

2008-09-10

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 140

THURSDAY, 4 FEBRUARY 2010



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

2 GOVERNANCE OF AUSTRALIAN GOVERNMENT SUPERANNUATION SCHEMES BILL 2010

Mr Tanner (Minister for Finance and Deregulation), pursuant to notice, presented a Bill for an Act to create a single body to administer Australian Government superannuation schemes, and for related purposes.

Document

Mr Tanner presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Tanner moved—That the bill be now read a second time.

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

3 COMSUPER BILL 2010

Mr Tanner (Minister for Finance and Deregulation), pursuant to notice, presented a Bill for an Act to establish ComSuper, and for related purposes.

Document

Mr Tanner presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Tanner moved—That the bill be now read a second time.

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

4 SUPERANNUATION LEGISLATION (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL 2010

Mr Tanner (Minister for Finance and Deregulation), pursuant to notice, presented a Bill for an Act to deal with consequential and transitional matters arising from the enactment of the *Governance of Australian Government Superannuation Schemes Act 2010* and the *ComSuper Act 2010*, and for other purposes.

Document

Mr Tanner presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Tanner moved—That the bill be now read a second time.

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

5 CRIMES LEGISLATION AMENDMENT (SEXUAL OFFENCES AGAINST CHILDREN) BILL 2010

Mr O'Connor (Minister for Home Affairs), pursuant to notice, presented a Bill for an Act to amend the criminal law, and for related purposes.

Document

Mr O'Connor presented an explanatory memorandum to the bill.

Bill read a first time.

Mr O'Connor moved—That the bill be now read a second time.

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

6 CUSTOMS TARIFF PROPOSAL

Mr O'Connor (Minister for Home Affairs) moved Customs Tariff Proposal (No. 1) 2010.

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

7 HIGHER EDUCATION SUPPORT AMENDMENT (UNIVERSITY COLLEGE LONDON) BILL 2010

Mr Clare (Parliamentary Secretary for Employment), pursuant to notice, presented a Bill for an Act to amend the *Higher Education Support Act 2003*, and for related purposes.

Document

Mr Clare presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Clare moved—That the bill be now read a second time.

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

8 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) AMENDMENT BILL 2010

Mr Clare (Parliamentary Secretary for Employment), pursuant to notice, presented a Bill for an Act to amend the *Indigenous Education (Targeted Assistance) Act 2000*, and for related purposes.

Document

Mr Clare presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Clare moved—That the bill be now read a second time.

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

9 AUSTRALIAN RESEARCH COUNCIL AMENDMENT BILL 2010

Mr Clare (Parliamentary Secretary for Employment), pursuant to notice, presented a Bill for an Act to amend the *Australian Research Council Act 2001*, and for related purposes.

Document

Mr Clare presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Clare moved—That the bill be now read a second time.

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

10 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—FIT-OUT OF NEW LEASED PREMISES FOR THE AUSTRALIAN TAXATION OFFICE AT 735 COLLINS ST, MELBOURNE, VIC

Mr McClelland (Attorney-General) for Dr Kelly (Parliamentary Secretary for Defence Support), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Fit-out of new leased premises for the Australian Taxation Office at 735 Collins Street, Melbourne, Victoria.

Question—put and passed.

11 TREATIES—JOINT STANDING COMMITTEE—REPORT

Mr K. J. Thomson (Chair) presented the following document:

Treaties—Joint Standing Committee—Report 108: Treaty tabled on 25 November 2009—Report, February 2010.

Ordered to be made a Parliamentary Paper.

Question—put and passed.

12 NATIONAL BROADCASTING LEGISLATION 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.

Mr A. D. H. Smith, by leave, moved Opposition amendments (2) and (3) together.

Debate continued.

Question—That the amendments be agreed to—put.

The House divided (the Deputy Speaker, Mrs Vale, in the Chair)—

AYES, 56

| | | | |
|------------------|--------------------|---------------|-------------------|
| Mr Andrews | Mr Georgiou | Ms Marino* | Mr Schultz |
| Fran Bailey | Mr Haase | Mrs Markus | Mr Scott |
| Mr Baldwin | Mr Hartsuyker | Mrs May | Mr Secker |
| Mr Billson | Mr A. G. Hawke | Mrs Mirabella | Mr Simpkins |
| Mrs B. K. Bishop | Mr D. P. M. Hawker | Mr Morrison | Mr Slipper |
| Mr Briggs | Mr Hunt | Mrs Moylan | Mr A. D. H. Smith |
| Mr Broadbent | Mr Irons | Mr Oakeshott | Dr Southcott |
| Mr Chester | Dr Jensen | Ms O'Dwyer | Dr Stone |
| Mr Ciobo | Mr Johnson | Mr Pearce | Mr Truss |
| Mr Coulton | Mr Katter | Mr Pyne | Mr Tuckey |
| Mr Farmer | Mr Keenan | Mr Ramsey | Mr Turnbull |
| Mr Fletcher | Mr Laming | Mr Robb | Dr Washer |
| Mr Forrest* | Ms Ley | Mr Robert | Mr Windsor |
| Mrs Gash | Mr Macfarlane | Mr Ruddock | Mr Wood |

NOES, 72

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

* Tellers

Pairs

| | |
|------------|-----------|
| Mr Somlyay | Mr Crean |
| Mrs Hull | Mrs Irwin |

And so it was negatived.

