

2008-09-10

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 144

THURSDAY, 11 FEBRUARY 2010

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

2 **SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED**

Mr Hunt moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Flinders from moving the following motion forthwith: That the Minister for the Environment, Heritage and the Arts must immediately attend the House and provide this Parliament, and the Australian people, with a full and honest account of all matters relating to the Government's Home Insulation Program, including but not limited to the Minister, his office and the Department's involvement in the provision of advice, other communications, management of the program and any decisions surrounding the very grave safety warnings received by the Government.

Closure of Member

Mr Albanese (Leader of the House) moved—That the Member be no longer heard.

Question—put.

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

AYES, 75

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

NOES, 60

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

* Tellers

And so it was resolved in the affirmative.

Ms J. Bishop (Deputy Leader of the Opposition—Seconder) addressing the House—

Closure of Member

Mr Albanese moved—That the Member be no longer heard.

Question—put.

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

AYES, 75

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

NOES, 60

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

* Tellers

And so it was resolved in the affirmative.

And the question—That the motion for the suspension of standing and sessional orders be agreed to—being accordingly put—

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

AYES, 59

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

NOES, 76

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

* Tellers

And so it was negatived.

3 PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS—REPORT—STATEMENT BY SPEAKER

The Speaker made a statement concerning the matter of privilege and subsequent Parliamentary Standing Committee on Public Works report titled: Unauthorised disclosure of committee proceedings and evidence. The Speaker stated that he regarded the unauthorised disclosure of private information given to committees very seriously. He noted that the source of the disclosure had been identified and the Member involved had apologised and given undertakings not to disclose information in the future. He also noted that the Public Works Committee had expressed the view that the alleged disclosure may result in substantial interference with its future work, particularly affecting its relationship with key witnesses. The Speaker said that he would be very concerned if there were a continuing effect on these relationships. The circumstances of the matter should give assurance to witnesses that the House and its committees regard these matters very seriously and will take action to protect the confidentiality of committee proceedings. The Speaker further stated that it was not only a matter of privilege but also an action that related to the ethical behaviour of a Member and was yet another case where a Members' code of conduct might have been of some assistance. As there was no disagreement as to the key facts and as the Public Works Committee had dealt with matters that would ordinarily be covered by the Committee of Privileges and Members' Interests, the Speaker stated that little would be achieved by further inquiry. The Speaker thanked the Public Works Committee for having thoroughly and expeditiously dealt with the matter on behalf of the House.

4 ELECTORAL AND REFERENDUM AMENDMENT (CLOSE OF ROLLS AND OTHER MEASURES) BILL 2010

Mr Byrne (Parliamentary Secretary to the Prime Minister), pursuant to notice, presented a Bill for an Act to amend the law relating to elections and referendums, and for related purposes.

Document

Mr Byrne presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

5 COMMITTEES—MEMBERSHIP

The House was informed that the Chief Government Whip had nominated Members to be members of certain committees.

Mr Combet (Minister for Defence Personnel, Materiel and Science), by leave, moved—That:

- (1) Mr Hayes be discharged from the Standing Committee on Employment and Workplace Relations;
- (2) Mr Bidgood be appointed a member of the Standing Committee on Primary Industries and Resources and the Standing Committee on Employment and Workplace Relations;
- (3) Mr Neumann be discharged from the Standing Committee on Employment and Workplace Relations and be appointed a member of the Standing Committee on Health and Ageing; and
- (4) Mr Fitzgibbon be appointed a member of the Standing Committee on Employment and Workplace Relations.

Question—put and passed.

6 TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

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

Treaties—Joint Standing Committee—Report 109: Treaty tabled on 2 February 2010—Report, February 2010.

Ordered to be made a Parliamentary Paper.

Mr K. J. Thomson, by leave, made a statement in connection with the report.

7 PUBLICATIONS COMMITTEE—REPORT

Mr Hayes (Chair) presented the following document:

PUBLICATIONS COMMITTEE REPORT

The Publications Committee reports that it has met and, having considered documents presented to the House of Representatives since 25 November 2009, recommends that the following be made Parliamentary Papers:

Aboriginal and Torres Strait Islander Social Justice Commissioner—Reports—
Native title—2009.

Social justice—2009.

Aged Care Act 1997—Report on the operation of the Act for 2008-09.

Australia and the International Financial Institutions—Report for 2007-08.

Australian Customs and Border Protection Service—Report for 2008-09—Correction.

Australian Electoral Commission—Reports—
2009—

Redistribution of New South Wales into electoral divisions.

Redistribution of Queensland into electoral divisions.

Funding and disclosure—Election 2007.

Australian Industry Development Corporation—Report for 2008-09.

Australian Livestock Export Corporation Limited (LiveCorp)—Report for 2008-09.

Australian Sports Anti-Doping Authority—Report for 2008-09.

Centrelink—Report for 2008-09—Correction.

Charter of Budget Honesty Act—Intergenerational Report for 2010.

Commonwealth Ombudsman—Activities under Part V of the *Australian Federal Police Act 1979*—
Report for 2008-09.

