

2008-09-10

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 157

WEDNESDAY, 12 MAY 2010

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

2 WHIPS REPORT

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

Whips report—Report relating to committee and delegation reports and private Members' business on Monday, 24 May 2010—

and moved—That the report be adopted.

Question—put and passed.

3 HIGHER EDUCATION SUPPORT AMENDMENT (INDEXATION) BILL 2010

Ms Gillard (Minister for Education), pursuant to notice, presented a Bill for an Act to amend the *Higher Education Support Act 2003*, and for related purposes.

Document

Ms Gillard presented an explanatory memorandum to the bill.

Bill read a first time.

Ms Gillard moved—That the bill be now read a second time.

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

4 POSTPONEMENT OF NOTICES

Ordered—That notices Nos 2 and 3, government business, be postponed until a later hour this day.

5 HEALTH LEGISLATION AMENDMENT (AUSTRALIAN COMMUNITY PHARMACY AUTHORITY AND PRIVATE HEALTH INSURANCE) BILL 2010

Ms Roxon (Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the *National Health Act 1953* and the *Private Health Insurance Act 2007*, and for related purposes.

Document

Ms Roxon presented an explanatory memorandum to the bill.

Bill read a first time.

Ms Roxon moved—That the bill be now read a second time.

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

6 EXCISE TARIFF PROPOSAL AND CUSTOMS TARIFF PROPOSAL

Ms Roxon (Minister for Health and Ageing) moved Excise Tariff Proposal (No. 1) 2010 and Customs Tariff Proposal (No. 2) 2010.

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

7 EXCISE TARIFF AMENDMENT (TOBACCO) BILL 2010

Ms Roxon (Minister for Health and Ageing) presented a Bill for an Act to amend the *Excise Tariff Act 1921*.

Document

Ms Roxon presented an explanatory memorandum to the bill and to the Customs Tariff Amendment (Tobacco) Bill 2010.

Bill read a first time.

Ms Roxon moved—That the bill be now read a second time.

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

8 CUSTOMS TARIFF AMENDMENT (TOBACCO) BILL 2010

Ms Roxon (Minister for Health and Ageing) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

Bill read a first time.

Ms Roxon moved—That the bill be now read a second time.

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

9 AIRPORTS (ON-AIRPORT ACTIVITIES ADMINISTRATION) VALIDATION BILL 2010

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government), pursuant to notice, presented a Bill for an Act to provide certainty about the validity of certain airport matters, and for related purposes.

Document

Mr Albanese presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

10 INTERSTATE ROAD TRANSPORT CHARGE AMENDMENT BILL 2010

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government), pursuant to notice, presented a Bill for an Act to amend the *Interstate Road Transport Charge Act 1985*, and for related purposes.

Document

Mr Albanese presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

11 POSTPONEMENT OF NOTICE

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

12 NATIONAL HEALTH AMENDMENT (CONTINENCE AIDS PAYMENT SCHEME) BILL 2010

Mrs Elliot (Minister for Ageing), pursuant to notice, presented a Bill for an Act to amend the law relating to health, and for related purposes.

Document

Mrs Elliot presented an explanatory memorandum to the bill.

Bill read a first time.

Mrs Elliot moved—That the bill be now read a second time.

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

13 PAID PARENTAL LEAVE BILL 2010

Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to provide for the payment of parental leave pay, and for related purposes.

Document

Ms Macklin presented an explanatory memorandum to the bill.

Bill read a first time.

Ms Macklin moved—That the bill be now read a second time.

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

14 RENEWABLE ENERGY (ELECTRICITY) AMENDMENT BILL 2010

Mr Gray (Parliamentary Secretary for Western and Northern Australia) presented a Bill for an Act to amend the *Renewable Energy (Electricity) Act 2000*, and for related 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 (Mrs Gash), and the resumption of the debate made an order of the day for the next sitting.

15 RENEWABLE ENERGY (ELECTRICITY) (CHARGE) AMENDMENT BILL 2010

Mr Gray (Parliamentary Secretary for Western and Northern Australia) presented a Bill for an Act to amend the *Renewable Energy (Electricity) (Charge) Act 2000*, and for related 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 (Mrs Gash), and the resumption of the debate made an order of the day for the next sitting.

