

2008-09-10

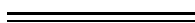
THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 155

THURSDAY, 18 MARCH 2010



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

2 PRIVILEGE—COMPLAINT OF BREACH

Mr Slipper raised, as a matter of privilege, the taking of a photograph of him during the address of the President of the Republic of Indonesia and its subsequent publication.

Documents

Mr Slipper presented the following documents:

Copy of articles from—

Sunshine Coast Daily, 11 March 2010—

Our MP denies speech snooze.

I wasn't asleep says Slipper.

The Weekend Australian, 13 and 14 March 2010—Speaker wants rules to catch up with tweets.

The Speaker said that he regarded the taking of such a photograph as a serious matter, and said that if a Member was found to have used a mobile device for such a purpose he would regard the Member as having behaved in a most disorderly manner and as subject to disciplinary action. The Speaker stated that he would consider the complaint of breach of privilege and report to the House at a later time.

3 MESSAGES FROM THE SENATE

Messages from the Senate, 17 March 2010, were reported informing the House that the following Senators had been appointed members of the Joint Select Committee on Cyber-Safety:

(a) Senator Lundy and Senator Wortley—Message No. 416; and

(b) Senator Ludlam—Message No. 417.

4 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—REPORT—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE

Mr Melham (Chair) presented the following document:

Electoral Matters—Joint Standing Committee—Report on the 2007 Federal Election—Events in the Division of Lindsay: Review of penalty provisions in the *Commonwealth Electoral Act 1918*—

Report, incorporating a dissenting report, March 2010.

Ordered to be made a Parliamentary Paper.

Mr Melham 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 a later hour this day.

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

Question—put and passed.

5 ECONOMICS—STANDING COMMITTEE—REPORT—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE

Mr C. R. Thomson (Chair) presented the following documents:

Economics—Standing Committee—Review of the Reserve Bank of Australia annual report 2009 (First report)—

Report, March 2010.

Minutes of proceedings.

Report ordered to be made a Parliamentary Paper.

Mr C. R. Thomson 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 a later hour this day.

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

Question—put and passed.

6 HEALTH AND AGEING—STANDING COMMITTEE—REPORT—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE

Mr Georganas (Chair) presented the following documents:

Health and Ageing—Standing Committee—Regional health issues jointly affecting Australia and the South Pacific: Report of the Australian Parliamentary Committee Delegation to Papua New Guinea and the Solomon Islands—

Report, March 2010.

Minutes of proceedings.

Report ordered to be made a Parliamentary Paper.

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 a later hour this day.

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

Question—put and passed.

7 AUSTRALIAN CRIME COMMISSION—PARLIAMENTARY JOINT COMMITTEE—REPORT—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE

Mr Hayes presented the following documents:

Australian Crime Commission—Parliamentary Joint Committee—Examination of the Australian Crime Commission annual report 2008-09—

Report, March 2010.

Evidence received by the committee.

Report ordered to be made a Parliamentary Paper.

Mr Hayes 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 a later hour this day.

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

Question—put and passed.

8 PUBLICATIONS COMMITTEE—REPORT

Mr Hayes (Chair) presented the following document:

PUBLICATIONS COMMITTEE REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered documents presented to Parliament since 25 February 2010, recommends that the following be made Parliamentary Papers:

Australian Competition and Consumer Commission—Telstra's compliance with the price control arrangements—Report for 2008-09.

Australian Law Reform Commission—Report No. 112—Secrecy laws and open government in Australia, dated December 2009.

Commonwealth Grants Commission—Report on GST revenue sharing relativities—2010 review—Volume 1.

Dental Benefits Act 2008—Review on the operation of the Act—Report, 18 December 2009.

Department of Immigration and Citizenship—Review of personal identifier provisions introduced in 2004 to Migration Act 1958—Final Report, 11 September 2009.

Department of Infrastructure, Transport, Regional Development and Local Government—National aviation policy: Flight path to the future—White paper, dated December 2009.

Department of the Prime Minister and Cabinet—Counter-terrorism: Securing Australia, protecting our community, dated 2010—White Paper.

CHRIS HAYES

Chair

18 March 2010

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

9 PRIVILEGES AND MEMBERS' INTERESTS COMMITTEE—DOCUMENTS

Mr Raguse (Chair) presented the following documents:

Committee of Privileges and Members' Interests—

Register of Members' Interests for the 42nd Parliament—Notifications of alterations of interests received during the period 26 November 2009 to 17 March 2010.