Copyright Agency Limited—Report for 2008-09.

Department of Education, Employment and Workplace Relations—Australian vocational education and training system—Report for 2008.

Environment Protection and Biodiversity Conservation Act 1999—Report of the independent review of the Act, October 2009.

Family Law Council—Report for 2008-09.

Freedom of Information Act 1982—Report on the operation of the Act for 2008-09.

High Court of Australia—Report for 2008-09.

National Blood Authority—Report for 2008-09—Correction.

Productivity Commission—Report (No. 49)—Executive remuneration in Australia.

Schools Assistance (Learning Together - Achievement through Choice and Opportunity) Act 2004—Report on financial assistance granted to each State in respect of 2008.

Screen Australia—Report for 2008-09—Correction.

Screenrights—Report for 2008-09.

Wreck Bay Aboriginal Community Council—Report for 2008-09.

CHRIS HAYES

Chair

11 February 2010

On the motion of Mr Hayes, by leave, the report was agreed to.

8 EDUCATION SERVICES FOR OVERSEAS STUDENTS AMENDMENT (RE-REGISTRATION OF PROVIDERS AND OTHER MEASURES) 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 Ms Gillard (Minister for Education), amendment No.1 was agreed to, after debate.

On the motion of Ms Gillard, amendments Nos 2 and 3 were disagreed to, after debate.

Ms Gillard presented reasons, which were circulated, and are as follows:

Reasons of the House of Representatives for disagreeing to the amendments of the Senate

Senate Amendments Number 2 and 3

Amendments 2 and 3 propose that the Minister be given the power to define in regulations any consequential expenses that a defaulting provider should pay back to a student in addition to course money. This amendment is not supported because it is not costed and contains no detail about what would be considered as a certain consequential cost. It has the potential to exhaust the capacity of the Assurance Fund and commit the Government to significant taxpayer outlay for expenses not normally considered education-related nor reimbursed to domestic students. Examples of possible consequential costs include: international and domestic travel; accommodation and food; education agent fees; travel and medical insurance; and computers and internet costs.

The ESOS legislation already provides for a generous and comprehensive consumer protection framework which for the main part has worked very well in placing students in an alternative course or refunding their fees in a timely way following provider default. Australia is the only country that offers this level of assurance. Furthermore, students affected by closures are readily given an extension on their visa without restrictions on working while they await alternative arrangements.

In the context of significant growth and change in the international sector, the adequacy and sustainability of the consumer protection model is currently being looked as part of the ESOS Review and the Government considers that this amendment is more appropriately referred to the Review. Accordingly, the House of Representatives does not accept this amendment.

On the motion of Ms Gillard, the reasons were adopted.

9 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.

Closure

Mr Albanese (Leader of the House) moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 76

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

NOES, 58

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

* Tellers

And so it was resolved in the affirmative.

And the question—That the bill be read a second time—being accordingly put—

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

AYES, 79

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

NOES, 57

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

* Tellers

And so it was resolved in the affirmative.

Message from the Governor-General

Message No. 282, 2 February 2010, from Her Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Consideration in detail

Bill, by leave, taken as a whole.

Mr Oakeshott, by leave, moved amendments (1) to (11) together.

Debate continued.

Question—That the amendments be agreed to—put.

The House divided and only Mr Oakeshott, Mr Windsor, and Mr Katter voting “Aye”, the Deputy Speaker (Ms A. E. Burke) declared the question resolved in the negative.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Combet (Minister Assisting the Minister for Climate Change), by leave, the bill was read a third time.

10 CARBON POLLUTION REDUCTION SCHEME (CONSEQUENTIAL AMENDMENTS) 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—

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

Message from the Governor-General

Message No. 283, 2 February 2010, 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 Mr Combet (Minister Assisting the Minister for Climate Change), the bill was read a third time.

11 AUSTRALIAN CLIMATE CHANGE REGULATORY AUTHORITY 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—

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Combet (Minister Assisting the Minister for Climate Change), by leave, the bill was read a third time.

12 CARBON POLLUTION REDUCTION SCHEME (CHARGES—CUSTOMS) 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—

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Combet (Minister Assisting the Minister for Climate Change), the bill was read a third time.

13 CARBON POLLUTION REDUCTION SCHEME (CHARGES—EXCISE) 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—

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Combet (Minister Assisting the Minister for Climate Change), the bill was read a third time.

14 CARBON POLLUTION REDUCTION SCHEME (CHARGES—GENERAL) 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—

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Combet (Minister Assisting the Minister for Climate Change), the bill was read a third time.

15 CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS) 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—

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

Message from the Governor-General

Message No. 284, 8 February 2010, 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 Mr Combet (Minister Assisting the Minister for Climate Change), the bill was read a third time.

16 CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS) (CONSEQUENTIAL AMENDMENTS) 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—

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

Message from the Governor-General

Message No. 285, 8 February 2010, 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 Mr Combet (Minister Assisting the Minister for Climate Change), the bill was read a third time.