16 RENEWABLE ENERGY (ELECTRICITY) (SMALL-SCALE TECHNOLOGY SHORTFALL CHARGE) BILL 2010

Mr Gray (Parliamentary Secretary for Western and Northern Australia) presented a Bill for an Act to impose small-scale technology shortfall charge, and for related 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 (Mrs Gash), and the resumption of the debate made an order of the day for the next sitting.

17 INFORMATION COMMISSIONER BILL 2009

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

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

Consideration in detail

Bill, by leave, taken as a whole.

Document

Mr Byrne (Parliamentary Secretary to the Prime Minister) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Byrne, by leave, Government amendments (1) to (21) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Byrne, by leave, the bill was read a third time.

18 FREEDOM OF INFORMATION AMENDMENT (REFORM) BILL 2009

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

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

Consideration in detail

Bill, by leave, taken as a whole.

Document

Mr Byrne (Parliamentary Secretary to the Prime Minister) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Byrne, by leave, Government amendments (1) to (20) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Byrne, by leave, the bill was read a third time.

19 HEALTH PRACTITIONER REGULATION (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—

Debate resumed.

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

Consideration in detail

Bill, by leave, taken as a whole.

Document

Ms Roxon (Minister for Health and Ageing) presented a supplementary explanatory memorandum to the bill.

On the motion of Ms Roxon, by leave, Government amendments (1) to (9) were made together, after debate.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Ms Roxon, the bill was read a third time.

20 DO NOT CALL REGISTER 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.

Ms A. E. Burke addressing the House—

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

21 MINISTERIAL ARRANGEMENTS

Mr Rudd (Prime Minister) informed the House that, during the absence overseas of Ms K. M. Ellis (Minister for Early Childhood Education, Childcare and Youth), Ms Gillard (Minister for Education) and Ms Roxon (Minister for Health and Ageing) would answer questions on her behalf.

22 QUESTIONS

Questions without notice were asked.

23 MEMBER DIRECTED TO LEAVE THE CHAMBER

At 3.37 p.m. the Member for Dickson (Mr Dutton) 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.

24 BILL REFERRED TO MAIN COMMITTEE

Mr Albanese (Leader of the House), by leave, moved—That the Social Security Amendment (Flexible Participation Requirements for Principal Carers) Bill 2010 be referred to the Main Committee for further consideration.

Question—put and passed.

25 SUSPENSION OF STANDING ORDER 31

Mr Albanese (Leader of the House), by leave, moved—That standing order 31 (automatic adjournment of the House) be suspended for the sitting on Thursday 13 May 2010 and at that sitting, after the Leader of the Opposition completes his reply to the Budget speech, the House automatically stand adjourned until 12 noon on Monday, 24 May 2010, unless the Speaker or, in the event of the Speaker being unavailable, the Deputy Speaker, fixes an alternative day or hour of meeting.

Question—put and passed.

26 DOCUMENTS

The following documents were presented:

Migration Act 1958—Section 486O—Assessment of detention arrangements—2010 Personal identifiers 581/10 to 589/10—

Commonwealth and Immigration Ombudsman's reports.

Government response to Ombudsman's reports.

Treaties—*Bilateral*—

Text, together with national interest analysis—

Agreement between Australia and the European Union on the security of classified information, done at Brussels, 13 January 2010.

Agreement between the Government of Australia and the Government of the Republic of Korea on the protection of classified military information, done at Singapore on 30 May 2009.

Amendments to the agreement between the Government of Australia and the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam relating to air services, done at Canberra 30 April 1992.

Third Protocol amending the agreement between the Government of Australia and the Government of Malaysia for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, as amended by the First Protocol of 2 August 1999 and the Second Protocol of 28 July 2002, done at Canberra on 24 February 2010.

Text, together with national interest analysis and agreed minute—Agreement between the Government of Australia and the Government of the United States of America concerning peaceful uses of nuclear energy, done at New York on 4 May 2010.

Text, together with national interest analysis and annexures—

Agreement between Australia and the Kingdom of Spain relating to air services, done at Canberra on 24 June 2009.