Report concerning the registration and declaration of members' interests during 2008 and 2009, March 2010.

Report ordered to be made a Parliamentary Paper.

10 POSTPONEMENT OF NOTICE

Ordered—That notice No. 1, government business, be postponed until a later hour this day.

11 NATIONAL SECURITY LEGISLATION AMENDMENT BILL 2010

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the law relating to terrorism and national security, and for other 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 Wood), and the resumption of the debate made an order of the day for the next sitting.

12 PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT BILL 2010

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to establish a Parliamentary Joint Committee on Law Enforcement, 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 Wood), and the resumption of the debate made an order of the day for the next sitting.

13 SOCIAL SECURITY AND INDIGENOUS LEGISLATION AMENDMENT (BUDGET AND OTHER MEASURES) BILL 2010

Mr Shorten (Parliamentary Secretary for Disabilities and Children's Services) for Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs), pursuant to notice, presented a

Bill for an Act to amend the law relating to social security and to the Indigenous Land Corporation, and for related purposes.

Document

Mr Shorten presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

14 TAX LAWS AMENDMENT (2010 GST ADMINISTRATION MEASURES NO. 2) BILL 2010

Mr Griffin (Minister for Veterans' Affairs) presented a Bill for an Act to amend legislation relating to indirect tax, and for related purposes.

Document

Mr Griffin presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

15 BUILDING ENERGY EFFICIENCY DISCLOSURE BILL 2010

Mr Combet (Minister Assisting the Minister for Climate Change and Energy Efficiency), pursuant to notice, presented a Bill for an Act to promote the disclosure of information about the energy efficiency of buildings, and for related purposes.

Document

Mr Combet presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

16 BROADCASTING LEGISLATION AMENDMENT (DIGITAL TELEVISION) BILL 2010

Mr Gray (Parliamentary Secretary for Western and Northern Australia), pursuant to notice, presented a Bill for an Act to amend legislation relating to broadcasting, and for other purposes.

Document

Mr Gray presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

17 TELECOMMUNICATIONS LEGISLATION AMENDMENT (FIBRE DEPLOYMENT) BILL 2010

Mr Gray (Parliamentary Secretary for Western and Northern Australia), pursuant to notice, presented a Bill for an Act to amend legislation relating to telecommunications, and for other purposes.

Document

Mr Gray presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

18 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—PROPOSED CONSTRUCTION OF HOUSING FOR THE DEPARTMENT OF DEFENCE AT VOYAGER POINT, LIVERPOOL, NSW

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: Proposed construction of housing for the Department of Defence at Voyager Point, Liverpool, New South Wales.

Question—put and passed.

19 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—CONSTRUCTION OF HOUSING FOR THE DEPARTMENT OF DEFENCE AT MUIRHEAD, DARWIN, NT

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: Construction of housing for the Department of Defence at Muirhead, Darwin, Northern Territory.

Question—put and passed.

20 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—PAWSEY HIGH PERFORMANCE COMPUTING CENTRE FOR SKA SCIENCE AT KENSINGTON, WA

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: Pawsey High Performance Computing Centre for SKA Science at Kensington, Western Australia.

Question—put and passed.

21 NATIONAL BROADBAND NETWORK FIRST RELEASE SITES—APPROVAL OF WORK

Mr Tanner (Minister for Finance and Deregulation), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, and by reason of the urgent nature of the works, it is expedient that the following work be carried out without having been referred to the Parliamentary Standing Committee on Public Works: NBN first release sites.

Question—put and passed.

22 INDEPENDENT NATIONAL SECURITY LEGISLATION MONITOR 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.

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

Leave granted for third reading to be moved immediately.

On the motion of Mr McClelland (Attorney-General), the bill was read a third time.

23 JOINT SELECT COMMITTEE ON CYBER-SAFETY

The House was informed that the Chief Government Whip and the Chief Opposition Whip had nominated Members to be members of the Joint Select Committee on Cyber-Safety.

Mr Marles (Parliamentary Secretary for Innovation and Industry), by leave, moved—That Ms Vamvakinou, Mr Perrett, Mr Ripoll, Mr Danby, Mr Fletcher, Mr Hawke and Mr Oakeshott be appointed members of the committee.

Question—put and passed.

24 NATIONAL RADIOACTIVE WASTE MANAGEMENT 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.

Debate adjourned (Mr Clare—Parliamentary Secretary for Employment), and the resumption of the debate made an order of the day for a later hour this day.

