

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 123

TUESDAY, 20 OCTOBER 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

Ms Gillard (Acting Prime Minister) informed the House that, during the absence overseas of Mr Rudd (Prime Minister), she would answer questions on his behalf.

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

3 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 3.33 p.m. the Member for Paterson (Mr Baldwin) was directed, under standing order 94, to leave the Chamber for one hour for raising a frivolous point of order, and he accordingly left the Chamber.

Questions without notice continuing—

Ms Roxon (Minister for Health and Ageing) answering a question—

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, 53

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

NOES, 77

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

* Tellers

Pairs

Ms A. L. Ellis	Mr Neville
Mr Price	Mrs Mirabella
Mr Hayes	Mr Randall
Mr McMullan	Mr Robert
Mr S. F. Smith	Mr Hockey

And so it was negatived.

Questions without notice continued.

4 DEPARTMENT OF PARLIAMENTARY SERVICES ANNUAL REPORT—AUDITOR-GENERAL'S REPORT

The Speaker presented the following documents:

Department of Parliamentary Services—Report for 2008-09.

Auditor-General—Audit report No. 7 of 2009–2010—Performance audit—Administration of grants by the National Health and Medical Research Council.

Reports ordered to be made Parliamentary Papers.

5 DOCUMENTS

The following documents were presented:

Attorney-General's Department—Report for 2008-09.

Australian Communications and Media Authority—Report for 2008-09.

Australian Competition and Consumer Commission—Report for 2008-09, incorporating report of the Australian Energy Regulator.

Australian Government Solicitor—Statement of corporate intent for 2009-10.

Bankruptcy Act 1966—Report on the operation of the Act for 2008-09.

Classification Board and Classification Review Board—Report for 2008-09.

Department of Families, Housing, Community Services and Indigenous Affairs—Report for 2008-09.

Finance—Advance to the Finance Minister—Issues from the Advances under the annual Appropriation Acts—Report for 2008-09.

Insolvency and Trustee Service Australia—Report for 2008-09.

Inspector-General of Taxation—Report for 2008-09.

Office of Parliamentary Counsel—Report for 2008-09.

Superannuation (Government Co-contribution for Low Income Earners) Act 2003—Quarterly report on the operation of the Act for the period 1 January to 31 March 2009.

War Crimes Act 1945—Report on the operation of the Act for 2008-09.

6 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Australian Competition and Consumer Commission—Report for 2008-09, incorporating report of the Australian Energy Regulator.

Department of Families, Housing, Community Services and Indigenous Affairs—Report for 2008-09.

Finance—Advance to the Finance Minister—Issues from the Advances under the annual Appropriation Acts—Report for 2008-09.

Office of Parliamentary Counsel—Report for 2008-09.

Superannuation (Government Co-contribution for Low Income Earners) Act 2003—Quarterly report on the operation of the Act for the period 1 January to 31 March 2009.

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

7 DOCUMENTS

Mr Albanese (Leader of the House), presented the following documents:

Higher Education Support Amendment (VET FEE-HELP and Tertiary Admission Centres) Bill 2009—Correction to the explanatory memorandum.

Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Bill 2009—Replacement explanatory memorandum.

8 BUSHFIRE SEASON—MINISTERIAL STATEMENT

Mr McClelland (Attorney-General), by leave, made a ministerial statement relating to the Commonwealth's preparations for the bushfire season.

Suspension of standing and sessional orders—Time for speech

Mr McClelland, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Ms Ley speaking in reply to the ministerial statement for a period not exceeding 17 minutes.

Question—put and passed.

Ms Ley addressed the House.

9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PEOPLE SMUGGLING

The House was informed that Mr Turnbull (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The consequences of the Government's policy failures that have increased the people smuggling trade".

The proposed discussion having received the necessary support—

Mr Turnbull addressed the House.

Discussion ensued.

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

10 FUEL QUALITY STANDARDS AMENDMENT BILL 2009—SENATE'S AMENDMENT

The order of the day having been read for the consideration of the amendment made by the Senate—

On the motion of Mr Garrett (Minister for the Environment, Heritage and the Arts), the amendment was agreed to, after debate.

11 TRADE PRACTICES AMENDMENT (AUSTRALIAN CONSUMER LAW) 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 Dr Emerson (Minister for Competition Policy and Consumer Affairs), the bill was read a third time.

12 SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (INCOME SUPPORT FOR STUDENTS) 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.

Mr Sidebottom addressing the House—

13 ADJOURNMENT

It being 8.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensuing—

Document

Ms King, by leave, presented the following document:

Homelessness—(*Receipt of document as a petition subject to approval by the Standing Committee on Petitions*).

Debate continued.

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

DOCUMENTS

The following documents were deemed to have been presented on 20 October 2009:

Acts Interpretation Act—Statement relating to delay in furnishing report within specified period—Australian Curriculum, Assessment and Reporting Authority—Report for 2008-09.

Health Insurance Act—Principles—2009—Accredited pathology laboratories—Approval—Amendment (No. 1)—Business cost calculator report.

Sydney Airport Curfew Act—Dispensation—2009 No. 8.

Taxation Administration Act—Rulings—2009 PR Nos 51, 52.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Cobb, *Ms A. L. Ellis, Mr Hayes, Mr Hockey, Mr Keenan, Mr McMullan, Mrs Mirabella, *Mr Neville, Mr Oakeshott, Mr Price, Mr Randall, Mr Robert, Mr Rudd and Mr S. F. Smith.

* On leave

I. C. HARRIS
Clerk of the House of Representatives