

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 134

MONDAY, 23 NOVEMBER 2009

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

2 **PRIVATE MEMBERS' BILL AND MOTIONS—PRESENTED BY SPEAKER**

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

Tax Laws Amendment (Improving the Producer Offset) Bill 2009 (*see item No. 6, Minutes of Proceedings of the Main Committee*).

Mrs Mirabella—International Day for the Elimination of Violence against Women (*see item No. 7, Minutes of Proceedings of the Main Committee*).

Ms Rea—Maternal, newborn and child health (*see item No. 8, Minutes of Proceedings of the Main Committee*).

Mr Oakeshott—Supporting White Ribbon Day (*see item No. 10, Minutes of Proceedings of the Main Committee*).

Mr Georganas—RU OK? Day (*see item No. 11, Minutes of Proceedings of the Main Committee*).

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

3 **FOREIGN ACQUISITIONS AND TAKEOVERS 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.

Mr Zappia addressing the House—

It being 2 p.m., the debate was interrupted in accordance with standing order 97, Mr Zappia 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.

4 **MINISTERIAL ARRANGEMENTS**

Mr Rudd (Prime Minister) 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.

Mr Rudd also informed the House that, during the absence overseas of Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law and Minister for Human Services), Mr Swan (Treasurer) and Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs) would answer questions on his behalf.

5 **QUESTIONS**

Questions without notice were asked.

**6 AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY—FORGOTTEN AUSTRALIANS AND FORMER CHILD MIGRANTS**

The Speaker informed the House that he had received from the Speaker of the Legislative Assembly of the Australian Capital Territory a letter containing a resolution adopted by the Legislative Assembly on 17 November 2009, welcoming the Prime Minister's apology to the Forgotten Australians and former child migrants.

**7 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS**

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

Australian Prudential Regulation Authority—Report for 2008-09.

Australian Rail Track Corporation Ltd—Report for 2008-09.

Murray-Darling Basin Authority—Report for 2008-09.

Pharmaceutical Benefits Pricing Authority—Report for 2008-09.

Remuneration Tribunal—Report for 2008-09.

and moved—That the House take note of the documents.

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

**8 FOREIGN ACQUISITIONS AND TAKEOVERS 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.

*Consideration in detail*

Bill, by leave, taken as a whole.

*Document*

Mr Swan (Treasurer) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Swan, by leave, Government amendments (1) to (11) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

Leave granted for third reading to be moved immediately.

On the motion of Mr Swan, the bill was read a third time.

**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:

23 November 2009—Message No. 266—Corporations Amendment (Improving Accountability on Termination Payments) 2009.

**10 NATIONAL CONSUMER CREDIT PROTECTION BILL 2009—SENATE'S AMENDMENTS**

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

On the motion of Dr Emerson (Minister for Small Business, Independent Contractors and the Service Economy), the amendments were agreed to.

*Document*

Dr Emerson presented a consolidated explanatory memorandum to the bill.

**11 NATIONAL CONSUMER CREDIT PROTECTION (TRANSITIONAL AND CONSEQUENTIAL PROVISIONS) BILL 2009—SENATE'S AMENDMENTS**

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

On the motion of Dr Emerson (Minister for Small Business, Independent Contractors and the Service Economy), the amendments were agreed to.

*Document*

Dr Emerson presented a consolidated explanatory memorandum to the bill.

**12 CUSTOMS TARIFF AMENDMENT (INCORPORATION OF PROPOSALS) 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 O'Connor (Minister for Home Affairs), the bill was read a third time.

**13 POSTPONEMENT OF ORDER OF THE DAY**

Ordered—That order of the day No. 5, government business, be postponed until a later hour this day.

**14 AUSCHECK AMENDMENT BILL 2009—SENATE'S AMENDMENTS**

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

On the motion of Mr McClelland (Attorney-General), the amendments were agreed to.

**15 FEDERAL JUSTICE SYSTEM AMENDMENT (EFFICIENCY MEASURES) BILL (NO. 1) 2008—SENATE'S AMENDMENTS**

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

On the motion of Mr McClelland (Attorney-General), the amendments were agreed to.