Agreement between the Government of Australia and the Government of the United Kingdom of Great Britain and Northern Ireland concerning air services, done at London on 10 July 2008.

Agreement between the Government of Australia and the Government of the United States of America concerning acquisition and cross-servicing, done at Canberra on 27 April 2010.

Agreement between the Government of Australia and the Swiss Federal Council relating to air services, done at Canberra on 28 November 2008.

Text, together with national interest analysis and regulation impact statement—Convention between Australia and the Republic of Chile for the avoidance of double taxation with respect to taxes on income and fringe benefits and the prevention of fiscal evasion, and protocol, done at Santiago on 10 March 2010.

27 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Migration Act 1958—Section 486O—Assessment of detention arrangements—2010 Personal identifiers 581/10 to 589/10—

Commonwealth and Immigration Ombudsman's reports.

Government response to Ombudsman's reports.

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

28 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIA'S ECONOMIC FUTURE

The House was informed that Mr Hockey had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the Government's budget to secure Australia's economic future".

The proposed discussion having received the necessary support—

Mr Hockey addressed the House.

Discussion ensued.

Discussion concluded.

29 PARLIAMENTARY LIBRARY—JOINT STANDING COMMITTEE

The House was informed that the Chief Opposition Whip had nominated Mrs Mirabella to be discharged from the Joint Standing Committee on the Parliamentary Library.

Ms McKew (Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government), by leave, moved—That Mrs Mirabella be discharged from the Joint Standing Committee on the Parliamentary Library.

Question—put and passed.

30 DO NOT CALL REGISTER 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.

Document

Mr Albanese (Minister representing the Minister for Broadband, Communications and the Digital Economy) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Albanese, by leave, Government amendments (1) to (30) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

Leave granted for third reading to be moved immediately.

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

31 MESSAGE FROM THE SENATE—TAX LAWS AMENDMENT (2010 MEASURES NO. 1) BILL 2010

Message No. 436, 12 May 2010, from the Senate was reported returning the Tax Laws Amendment (2010 Measures No. 1) Bill 2010 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Dr Emerson (Minister for Competition Policy and Consumer Affairs), the amendments were agreed to.

32 CUSTOMS TARIFF AMENDMENT BILL (NO. 1) 2010—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Ms McKew (Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government), by leave, the bill was read a third time.

33 TRANSPORT SECURITY LEGISLATION AMENDMENT (2010 MEASURES NO. 1) BILL 2010—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Ms McKew (Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government), by leave, the bill was read a third time.

34 HEALTH INSURANCE AMENDMENT (PATHOLOGY REQUESTS) 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 Grierson moved—That the Member for Newcastle be granted an extension of time.

Question—put and passed.

Debate continued.

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

Message from the Governor-General

Message No. 307, 19 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 Gray (Parliamentary Secretary for Western and Northern Australia), the bill was read a third time.

35 BILL REFERRED TO MAIN COMMITTEE

Mr Price (Chief Government Whip), by leave, moved—That the Social Security and Indigenous Legislation Amendment (Budget and Other Measures) Bill 2010 be referred to the Main Committee for further consideration.

Question—put and passed.

36 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) 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.

Mr Randall addressing the House—

37 ADJOURNMENT

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 7.59 p.m., adjourned until 9 a.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 12 May 2010:

Agricultural and Veterinary Chemicals Code Act—Regulations—Select Legislative Instrument—2010 No. 75 [F2010L00976].

Australian Securities and Investments Commission Act—Regulations—Select Legislative Instruments—2010 Nos 86, 87 [F2010L01096], [F2010L01197].

Aviation Transport Security Act—Regulations—Select Legislative Instrument—2010 No. 80 [F2010L01200].

Civil Aviation Act—Regulations—Select Legislative Instrument—2010 No. 81 [F2010L01205].

Commonwealth Electoral Act—Regulations—Select Legislative Instrument—2010 No. 79 [F2010L00975].

Corporations Act—

ASIC Class Order—2010 No. 333 [F2010L01204].

Regulations—Select Legislative Instruments—2010 Nos 88, 89 [F2010L01097], [F2010L01198].