Mr A. D. H. Smith, by leave, moved Opposition amendments (1) and (4) together.

Question—That the amendments be agreed to—put.

The House divided (the Deputy Speaker, Mrs Vale, in the Chair)—

AYES, 54

| | | | |
|------------------|--------------------|---------------|-------------------|
| Mr Andrews | Mr Haase | Mrs Markus | Mr Secker |
| Fran Bailey | Mr Hartsuyker | Mrs May | Mr Simpkins |
| Mr Baldwin | Mr A. G. Hawke | Mrs Mirabella | Mr Slipper |
| Mr Billson | Mr D. P. M. Hawker | Mr Morrison | Mr A. D. H. Smith |
| Mrs B. K. Bishop | Mr Hunt | Mrs Moylan | Dr Southcott |
| Mr Briggs | Mr Irons | Ms O'Dwyer | Dr Stone |
| Mr Broadbent | Dr Jensen | Mr Pearce | Mr Truss |
| Mr Chester | Mr Johnson | Mr Pyne | Mr Tuckey |
| Mr Ciobo | Mr Katter | Mr Ramsey | Mr Turnbull |
| Mr Coulton | Mr Keenan | Mr Robb | Dr Washer |
| Mr Fletcher | Mr Laming | Mr Robert | Mr Windsor |
| Mr Forrest* | Ms Ley | Mr Ruddock | Mr Wood |
| Mrs Gash | Mr Macfarlane | Mr Schultz | |
| Mr Georgiou | Ms Marino* | Mr Scott | |

NOES, 72

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

* Tellers

Pairs

| | |
|------------|-----------|
| Mr Somlyay | Mr Crean |
| Mrs Hull | Mrs Irwin |

And so it was negatived.

Question—That the Bill be agreed to—put.

The House divided (the Deputy Speaker, Mrs Vale, in the Chair)—

AYES, 72

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

NOES, 54

| | | | |
|------------------|--------------------|---------------|-------------------|
| Mr Andrews | Mr Haase | Mrs Markus | Mr Secker |
| Fran Bailey | Mr Hartsuyker | Mrs May | Mr Simpkins |
| Mr Baldwin | Mr A. G. Hawke | Mrs Mirabella | Mr Slipper |
| Mr Billson | Mr D. P. M. Hawker | Mr Morrison | Mr A. D. H. Smith |
| Mrs B. K. Bishop | Mr Hunt | Mrs Moylan | Dr Southcott |
| Mr Briggs | Mr Irons | Ms O'Dwyer | Dr Stone |
| Mr Broadbent | Dr Jensen | Mr Pearce | Mr Truss |
| Mr Chester | Mr Johnson | Mr Pyne | Mr Tuckey |
| Mr Ciobo | Mr Katter | Mr Ramsey | Mr Turnbull |
| Mr Coulton | Mr Keenan | Mr Robb | Dr Washer |
| Mr Fletcher | Mr Laming | Mr Robert | Mr Windsor |
| Mr Forrest* | Ms Ley | Mr Ruddock | Mr Wood |
| Mrs Gash | Mr Macfarlane | Mr Schultz | |
| Mr Georgiou | Ms Marino* | Mr Scott | |

* Tellers

Pairs

| | |
|------------|-----------|
| Mr Somlyay | Mr Crean |
| Mrs Hull | Mrs Irwin |

And so it was resolved in the affirmative.

Consideration in detail concluded.

On the motion of Mr Albanese (Leader of the House), by leave, the bill was read a third time.

13 CARBON POLLUTION REDUCTION SCHEME BILL 2010

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 Collins addressing the House—

It being 2 p.m., the debate was interrupted in accordance with standing order 97, Ms Collins 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 a later hour this day.

14 SUSPENSION OF STANDING AND SESSIONAL ORDERS—ANNIVERSARY OF THE VICTORIAN BUSHFIRES—STATEMENTS

Mr Albanese (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent the Prime Minister from making a statement on the first anniversary of the Victorian Black Saturday bushfires, at 2 p.m., and the Leader of the Opposition and other Members from making a contribution.

Question—put and passed.