**16 HIGHER EDUCATION LEGISLATION AMENDMENT (STUDENT SERVICES AND AMENITIES) 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 McClelland—Attorney-General), and the resumption of the debate made an order of the day for a later hour this day.

**17 DOCUMENT**

Mr McClelland (Attorney-General) presented the following document:

AusCheck Amendment Bill 2009—Summing up speech, House of Representatives.

**18 ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS—STANDING COMMITTEE**

The House was informed that the Speaker had received advice from Mr Katter that he wished to be discharged from the Standing Committee on Aboriginal and Torres Strait Islander Affairs.

Mr McMullan (Parliamentary Secretary for International Development Assistance), by leave, moved—That Mr Katter be discharged from the Standing Committee on Aboriginal and Torres Strait Islander Affairs.

Question—put and passed.

**19 HIGHER EDUCATION LEGISLATION AMENDMENT (STUDENT SERVICES AND AMENITIES) 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 Trevor addressing the House—

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

**20 PETITIONS—STANDING COMMITTEE—PRESENTATION OF PETITIONS AND MINISTERS' RESPONSES—STATEMENT BY MEMBER**

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

Mrs Irwin made a statement in connection with petitions.

**21 CORPORATIONS AND FINANCIAL SERVICES—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

Mr Ripoll (Chair) presented the following documents:

Corporations and Financial Services—Parliamentary Joint Committee—Inquiry into financial products and services in Australia—  
Report, November 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—

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

Question—put and passed.

**22 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—The global financial crisis and regional Australia—  
Report, November 2009.

Minutes of proceedings.

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—

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.

**23 HEALTH AND AGEING—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

Mr Georganas (Chair) presented the following documents:

Health and Ageing—Standing Committee—Treating impotence: Roundtable forum on impotence medications in Australia—  
Report, October 2009.

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—

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

Question—put and passed.

**24 EMPLOYMENT AND WORKPLACE RELATIONS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

Ms Jackson (Chair) presented the following documents:

Employment and Workplace Relations—Standing Committee—Making it fair: Pay equity and associated issues related to increasing female participation in the workforce—

Report, incorporating a minority report, November 2009.

Minutes of proceedings.

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—

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

Question—put and passed.

**25 INDUSTRY, SCIENCE AND INNOVATION—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

Ms Vamvakinou (Chair) presented the following documents:

Industry, Science and Innovation—Standing Committee—Seasonal forecasting in Australia—

Report, November 2009.

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

Question—put and passed.

**26 ADJOURNMENT**

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

Debate ensued.

The House continuing to sit until 10 p.m.—The Speaker adjourned the House until 2 p.m. tomorrow.

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**DOCUMENTS**

The following documents were deemed to have been presented on 23 November 2009:

Airspace Act—Airspace Regulations—Instrument—2009 No. CASA OAR 192 [F2009L04201].

Civil Aviation Act—

Civil Aviation Regulations—Exemptions—2009 Nos CASA EX92, CASA EX93 [F2009L04022], [F2009L04023].

Civil Aviation Safety Regulations—Airworthiness Directive under Part 39.001(1)—AD/ARRIEL—No. 34—Cancellation [F2009L04243].

Commonwealth Authorities and Companies Act—Notice under section 45—Variation of the Commonwealth's rights as a member of a company—Medibank Private Limited.

Customs Act—Orders—Tariff Concession—2009 Nos 0902741, 0904258, 0907328, 0908196, 0908209, 0908814, 0910929, 0910937, 0911155, 0911234, 0911257, 0911322, 0911326, 0911493, 0911985 [F2009L04184], [F2009L04172], [F2009L04179], [F2009L04170], [F2009L04171], [F2009L04173], [F2009L04181], [F2009L04183], [F2009L04180], [F2009L04178], [F2009L04174], [F2009L04185], [F2009L04186], [F2009L04175], [F2009L04176].

Federal Magistrates Act—Rules of Court—Select Legislative Instruments—2009 Nos 316, 317 [F2009L04279], [F2009L04280].

National Health Act—

Amendment declaration and amendment determination under section 85—2009 No. PB 106 [F2009L04287].

