

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 128

WEDNESDAY, 28 OCTOBER 2009



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

**2 WHIPS REPORT**

Mr Price (Chief Government Whip) presented the following document:

Whips report—Report relating to committee and delegation reports and private Members' business on Monday, 16 November 2009—

and moved—That the report be adopted.

Question—put and passed.

**3 MESSAGE FROM THE SENATE**

Message No. 347, 27 October 2009, from the Senate was reported informing the House that Senator Scullion had been discharged from attendance on the Joint Standing Committee on the National Capital and External Territories, and Senator Humphries had been appointed a member of the committee.

**4 BANKRUPTCY LEGISLATION AMENDMENT BILL 2009**

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Bankruptcy Act 1966*, 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 Forrest), and the resumption of the debate made an order of the day for the next sitting.

**5 STATUTE LAW REVISION BILL 2009**

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to make various amendments of the statute law of the Commonwealth, to repeal certain obsolete Acts, 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 Forrest), and the resumption of the debate made an order of the day for the next sitting.

**6 CARBON POLLUTION REDUCTION SCHEME 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 by Mr Turnbull who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the House:

- (1) believes that the Government’s proposed emissions trading scheme is flawed and in its current form will cost Australian jobs and investment, and simply export rather than reduce global greenhouse gas emissions;
- (2) supports the Coalition in again calling on the Government to defer consideration of this legislation, which will impose the single largest structural change to the Australian economy, until after the Copenhagen Climate Change Summit has concluded in less than 50 days time; and
- (3) notes that as the Government remains determined to keep an utterly artificial and self-imposed deadline of this Parliamentary year and as such before the world meets to address the important issue of global action, the Coalition has proposed changes to the Government’s ETS to ensure the following critical matters are addressed:
  - (a) that emissions-intensive trade-exposed industries remain on a level playing field with competitors in other advanced economies;
  - (b) that agriculture is excluded from the scheme, rather than included after 2015, and farmers have access to agricultural offset credits;
  - (c) that the impact of higher electricity prices on small businesses is moderated;
  - (d) that the coal industry is required to reduce fugitive emissions as technically feasible, but not be unfairly financially penalised;
  - (e) that transitional assistance to coal-fired electricity generators is sufficient to ensure that electricity supply security is maintained and the generators remain viable; and
  - (f) that complementary measures such as voluntary action and energy efficiency are encouraged”.

Debate continued.

Mr Randall addressing the House—

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

## 7 QUESTIONS

Questions without notice were asked.

## 8 APPOINTMENT OF CLERK OF THE HOUSE

The Speaker informed the House that Mr B. C. Wright would be appointed as Clerk of the House to take effect from 5 December 2009.

## 9 DOCUMENTS

The following documents were presented:

Administrative Review Council—Report for 2008-09.

Airservices Australia—Report for 2008-09.

Australian Bureau of Statistics—Report for 2008-09.

Australian Electoral Commission—Report for 2008-09.

Australian Hearing—Report for 2008-09.

Australian Human Rights Commission—Report No. 41—*El Masri v Commonwealth*.

Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2008-09.

Australian Institute of Criminology and Criminology Research Council—Report for 2008-09, incorporating a correction.

Australian Law Reform Commission—Report No. 110—Report for 2008-09.

Australian Statistics Advisory Council—Report for 2008-09.

Bureau of Meteorology—Report for 2008-09.

Cancer Australia—Report for 2008-09.

Commissioner of Taxation—Report for 2008-09.  
 Data-matching program—Department of Veterans' Affairs—Report for 2008-09.  
 Department of Climate Change—Report for 2008-09.  
 Department of Foreign Affairs and Trade—Reports for 2008-09—  
 Volume 1—Department of Foreign Affairs and Trade.  
 Volume 2—Australian Agency for International Development (AusAID).  
 Department of Innovation, Industry, Science and Research—Report for 2008-09.  
 Great Barrier Reef Marine Park Authority—Report for 2008-09.  
 International Air Services Commission—Report for 2008-09.  
 Medicare Australia—Report for 2008-09.  
 National Industrial Chemicals Notification and Assessment Scheme—Report for 2008-09.  
 National Museum of Australia—Report for 2008-09.  
 Repatriation Commission, Military Rehabilitation and Compensation Commission, Department of  
 Veterans' Affairs and the National Treatment Monitoring Committee—Report for 2008-09.  
 Repatriation Medical Authority—Report for 2008-09.  
 Teaching Australia—Australian Institute for Teaching and School Leadership—Report for 2008-09.  
 Veterans' Review Board—Report for 2008-09.  
 Wheat Exports Australia—Report for 2008-09.