15 ANNIVERSARY OF THE VICTORIAN BUSHFIRES—STATEMENTS

Mr Rudd (Prime Minister), made a statement relating to the first Anniversary of the Victorian Black Saturday bushfires.

Mr Abbott (Leader of the Opposition), Fran Bailey, Mr Gibbons, Mr Broadbent, Mr Chester, Mr Shorten (Parliamentary Secretary for Victorian Bushfire Reconstruction), Mrs Mirabella, Mr Forrest, Mrs Moylan and the Speaker made statements on the same matter.

16 QUESTIONS

Questions without notice were asked.

17 MEMBER DIRECTED TO LEAVE THE CHAMBER

At 3.51 p.m. the Member for North Sydney (Mr Hockey) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and he accordingly left the Chamber.

18 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 21 of 2009–2010—Performance audit—Administration of the Water Smart Australia Program: Department of the Environment, Water, Heritage and the Arts; National Water Commission.

Ordered to be made a Parliamentary Paper.

19 DOCUMENTS

The following documents were presented:

Australian Law Reform Commission—Report No. 111—Making inquiries: A new statutory framework (Review of the Royal Commissions Act and related matters).

Department of the Treasury—National interest statement: Loan agreement between the Australian Government and the Republic of Indonesia for a standby loan for the Australian dollar equivalent of US\$1 billion, 5 November 2009.

Financial Management and Accountability Act—Direction under section 62A—30 November 2009.

National Capital and External Territories—Joint Standing Committee—Inquiry into the Immigration Bridge proposal—Government response.

Public Accounts and Audit—Joint Committee—Report 413—The efficiency dividend and small agencies: Size does matter—Government response.

Tiwi Land Council—Report for 2008-09.

Treaties—*Multilateral—Text, together with national interest analysis*—Statute of the International Renewable Energy Agency (IRENA) Bonn, Germany, 26 January 2009.

Treaties—Joint Standing Committee—Reports—

91st—Treaties tabled on 12 March 2008—Government response.

95th—Treaties tabled on 4 June, 17 June, 25 June and 26 August 2008—Government response.

20 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Department of the Treasury—National interest statement: Loan agreement between the Australian Government and the Republic of Indonesia for a standby loan for the Australian dollar equivalent of US\$1 billion, 5 November 2009.

Financial Management and Accountability Act—Direction under section 62A—30 November 2009.

National Capital and External Territories—Joint Standing Committee—Inquiry into the Immigration Bridge proposal—Government response.

Public Accounts and Audit—Joint Committee—Report 413—The efficiency dividend and small agencies: Size does matter—Government response.

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

21 MESSAGE FROM THE SENATE—CRIMES LEGISLATION AMENDMENT (SERIOUS AND ORGANISED CRIME) BILL 2009

Message No. 383, 4 February 2010, from the Senate was reported returning the Crimes Legislation Amendment (Serious and Organised Crime) Bill 2009 with amendments.

Ordered—That the amendments be considered immediately.

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

22 MESSAGE FROM THE SENATE—CRIMES LEGISLATION AMENDMENT (SERIOUS AND ORGANISED CRIME) BILL (NO. 2) 2009

Message No. 384, 4 February 2010, from the Senate was reported returning the Crimes Legislation Amendment (Serious and Organised Crime) Bill (No. 2) 2009 with amendments.

Ordered—That the amendments be considered immediately.

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

23 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ELECTION PROMISES

The House was informed that Mr Truss (Leader of the Nationals) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to keep its election promises to families, small business and pensioners”.

The proposed discussion having received the necessary support—

Mr Truss addressed the House.

Discussion ensued.

Mr Tuckey addressing the House—

24 ADJOURNMENT

It being 4.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 5 p.m.—The Deputy Speaker adjourned the House until 12 noon on Monday, 8 February 2010.

DOCUMENT

The following document was deemed to have been presented on 4 February 2010:

Sydney Airport Curfew Act—Dispensations—2010 No. 1.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Cobb, Mr Crean, Mr M. J. Ferguson, Mr Griffin, Mrs Hull, Mrs Irwin, Mr Neville, Mr Randall, Ms Roxon, Mr S. F. Smith and Mr Somlyay.

B. C. WRIGHT
Clerk of the House of Representatives

2008-09-10

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 140

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 4 FEBRUARY 2010

1 The Main Committee met at 9.30 a.m.

2 **MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements were made.

3 **APPROPRIATION BILL (NO. 3) 2009-2010**

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 ensuing—

Suspension of meeting

At 11.05 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of meeting

At 11.29 a.m., the proceedings were resumed.

Debate continued.

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

4 **ADJOURNMENT**

Mr Melham moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 12.54 p.m., the Deputy Speaker adjourned the Main Committee until 4 p.m. on Monday, 8 February 2010.

B. C. WRIGHT
Clerk of the House of Representatives