Amendment determinations under—

section 84AF—2009 No. PB 108 [F2009L04286].

sections 85, 85A and 88—2009 No. PB 107 [F2009L04284].

sections 85A and 88—2009 No. PB 111 [F2009L04285].

section 85AB—2009 No. PB 109 [F2009L04272].

section 85B—2009 No. PB 110 [F2009L04253].

section 98C—2009 No. PB 112 [F2009L04263].

Amendment special arrangements under section 100—2009 No. PB 113 [F2009L04290].

Trade Practices Act—Determinations—2009 Class exemption (Variation)—Nos 1, 2, 3 [F2009L04298], [F2009L04299], [F2009L04296].

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#### ATTENDANCE

All Members attended (at some time during the sitting) except Mr Bevis, Mr Bowen, \*Ms A. L. Ellis, Mr Farmer, \*Mr Neville, Mr Sidebottom and Mr S. F. Smith.

\* On leave

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

2008-09

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

No. 134

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**MONDAY, 23 NOVEMBER 2009**

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1 The Main Committee met at 4 p.m.

**2 MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements being made—

*Petition*

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

Applications under the National Rental Affordability Scheme—519 petitioners.

Members' constituency statements continued.

**3 ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS—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 Debus—That the House take note of the document (*presented on 16 November 2009*), viz.—

Aboriginal and Torres Strait Islander Affairs—Standing Committee—Everybody's business: Remote Aboriginal and Torres Strait Community Stores—Report, November 2009—

Debate resumed.

Mr Debus, by leave, addressed the Main Committee without closing the debate.

Debate continued.

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

**4 NATIVE TITLE 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 MEMBERS' STATEMENTS**

Members' statements commenced at 6.35 p.m., by leave.

Members' statements being made—

*Petition*

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

National Marriage Day—512 petitioners.

Members' statements continued.

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*Suspension of meeting*

At 6.49 p.m., the Deputy Speaker left the Chair.

*Resumption of meeting*

At 6.55 p.m., the Deputy Speaker resumed the Chair.

**6 TAX LAWS AMENDMENT (IMPROVING THE PRODUCER OFFSET) BILL 2009**

The order of the day having been read for the first reading of a Bill for an Act to change the administrative procedures for the Producer Offset, and for related purposes (*see item No. 2, Votes and Proceedings*).

Mr Ciobo made a statement in relation to the bill.

*Document*

Mr Ciobo presented an explanatory memorandum 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.

**7 INTERNATIONAL DAY FOR THE ELIMINATION OF VIOLENCE AGAINST WOMEN**

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

- (1) recognises that Wednesday 25 November 2009 is the International Day for the Elimination of Violence against Women, the symbol of which has become the White Ribbon;
- (2) applauds the work done by the White Ribbon Foundation of Australia to raise awareness amongst all Australians of the fact that many women and their children live with violence, or the threat of violence every day of their lives;
- (3) notes that approximately 350,000 women will experience some form of physical violence and 125,000 women will experience sexual violence each year;
- (4) encourages all Australians to speak out against all forms of violence and when necessary take action against violence that may be occurring within their community;
- (5) notes that violence against women costs the Australian people \$13.6 billion annually;
- (6) notes that the Rudd Government has squandered \$16.2 billion on the Deputy Prime Minister's Building the Education Revolution program while committing less than one third of a per cent of that amount (\$55.2 million) to address this insidious problem; and
- (7) condemns the Government for failing to commit any new money in response to the Time for Action Report while rebadging initiatives which were funded under the previous Coalition Government's Women's Safety Agenda (*see item No. 2, 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.