#### 10 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

Mr S. F. Smith (Deputy Leader of the House) moved—That the House take note of the following documents:

Australian Electoral Commission—Report for 2008-09.  
 Australian Law Reform Commission—Report No. 110—Report for 2008-09.  
 Commissioner of Taxation—Report for 2008-09.  
 Department of Climate Change—Report for 2008-09.  
 Department of Foreign Affairs and Trade—Reports for 2008-09—  
 Volume 1—Department of Foreign Affairs and Trade.  
 Volume 2—Australian Agency for International Development (AusAID).  
 Department of Innovation, Industry, Science and Research—Report for 2008-09.  
 Great Barrier Reef Marine Park Authority—Report for 2008-09.  
 Medicare Australia—Report for 2008-09.  
 Veterans' Review Board—Report for 2008-09.  
 Debate adjourned (Mr Pyne), and the resumption of each debate made an order of the day for the next sitting.

#### 11 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before Notice No. 3, government business, be postponed until a later hour this day.

#### 12 PARLIAMENTARY ZONE—ADDITIONAL SECURITY CAMERAS IN THE PARLIAMENTARY PRECINCT—APPROVAL OF PROPOSAL

Mr S. F. Smith (Minister for Foreign Affairs), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 12 August 2009, namely: Additional security cameras in the Parliamentary precinct.

Question—put and passed.

**13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—BORDER PROTECTION**

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 chaos caused by the failure of the Government’s border protection policies”.

The proposed discussion having received the necessary support—

Mr Turnbull addressed the House.

Discussion ensued.

Discussion concluded.

**14 MESSAGE FROM THE SENATE—HEALTH INSURANCE AMENDMENT (REVIVAL OF TABLE ITEMS) BILL 2009**

Message No. 348, 28 October 2009, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Health Insurance Act 1973* to provide for the revival of certain medical services items should later items be disallowed.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

**15 AUSTRALIAN SPORTS ANTI-DOPING AUTHORITY AMENDMENT BILL 2009—REPORT FROM MAIN COMMITTEE**

The Deputy 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 Bowen (Minister for Financial Services, Superannuation and Corporate Law), by leave, the bill was read a third time.

**16 PRIVATE HEALTH INSURANCE LEGISLATION AMENDMENT BILL (NO. 2) 2009—REPORT FROM MAIN COMMITTEE**

The Deputy 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 Bowen (Minister for Financial Services, Superannuation and Corporate Law), by leave, the bill was read a third time.

**17 CARBON POLLUTION REDUCTION SCHEME 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—*And on the amendment moved thereto by Mr Turnbull (see item No. 6, page 1413)*—

Debate resumed.

**18 ADJOURNMENT**

At 11 p.m., the Speaker adjourned the House until 9 a.m. tomorrow, in accordance with the resolution agreed to on 27 October 2009.

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Crean, \*Ms A. L. Ellis, Mr Hawker, Mr Hockey, Ms Jackson, Dr Jensen, \*Mr Neville, Mr Robb and Mr Snowdon.

\* On leave

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

2008-09

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

No. 128

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

WEDNESDAY, 28 OCTOBER 2009

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1 The Main Committee met at 9.30 a.m.

**2 MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements were made.

**3 AUSTRALIAN SPORTS ANTI-DOPING AUTHORITY 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.

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

Leave granted for the question on the report to be put immediately.

Question—That the bill be reported to the House without amendment—put and passed.

**4 PRIVATE HEALTH INSURANCE LEGISLATION AMENDMENT BILL (NO. 2) 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 the question on the report to be put immediately.

Question—That the bill be reported to the House without amendment—put and passed.

**5 TAX LAWS AMENDMENT (2009 MEASURES NO. 5) 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 (Ms George), and the resumption of the debate made an order of the day for a later hour this day.

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*Suspension of meeting*

At 12.53 p.m., the Deputy Speaker left the Chair.

*Resumption of meeting*

At 4.03 p.m., the Deputy Speaker resumed the Chair.

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**6 CLIMATE CHANGE, WATER, ENVIRONMENT AND THE ARTS—STANDING COMMITTEE—MOTION TO TAKE NOTE OF DOCUMENT**

The order of the day having been read for the resumption of the debate on the motion of Ms George—That the House take note of the document (*presented on 26 October 2009*), *viz.*—

Climate Change, Water, Environment and the Arts—Standing Committee—Managing our coastal zone in a changing climate: the time to act is now—Report, October 2009—

Debate resumed.

Ms George, by leave, again addressed the Main Committee without closing the debate.

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

**7 ADJOURNMENT**

On the motion of Ms Hall, the Main Committee adjourned at 7.30 p.m.

The Deputy Speaker fixed 9.30 a.m. tomorrow for the next meeting of the Main Committee.

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