

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 115

TUESDAY, 8 SEPTEMBER 2009

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (Mr Jenkins) took the Chair, and read Prayers.

**2 MINISTERIAL ARRANGEMENTS**

Mr Rudd (Prime Minister) 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.

**3 QUESTIONS**

Questions without notice being asked—

*Document*

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government) presented the following document:

Federal, Regional and Local Community Infrastructure Program—Mirrabooka Regional Centre—Progress Report from Michael Keenan, Federal Member for Stirling.

Questions without notice continued.

**4 AUDITOR-GENERAL'S REPORT**

The Speaker presented the following document:

Auditor-General—Audit report No. 3 of 2009–2010—Performance audit—Administration of Parliamentarians' entitlements by the Department of Finance and Deregulation.

Ordered to be made a Parliamentary Paper.

**5 DOCUMENTS**

The following documents were presented:

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report of the Chief Executive Officer for the period 1 April to 30 June 2009.

Defence Housing Australia—Statement of corporate intent for 2009-10.

**6 DOCUMENTS**

Ms Roxon (Minister for Health and Ageing), presented the following documents:

Draft copy of the Health Insurance (Assisted Reproductive Technologies) Determination 2009 with explanatory statement; and

Draft copy of the Health Insurance (Extended Medicare Safety Net) Determination 2009 with explanatory statement.

**7 DEFENCE SCIENCE—MINISTERIAL STATEMENT**

Mr Combet (Minister for Defence Personnel, Materiel and Science), by leave, made a ministerial statement relating to the contribution of defence science to the security of the nation.

*Suspension of standing and sessional orders—Time for speech*

Mr Combet, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Baldwin speaking in reply to the ministerial statement for a period not exceeding 25 minutes.

Question—put and passed.

Mr Baldwin addressed the House.

**8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—GOVERNMENT SPENDING**

The House was informed that Mr Turnbull had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s failure to prevent wasteful spending”.

The proposed discussion having received the necessary support—

Mr Turnbull addressed the House.

Discussion ensued.

Discussion concluded.

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

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 bills:

7 September 2009—Message No. 233—

Law and Justice (Cross Border and Other Amendments) 2009.

Renewable Energy (Electricity) Amendment 2009.

Renewable Energy (Electricity) (Charge) Amendment 2009.

**10 MESSAGES FROM THE SENATE**

Messages from the Senate were reported:

(a) informing the House that Senator Humphries had been discharged from attendance on the Joint Standing Committee on the National Capital and External Territories, and Senator Scullion had been appointed a member of the committee—Message No. 311, 7 September 2009; and

(b) returning the following bills without amendment:

Higher Education Support Amendment (2009 Budget Measures) 2009—Message No. 312, 7 September 2009;

National Greenhouse and Energy Reporting Amendment 2009—Message No. 313, 7 September 2009;

Veterans’ Affairs Legislation Amendment (Budget Measures) 2009—Message No. 314, 7 September 2009;

Veterans’ Affairs and Other Legislation Amendment (Pension Reform) 2009—Message No. 315, 7 September 2009; and

Migration Amendment (Abolishing Detention Debt) 2009 [No. 2]—Message No. 316, 8 September 2009.

**11 BILLS REFERRED TO MAIN COMMITTEE**

Mr Price (Chief Government Whip), by leave, moved—That the following bills be referred to the Main Committee for further consideration:

National Health Security Amendment 2009; and

Corporations Legislation Amendment (Financial Services Modernisation) 2009.

Question—put and passed.

**12 RESALE ROYALTY RIGHT FOR VISUAL ARTISTS BILL 2008—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the bill had been fully considered by the Main Committee and agreed to with amendments (*see item No. 3, Minutes of Proceedings of the Main Committee, 7 September 2009*), and presented a certified copy of the bill together with a schedule of amendments.

Amendments made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Mr Clare (Parliamentary Secretary for Employment), by leave, the bill was read a third time.