**8 MATERNAL, NEWBORN AND CHILD HEALTH**

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

- (1) applauds the Government's increase of total health funding in the foreign aid budget and an increase in spending to maternal, newborn and child health, which is much needed when in our region, including South Asia, 200,000 mothers and 3.2 million children are dying every year from preventable causes;
- (2) notes that:
  - (a) Australia still requires an increase in total health funding in the foreign aid budget to progress toward the Millennium Development Goals (MDGs) 4 and 5 by 2015;



- (b) Millennium Development Goal 4 to reduce child mortality by two-thirds and MDG 5 to reduce maternal mortality by three-quarters have made the slowest progress of all MDGs and are off-track to being achieved by 2015;
  - (c) Millennium Development Goal 5 has made virtually no progress globally and has reversed in most of sub-Saharan Africa in the last 20 years—it is the only MDG not making progress of any significance;
  - (d) the health MDGs are achievable but require increased effort and greater cooperation from all developing and developed countries; and
  - (e) evidence indicates that successful proven, cost effective strategies exist that can reduce child deaths by at least 60 per cent and maternal deaths by 75 per cent, which would save the lives of 240,000 children and 26,000 mothers in our immediate region each year;
- (3) acknowledges the importance of the Australian Government increasing its support for health systems in the Asia Pacific region and in Africa (through coordinated mechanisms including the International Health Partnership) to ensure that adequate, coordinated, long term and predictable donor resources are available to support effective basic and reproductive health plans and systems in each developing country in our region; and
- (4) recognises that:
- (a) greater focus must be placed on training health professionals and midwives to ensure significant reductions in newborn, child and maternal mortality;
  - (b) system strengthening must also be ensured to provide incentives for staff to be retained in countries and areas of need; and
  - (c) an increase in Australian support for maternal and child health related spending is required to support the provision of basic health services and strengthened health systems; and that this will demonstrate Australia's leadership and commitment to ending the preventable deaths of children and mothers globally (*see item No. 2, 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.

#### 9 ASSISTING THE VICTIMS OF INTERNATIONAL TERRORISM BILL 2009

The order of the day having been read for the second reading—Mr Abbott moved—That the bill be now read a second time.

Debate ensued.

Mr Baldwin addressing the Main Committee—

The time allotted for the debate having expired, the debate was interrupted, Mr Baldwin 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 the next sitting.

#### 10 SUPPORTING WHITE RIBBON DAY

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

- (1) recognises that Wednesday 25 November 2009 is the International Day for Elimination of Violence against Women which is symbolised by the wearing of a White Ribbon;
- (2) calls on all men to actively participate in White Ribbon Day and speak out against violence against women;
- (3) recognises and applauds the recent work of the Asian Forum of Parliamentarians on Population and Development (AFPPD), to which the Australian Parliamentary Group on Population and Development is a member, for the establishment of the AFPPD Standing Committee of Male Parliamentarians on Prevention of Violence against Women and Girls on 7 September 2009;
- (4) acknowledges that the establishment of the AFPPD Committee is a significant step in bringing together male parliamentarians from across Asia as role models and outspoken activists for the prevention and elimination of violence against women and girls;

- (5) notes that one in three Australian women will experience physical or sexual violence in her lifetime; and
- (6) acknowledges that gender based violence costs the Australian economy over \$15.1 billion each year, including health, work absenteeism, police and court related costs (*see item No. 2, 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.

#### 11 **RU OK? DAY**

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

- (1) notes the tragic loss of life to suicide which has taken an average of approximately 14 persons per 100,000 in Australia through most of the twentieth century—three quarters being male—and a disproportionately large number being in rural and regional areas;
- (2) notes the establishment of RU OK?, an important national initiative to raise awareness about suicide rates, the impact of suicide on our society, and how we can all help to prevent suicide by connecting with each other;
- (3) recognises and supports the inaugural RU OK? Day on 29 November 2009 that will bring Australians together to prevent suicide and raise the profile of organisations providing support for those affected by, or at risk of, suicide;
- (4) acknowledges that sector research shows that people at risk are helped by talking about their problems—that a single conversation could change a life; and
- (5) works to inspire and encourage all Australians to connect with friends and loved ones to prevent small problems from becoming big ones, by reaching out to anyone doing it tough and asking them “Are you OK?” (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

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

#### 12 **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.

#### 13 **ADJOURNMENT**

On the motion of Ms Hall, the Main Committee adjourned at 9.30 p.m.

The Deputy Speaker fixed 4 p.m. tomorrow for the next meeting of the Main Committee.

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