25 MESSAGE FROM THE SENATE—SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (INCOME SUPPORT FOR STUDENTS) BILL 2009 [NO. 2]

Message No. 420, 18 March 2010, from the Senate was reported returning the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009 [No. 2] with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Mr Clare (Parliamentary Secretary for Employment), the amendments were agreed to.

26 NATIONAL RADIOACTIVE WASTE MANAGEMENT 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.

Mr Haase addressing the House—

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

27 QUESTIONS

Questions without notice being asked—

Suspension of standing and sessional orders

Mr Albanese (Leader of the House) moved—That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition from speaking on matters of health administration and policy for a period not exceeding 10 minutes and for the Prime Minister to speak for the same period.

Question—put and passed, with the concurrence of an absolute majority.

Mr Abbott (Leader of the Opposition) addressed the House.

Mr Albanese moved—That Mr Abbott be granted an extension of time.

Question—put and passed.

Mr Abbott further addressed the House.

Mr Rudd (Prime Minister) addressed the House.

Questions without notice continuing—

Member directed to leave

At 2.53 p.m. the Member for O'Connor (Mr Tuckey) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 2.55 p.m. the Member for Mayo (Mr Briggs) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 3.01 p.m. the Member for Wakefield (Mr Champion) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Member directed to leave

At 3.01 p.m. the Member for Canning (Mr Randall) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 3.08 p.m. the Member for Bradfield (Mr Fletcher) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair.

Member named and suspended

The Speaker named the Member for Bradfield (Mr Fletcher) for continuing to interject after having been directed to leave the Chamber.

Mr Albanese (Leader of the House) moved—That the Member for Bradfield be suspended from the service of the House.

Question—put.

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

AYES, 79

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

NOES, 53

Mr Abbott	Mr Haase	Ms Marino	Mr Simpkins
Mr Andrews	Mr Hartsuyker	Mrs May	Mr Slipper
Mr Baldwin	Mr A. G. Hawke	Mr Morrison	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr Hockey	Mrs Moylan	Mr Somlyay
Ms J. I. Bishop	Mrs Hull*	Mr Neville	Dr Southcott
Mr Broadbent	Mr Hunt	Mr Oakeshott	Dr Stone
Mr Chester	Mr Irons	Ms O'Dwyer	Mr Truss
Mr Ciobo	Dr Jensen	Mr Pearce	Mr Turnbull
Mr Cobb	Mr Johnson	Mr Pyne	Mrs Vale
Mr Coulton	Mr Keenan	Mr Ramsey	Dr Washer
Mr Dutton	Mr Laming	Mr Robert	Mr Wood
Mr Farmer	Ms Ley	Mr Ruddock	
Mr Fletcher	Mr Lindsay	Mr Scott	
Mr Georgiou	Mr Macfarlane	Mr Secker*	

* Tellers

And so it was resolved in the affirmative.

The Member was, therefore, suspended at 3.15 p.m. for 24 hours under standing order 94, and he accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 3.26 p.m. the Member for Oxley (Mr Ripoll) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continued.

28 PRIVILEGE—STATEMENT BY SPEAKER

The Speaker referred to the matter of privilege raised in the House earlier today by Mr Slipper relating to the taking of a photograph of the Member for Fisher in the House of Representatives.

The Speaker stated that acts which may obstruct or impede the House in performing its functions, including causing this indirectly by bringing the House into odium, contempt or ridicule or by lowering its authority, may constitute contempts. However, while the taking of an unauthorised photograph in the chamber could potentially be seen as a contempt, he would take action directly against a member for disorderly conduct should he become aware of such behaviour.

The Speaker referred to the only comparable example of which he was aware, where a member of the NSW Legislative Assembly had raised, as a matter of privilege, the taking of an unauthorised photograph in the chamber. On that occasion, after investigation, the Speaker in NSW had reported to the Assembly that a staff member in the Premier's Office had admitted to taking the photograph, had apologised unreservedly, and had destroyed the photograph. No further action had been taken.

The Speaker said that the Member for Fisher had referred to an interference with the free performance by him of his duties as a member, as a result of the photograph having been passed on to his local newspaper and having been published. The Speaker stated that he could understand that the publication of the photograph was embarrassing to the member and he could see how it might influence the views that his constituents might have of him. In the absence of more specific evidence of the effect that this has had on the free performance of his duties, however, and given the consistently held view that the House's privileges and contempt powers should be exercised sparingly, he did not find that a prima facie case had been established.