Fair Work (Transitional Provisions and Consequential Amendments) Act—Regulations—Select Legislative Instrument—2010 No. 77 [F2010L01199].

Family Law Act—Regulations—Select Legislative Instrument—2010 No. 76 [F2010L01220].

Migration Act—Regulations—Select Legislative Instrument—2010 No. 90 [F2010L01203].

Moomba-Sydney Pipeline System Sale Act—Regulations—Select Legislative Instrument—2010 No. 84 [F2010L01194].

National Rental Affordability Scheme Act—Regulations—Select Legislative Instrument—2010 No. 78 [F2010L01193].

Privacy Act—Determination under section 80A—2010 No. 1 [F2010L01206].

Remuneration Tribunal Act—Remuneration Tribunal—Determination—2010 No. 5 [F2010L01196].

Snowy Mountains Engineering Corporation Act—Regulations—Select Legislative Instrument—2010 No. 85 [F2010L01191].

Veterans' Entitlements Act and Military Rehabilitation and Compensation Act—Instruments under section 196B—2010—

Nos 26, 27, 30, 31, 32, 33, 34, 35 [F2010L01042], [F2010L01043], [F2010L01046], [F2010L01047], [F2010L01048], [F2010L01049], [F2010L01050], [F2010L01051].

Water Act—Regulations—Select Legislative Instrument—2010 No. 83 [F2010L01207].

ATTENDANCE

All Members attended (at some time during the sitting) except Ms K. M. Ellis, Mr Ripoll, Mr K. J. Thomson and Mrs Vale.

B. C. WRIGHT
Clerk of the House of Representatives

2008-09-10

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 157

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 12 MAY 2010

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' CONSTITUENCY STATEMENTS

Members' constituency statements being made—

Petition

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

MRI licence for Warrnambool Hospital—26 petitioners.

Members' constituency statements continued.

3 PRIMARY INDUSTRIES AND RESOURCES—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 Adams—
That the House take note of the document (*presented on 15 March 2010*), *viz.*—

Primary Industries and Resources—Standing Committee—Farming the future: The role of government
in assisting Australian farmers to adapt to the impacts of climate change—Report, March 2010—

Debate resumed.

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

Debate continued.

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

4 TREATIES—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 K. J. Thomson—That the House take note of the document (*presented on 15 March 2010*), *viz.*—

Treaties—Joint Standing Committee—Report 110: Treaties tabled on 18, 25 (2) and 26 November 2009
and 2 (2) February 2010—Report, March 2010—

Debate resumed.

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

5 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—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
Ms A. L. Ellis—That the House take note of the document (*presented on 11 May 2010*), *viz.*—

National Capital and External Territories—Joint Standing Committee—An advisory report on the
Territories Law Reform Bill 2010—Report, May 2010—

Debate resumed.

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

6 CUSTOMS TARIFF AMENDMENT BILL (NO. 1) 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.

7 TRANSPORT SECURITY LEGISLATION AMENDMENT (2010 MEASURES NO. 1) 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 VETERANS' ENTITLEMENTS AMENDMENT (INCOME SUPPORT MEASURES) 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.

Suspension of meeting

At 1.00 p.m., the Deputy Speaker left the Chair.

Resumption of meeting

At 4.00 p.m., the Deputy Speaker resumed the Chair.

Debate continued.

Mr Windsor moved as an amendment—That all words after “That” be omitted with a view to substituting the following words “while supporting the Bill, the House is of the opinion that the *Veterans' Entitlements Act 1986* (VEA) should be amended so that the full repatriation benefit, including the health entitlement Gold Card, applies to Australian veterans who are aged 70 years or over, irrespective of whether those veterans have been in danger from hostile forces of the enemy as the current legislation and proposed amendment bill demands”.

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put and not being resolved—Bill to be returned to the House with an unresolved question.

9 SOCIAL SECURITY AMENDMENT (FLEXIBLE PARTICIPATION REQUIREMENTS FOR PRINCIPAL CARERS) 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 (Ms Hall), and the resumption of the debate made an order of the day for the next sitting.

10 ADJOURNMENT

On the motion of Ms Hall, the Main Committee adjourned at 7.31 p.m.

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

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DAVID ELDER
Clerk of the Main Committee