17 EXCISE TARIFF AMENDMENT (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—

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Combet (Minister Assisting the Minister for Climate Change), the bill was read a third time.

18 CUSTOMS TARIFF AMENDMENT (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—

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Combet (Minister Assisting the Minister for Climate Change), the bill was read a third time.

19 CARBON POLLUTION REDUCTION SCHEME AMENDMENT (HOUSEHOLD ASSISTANCE) 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—

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

Message from the Governor-General

Message No. 286, 2 February 2010, 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 Mr Combet (Minister Assisting the Minister for Climate Change), the bill was read a third time.

20 NATIONAL HEALTH SECURITY AMENDMENT (BACKGROUND CHECKING) 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.

21 CLOSING THE GAP—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF DOCUMENT

Mr Rudd (Prime Minister), by leave, made a ministerial statement on closing the gap between Indigenous and non-Indigenous Australians and presented the following document:

Prime Minister's Report 2010: Closing the gap.

Suspension of standing and sessional orders—Time for speech

Mr Albanese, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Abbott (Leader of the Opposition), speaking for a period not exceeding 32 minutes.

Question—put and passed.

Mr Abbott addressed the House.

Mr Snowdon (Minister for Indigenous Health, Rural and Regional Health and Regional Service Delivery) moved—That the House take note of the document.

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

Question—put and passed.

22 NATIONAL HEALTH SECURITY AMENDMENT (BACKGROUND CHECKING) 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 Butler (Parliamentary Secretary for Health), the bill was read a third time.

23 CRIMES LEGISLATION AMENDMENT (TORTURE PROHIBITION AND DEATH PENALTY ABOLITION) 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 Hayes was granted leave to continue his speech when the debate is resumed.

Debate adjourned, and the resumption of the debate made an order of the day for a later hour this day.

24 CRIMES LEGISLATION AMENDMENT (TORTURE PROHIBITION AND DEATH PENALTY ABOLITION) 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.

Ms Parke addressing the House—

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

25 QUESTIONS

Questions without notice being asked—

Suspension of standing and sessional orders moved

Mr Abbott (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Warringah moving immediately—That this House censures the Prime Minister for failing to remove his Minister who has now received no fewer than 13 separate warnings of fire and safety risks associated with the Government's Home Insulation Program,

over a 12 month period, that has now cost the taxpayer millions, homeowners their safety and, most regrettably, four young Australians their lives; and

(1) in particular, for:

- (a) the Prime Minister's failure to uphold his own standards of ministerial ethics, that Ministers must, "accept the full implications of the principle of ministerial responsibility"; and
- (b) failing to act to remove his Minister after Mr Garrett received urgent and repeated warnings in relation to fire and electrocution risk from the National Electrical and Communications Association; EE OZ; the Master Electricians of Australia; the Insulation Council of Australia and New Zealand; Archicentre; the South Australian Labor Minister, Ms Gail Gago MP; NSW Labor Minister, Mr Steve Whan; state and territory fair trading agencies; the WA Department of Commerce and others;

(2) but most of all for allowing his incompetent minister to lay the blame for his own dereliction of ministerial responsibility at the feet of installers by saying on ABC radio this morning, "It's negligent or inappropriate, slack behaviour on the part of a very tiny minority", rather than his own failures, that has seen tragedy unfold under his watch.

Debate ensued.

The time allowed by standing order 1 for debate on the motion having expired—

Question—put.

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

AYES, 58

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

NOES, 78

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

* Tellers

And so it was negatived.

Questions without notice concluded.

26 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 22 of 2009–2010—Performance audit—Geoscience Australia.

Ordered to be made a Parliamentary Paper.

27 DOCUMENTS

The following documents were presented:

Agriculture, Fisheries and Forestry—House of Representatives Standing Committee—Skills: Rural Australia's needs—Government response.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Review of the Defence annual report, 2006-07—Government response.

National Environment Protection Council—Report for 2008-09.

28 INCORPORATION OF SPEECHES IN HANSARD—STATEMENT BY SPEAKER

The Speaker made a statement concerning the incorporation of speeches in Hansard.

29 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—SENIOR AUSTRALIANS

The House was informed that Mrs B. K. Bishop had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's failure to recognise the achievements of older Australians".

The proposed discussion having received the necessary support—

Mrs B. K. Bishop addressed the House.

Discussion ensued.

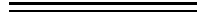
Ms A. L. Ellis addressing the House—

30 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, 22 February 2010.

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Briggs, Mr Cobb, Ms Collins, Mrs Hull, Mr McMullan, Mr Marles, Mr Neville and Mr Pearce.



B. C. WRIGHT
Clerk of the House of Representatives

2008-09-10

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 144

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 11 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 resumed.

Suspension of meeting

At 10.59 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of meeting

At 11.38 a.m., the proceedings were resumed.

Debate continued.

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

4 ADJOURNMENT

Ms Grierson moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 1 p.m., the Deputy Speaker adjourned the Main Committee until 4 p.m. on Monday, 22 February 2010.

B. C. WRIGHT
Clerk of the House of Representatives