29 USE OF MOBILE DEVICES—REFERENCE TO COMMITTEE OF PRIVILEGES AND MEMBERS' INTERESTS

Mr Albanese (Leader of the House), by leave, moved—That the following matter be referred to the Committee of Privileges and Members' Interests: Having regard to the matter complained about by the Hon Member for Fisher, whether formal rules should be adopted by the House to ensure that the use of mobile devices during proceedings does not interfere with the free exercise by a House or a committee of its authority or functions, or with the free performance by a member of his or her duties as a member.

Debate ensued.

Closure moved

Mr Abbott (Leader of the Opposition) moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 47

Mr Abbott	Mr Haase	Mr Macfarlane	Mr Scott
Mr Andrews	Mr Hartsuyker	Ms Marino	Mr Secker*
Mr Baldwin	Mr A. G. Hawke	Mrs May	Mr Simpkins
Mrs B. K. Bishop	Mr Hockey	Mr Morrison	Mr A. D. H. Smith
Ms J. I. Bishop	Mrs Hull*	Mrs Moylan	Mr Somlyay
Mr Broadbent	Mr Hunt	Mr Neville	Dr Southcott
Mr Chester	Mr Irons	Ms O'Dwyer	Dr Stone
Mr Ciobo	Dr Jensen	Mr Pearce	Mr Truss
Mr Coulton	Mr Johnson	Mr Pyne	Mrs Vale
Mr Dutton	Mr Keenan	Mr Ramsey	Dr Washer
Mr Farmer	Ms Ley	Mr Robert	Mr Wood
Mr Georgiou	Mr Lindsay	Mr Ruddock	

NOES, 77

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

* Tellers

And so it was negatived.

Debate continued.

Question—that the motion be agreed to—put and passed.

30 ADDRESS TO THE HOUSE BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Mr Albanese (Leader of the House), by leave, moved—That:

- (1) the House invite the Honourable Barack Obama, President of the United States of America, to attend and address the House on Friday, 26 March 2010, at a time to be fixed by the Speaker;
- (2) unless otherwise ordered, at the sitting of the House on Friday, 26 March 2010;
 - (a) the proceedings shall be welcoming remarks by the Prime Minister and the Leader of the Opposition and an address by the President of the Republic of the United States of America, after which the sitting of the House automatically shall be adjourned; and
 - (b) the provisions of standing order 257(c) shall apply to the area of Members' seats as well as the galleries;
- (3) a message be sent to the Senate inviting Senators to attend the House as guests for the welcoming remarks by the Prime Minister and the Leader of the Opposition and address by the President of the United States of America; and

(4) any variation to this arrangement be made only by an action by the Speaker.

Question—put and passed.

31 SPECIAL ADJOURNMENT

Mr Albanese (Leader of the House), by leave, moved—That in accordance with the resolution agreed to this sitting, the House, at its rising, adjourn until Friday 26 March 2010 at a time to be fixed, or until an alternative date and hour to be fixed by the Speaker or, in the event of the Speaker being unavailable, by the Deputy Speaker, which time of meeting shall be notified to each Member.

Question—put and passed.

32 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Civil Aviation Safety Authority—Corporate plan for 2009-10 to 2011-12.

Electoral Matters—Joint Standing Committee—Report on the conduct of the 2007 federal election and matters related thereto—Government response, 18 March 2010.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Australia's relationship with ASEAN—Government response.

Legal and Constitutional Affairs—House of Representatives Standing Committee—Whistleblower protection: A comprehensive scheme for the Commonwealth Public Sector—Government response and statement by the Special Minister for State, Senator the Hon Joe Ludwig, 17 March 2010.

Treaties—Joint Standing Committee—94th Report—Treaties tabled on 14 May 2008—Government response.

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.

33 MESSAGES FROM THE SENATE

Messages from the Senate, 18 March 2010, were reported:

- (a) informing the House of the following resolution agreed to by the Senate: That the provisions of the Territories Law Reform Bill 2010 be referred to the Joint Standing Committee on the National Capital and External Territories for inquiry and report by 11 May 2010—Message No. 419; and
- (b) returning the Social Security and Family Assistance Legislation Amendment (Weekly Payments) Bill 2010 and informing the House that the Senate had agreed to the bill as amended by the House at the request of the Senate—Message No. 421.

34 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PUBLIC RESOURCES

The House was informed that Mr Abbott (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The waste and misuse of public resources caused by Government mismanagement".

The proposed discussion having received the necessary support—

Mr Abbott rising to address the House—

Mr Albanese (Leader of the House) moved—That the business of the day be called on.

Question—put.

