security, prosperity and freedom which Poland has enjoyed since 1989, culminating in

membership of the North Atlantic Treaty Organization and European Union (*see item No. 7, Votes and Proceedings*)—

Debate resumed.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

## 5 AUSTRALIA AND THE REPUBLIC OF TURKEY

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

(1) notes:

- (a) the Commonwealth of Australia and the Republic of Turkey have established a unique relationship and bond based upon the sacrifices of young men from both nations and that this uniqueness at the core of deep rooted relations between the two countries gained even more momentum by the unforgettable reconciliatory remarks of the Founder of the Modern Turkish Republic Mustafa Kemal Ataturk to the mothers of fallen Anzacs: "...You, the mothers, who sent their sons from far away countries wipe away your tears; your sons are now lying in our bosom and are in peace. After having lost their lives on this land they have become our sons as well"; and
  - (b) that the Turkish nation is now a friendly power and members of the Turkish community have now successfully integrated into Australian society;
- (2) celebrates and commends the achievements and contributions of the Turkish community here in the Commonwealth of Australia in the 42 years since their arrival;
  - (3) acknowledges the unique relationship that exists between Australia and Turkey, a bond highlighted by both nations' commitment to the rights and liberties of our citizens and the pursuit of a just world, highlighted by the statement of Ataturk "Peace at Home, Peace in the World";
  - (4) commends the Republic of Turkey's commitment to the shared values of democracy, the rule of law and secularism; and
  - (5) on the 42nd anniversary of the Formal Agreement between the Government of the Commonwealth of Australia and the Government of the Republic of Turkey concerning the Residence and Employment of Turkish Citizens in Australia, pledges our friendship, commitment and enduring support to the people of Turkey as we celebrate this important occasion together (*see item No. 7, Votes and Proceedings*)—

Debate resumed.

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### *Suspension of meeting*

At 8.07 p.m., a division having been called in the House, the proceedings were suspended.

### *Resumption of meeting*

At 8.28 p.m., the proceedings were resumed.

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Debate continued.

The time allotted for private Members' business having expired, the debate was interrupted, Mr Lindsay was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

## 6 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 192B, the order of the day having been read for the resumption of the debate on the question—That grievances be noted—

Debate ensued.

The time allotted for the debate having expired—

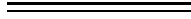
Debate adjourned, and the resumption of the debate made an order of the day for the next sitting.



**7 ADJOURNMENT**

On the motion of Mr C. R. Thomson, the Main Committee adjourned at 9.30 p.m.

The Deputy Speaker fixed 9.30 a.m. on Wednesday, 24 June 2009 for the next meeting of the Main Committee.



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