**13 HEALTH LEGISLATION AMENDMENT (MIDWIVES AND NURSE PRACTITIONERS) 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.

Mrs Mirabella moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the bill a second reading, the House:

- (1) acknowledges that the bill does not:
  - (a) facilitate a full and informed debate by requiring the Minister to table all actuarial modelling relating to the extension of Commonwealth Medical Indemnity Insurance to midwives providing birthing services outside of a clinical setting;
  - (b) further facilitate a full and informed debate by requiring a review into the provision of medical indemnity insurance to midwives providing birthing services outside of a clinical setting, with the review being tabled in Parliament on or before 1 June 2012; and
  - (c) have in its objects the goal of not restricting the rights of women to choose home birth as an option provided the wellbeing of the mother and child are not put at risk; and
- (2) calls on the Government to make such amendments to the bill as would rectify these flaws”.

Debate continued.

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

**14 MIDWIFE PROFESSIONAL INDEMNITY (COMMONWEALTH CONTRIBUTION) SCHEME 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—

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

*Message from the Governor-General*

Message No. 230, 24 June 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 Roxon (Minister for Health and Ageing), the bill was read a third time.

**15 MIDWIFE PROFESSIONAL INDEMNITY (RUN-OFF COVER SUPPORT PAYMENT) 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—

Question—put and passed—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.

**16 AVIATION TRANSPORT SECURITY AMENDMENT (2009 MEASURES NO. 1) 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.

17 **HEALTH LEGISLATION AMENDMENT (MIDWIVES AND NURSE PRACTITIONERS) BILL 2009—DEFERRED DIVISION**

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

Question—That the words proposed to be omitted stand part of the question, (*see item No. 13, page 1287*).

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

AYES, 71

Mr Adams	Mr Dreyfus	Ms King	Mr Raguse
Mr Bevis	Mrs Elliot	Ms Livermore	Ms Rea
Mr Bidgood	Ms A. L. Ellis	Mr McClelland	Mr Ripoll
Ms Bird	Dr Emerson	Ms McKew	Ms Rishworth
Mr Bowen	Mr Fitzgibbon	Ms Macklin	Ms Roxon
Mr Bradbury	Mr Georganas	Mr McMullan	Ms Saffin
Ms A. E. Burke	Ms George	Mr Marles	Mr Shorten
Mr A. S. Burke	Mr Gibbons	Mr Melham	Mr Sidebottom
Mr Byrne	Mr Gray	Mr Murphy	Mr Snowdon
Mr Champion	Ms Grierson	Ms Neal	Mr Sullivan
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
Mr Crean	Mrs Irwin	Ms Parke	Mr Trevor
Mr Danby	Ms Jackson	Mr Perrett	Mr Turnour
Mrs D'Ath	Dr Kelly	Ms Plibersek	Mr Zappia
Mr Debus	Mr Kerr	Mr Price	

NOES, 58

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

\* Tellers

*Pairs*

Ms Campbell	Mr Irons
Mr Garrett	Fran Bailey
Mr Swan	Mr Schultz

And so it was resolved in the affirmative.

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

*Message from the Governor-General*

Message No. 229, 24 June 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 Roxon (Minister for Health and Ageing), the bill was read a third time.

18 **ADJOURNMENT**

Mr O'Connor (Minister for Home Affairs) moved—That the House do now adjourn.

Debate ensuing—

*Document*

Mr Wood, by leave, presented the following document:

National Heritage Application—The Dandenong Ranges landscape and Puffing Billy Railway—  
Jason Wood, Federal Member for La Trobe.

Question—put and passed.

And then the House, at 8.59 p.m., adjourned until 9 a.m. tomorrow.



**ATTENDANCE**

All Members attended (at some time during the sitting) except Fran Bailey, Ms Campbell, Mr Garrett, Mr Irons, Mr Robb, Mr Schultz and Mr Swan.



**I. C. HARRIS**

Clerk of the House of Representatives