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

AYES, 72

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

NOES, 49

Mr Abbott	Mr Haase	Mrs May	Mr Slipper
Mr Andrews	Mr Hartsuyker	Mr Morrison	Mr A. D. H. Smith
Mr Baldwin	Mr A. G. Hawke	Mrs Moylan	Mr Somlyay
Mrs B. K. Bishop	Mr Hockey	Mr Neville	Dr Southcott
Ms J. I. Bishop	Mrs Hull*	Ms O'Dwyer	Dr Stone
Mr Briggs	Mr Hunt	Mr Pearce	Mr Truss
Mr Broadbent	Mr Irons	Mr Pyne	Mrs Vale
Mr Chester	Dr Jensen	Mr Ramsey	Dr Washer
Mr Ciobo	Mr Johnson	Mr Robert	Mr Windsor
Mr Cobb	Mr Keenan	Mr Ruddock	Mr Wood
Mr Coulton	Ms Ley	Mr Scott	
Mr Dutton	Mr Lindsay	Mr Secker*	
Mr Georgiou	Ms Marino	Mr Simpkins	

* Tellers

And so it was resolved in the affirmative.

35 PROTECTION OF THE SEA LEGISLATION AMENDMENT BILL 2010—REPORT FROM MAIN COMMITTEE

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

36 MESSAGES FROM THE SENATE

Messages from the Senate, 18 March 2010, were reported returning the following bills without amendments or requests:

No. 422—Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Miscellaneous Measures) 2008.

No. 423—Private Health Insurance Legislation Amendment (No. 2) 2009.

No. 424—Health Insurance Amendment (Diagnostic Imaging Accreditation) 2009.

No. 425—Family Assistance Legislation Amendment (Child Care) 2010.

No. 426—Fisheries Legislation Amendment 2009.

No. 427—Trans-Tasman Proceedings 2009.

No. 428—Trans-Tasman Proceedings (Transitional and Consequential Provisions) 2009.

No. 429—Aviation Transport Security Amendment (2009 Measures No. 1) 2009.

No. 432—Antarctic Treaty (Environment Protection) Amendment 2010.

No. 433—Appropriation (No. 3) 2009-2010 (*without requests*).

No. 434—Appropriation (No. 4) 2009-2010.

37 MESSAGE FROM THE SENATE—CRIMES LEGISLATION AMENDMENT (SEXUAL OFFENCES AGAINST CHILDREN) BILL 2010

Message No. 431, 18 March 2010, from the Senate was reported returning the Crimes Legislation Amendment (Sexual Offences Against Children) Bill 2010 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Mr Albanese (Leader of the House), the amendments were agreed to.

38 MESSAGE FROM THE SENATE—TEXTILE, CLOTHING AND FOOTWEAR STRATEGIC INVESTMENT PROGRAM AMENDMENT (BUILDING INNOVATIVE CAPABILITY) BILL 2009

Message No. 430, 18 March 2010, from the Senate was reported returning the Textile, Clothing and Footwear Strategic Investment Program Amendment (Building Innovative Capability) Bill 2009 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Mr Albanese (Leader of the House), the amendments were agreed to.

39 NATIONAL RADIOACTIVE WASTE MANAGEMENT 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 by Mrs Moylan—

Adjournment negatived

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

Mr Albanese (Leader of the House) requiring the question to be put immediately without debate—

Question—put and negatived.

Debate continued.

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

Leave granted for third reading to be moved immediately.

On the motion of Mr M. J. Ferguson (Minister for Resources and Energy), the bill was read a third time.

40 LEAVE OF ABSENCE TO ALL MEMBERS

Mr M. J. Ferguson (Minister for Resources and Energy) moved—That leave of absence be given to every Member of the House of Representatives—

(1) from the determination of this sitting of the House to the date of its next sitting; and

(2) if the House sits on 26 March 2010, from the determination of that sitting to the date of its next sitting.

Question—put and passed.

41 ADJOURNMENT

Mr M. J. Ferguson (Minister for Resources and Energy) moved—That the House do now adjourn.

Question—put and passed.

And then the House, at 4.51 p.m., adjourned until Friday, 26 March 2010 at a time to be fixed, or until a date and hour to be fixed by the Speaker or by the Deputy Speaker in accordance with the resolution agreed to this sitting.

DOCUMENTS

The following documents were deemed to have been presented on 18 March 2010:

Australian Meat and Live-stock Industry Act 1997—Report on the funding agreement between the Commonwealth of Australia and Australian Livestock Export Corporation Limited for 2008-09.

Christmas Island Act—List of Western Australian Acts for the period 2 September 2009 to 16 March 2010.

Cocos (Keeling) Islands Act—List of Western Australian Acts for the period 2 September 2009 to 16 March 2010.

Customs Act—Orders—Tariff Concession—2009 Nos 0920586, 0920745, 0921139, 0922134, 0922177, 0922178, 0922447, 0922448, 0923062, 0924337, 0925428, 0925435, 0925655, 0925657, 0925753, 0926520, 0926745, 0926748, 0927025, 0927136, 0927348, 0927439, 0927616, 0927669, 0927984, 0928490 [F2010L00306], [F2010L00305], [F2010L00304], [F2010L00287], [F2010L00308], [F2010L00309], [F2010L00288], [F2010L00311], [F2010L00307], [F2010L00371], [F2010L00434], [F2010L00435], [F2010L00430], [F2010L00431], [F2010L00412], [F2010L00422], [F2010L00437], [F2010L00423], [F2010L00429], [F2010L00417], [F2010L00418], [F2010L00495], [F2010L00427], [F2010L00488], [F2010L00492], [F2010L00494].

Dairy Produce Act 1986—Statutory funding agreement with Dairy Australia Limited—Report for 2008-09.

Environment Protection and Biodiversity Conservation Act—Instruments under section 303DC—11 March 2010 [2] [F2010L00707], [F2010L00708].

Financial Management and Accountability Act—Determinations—Abolishing a special account—2010 No. 3 [F2010L00681].

Establishing a special account—2010 No. 4 [F2010L00683].

Transfer of functions from DHS to DEEWR—2010 No. 5 [F2010L00679].

Fisheries Management Act—Bass Strait Central Zone Scallop Fishery Management Plan 2002—Direction—2010 Closures (No. 1) [F2010L00685].

National Health Act—

Declaration and determination under section 85—2010 No. PB 14 [F2010L00659].

Determination under section 84AF—2010 No. PB 16 [F2010L00670].

ATTENDANCE

All Members attended (at some time during the sitting) except Fran Bailey, Mr Bidgood, Mr Forrest, Mrs Gash, Mr Katter, Ms Macklin, Ms Owens, Mr Robb and Mr Schultz.

B. C. WRIGHT
Clerk of the House of Representatives

2008-09-10

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 155

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 18 MARCH 2010

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' CONSTITUENCY STATEMENTS

Members' constituency statements were made.

3 ECONOMICS—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 C. R. Thomson—That the House take note of the document (*see item No. 5, Votes and Proceedings*), *viz.*—

Economics—Standing Committee—Review of the Reserve Bank of Australia annual report 2009 (First report)—Report, March 2010—

Debate resumed.

Mr C. R. Thomson, by leave, addressed the Main Committee without closing the debate.

Debate continued.

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

4 ELECTORAL MATTERS—JOINT 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 Melham—That the House take note of the document (*see item No. 4, Votes and Proceedings*), *viz.*—

Electoral Matters—Joint Standing Committee—Report on the 2007 Federal Election—Events in the Division of Lindsay: Review of penalty provisions in the *Commonwealth Electoral Act 1918*—Report, March 2010—

Debate resumed.

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

Debate continued.

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

5 HEALTH AND AGEING—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 Georganas—That the House take note of the document (*see item No. 6, Votes and Proceedings*), *viz.*—

Health and Ageing—Standing Committee—Regional health issues jointly affecting Australia and the South Pacific: Report of the Australian Parliamentary Committee Delegation to Papua New Guinea and the Solomon Islands—Report, March 2010—

Debate resumed.

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

Debate continued.

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

6 AUSTRALIAN CRIME COMMISSION—PARLIAMENTARY JOINT 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 Hayes—That the House take note of the document (*see item No. 7, Votes and Proceedings*), viz.—

Australian Crime Commission—Parliamentary Joint Committee—Examination of the Australian Crime Commission annual report 2008-09—Report, March 2010—

Debate resumed.

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

Debate continued.

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

7 PROTECTION OF THE SEA LEGISLATION AMENDMENT 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.

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.

8 ADJOURNMENT

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

Debate ensued.

Ms Hall moved—That Ms O'Dwyer be granted an extension of time.

Question—put and passed.

Debate continued.

Question—put and passed.

At 1.01 p.m., the Deputy Speaker adjourned the Main Committee until 9.30 a.m. on Wednesday, 12 May 2010.

DAVID ELDER
Clerk of the Main Committee