

2008-09-10

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 159

MONDAY, 24 MAY 2010

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

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

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

Mr Morrison—Sydney Airport Long Term Operating Plan (*see item No. 6, Minutes of Proceedings of the Main Committee*).

Mr Georganas—Commemoration of the Battle for Crete (*see item No. 7, Minutes of Proceedings of the Main Committee*).

Mr Forrest—Debt recovery in the Primary Production Sector (*see item No. 8, Minutes of Proceedings of the Main Committee*).

Mr Oakeshott—Indexation of Military Superannuation Pensions (*see item No. 9, Minutes of Proceedings of the Main Committee*).

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

**3 MESSAGE FROM THE SENATE**

Message No. 449, 13 May 2010, from the Senate was reported returning the Do Not Call Register Legislation Amendment Bill 2010 without amendment.

**4 MESSAGE FROM THE SENATE**

Message No. 448, 13 May 2010, from the Senate was reported informing the House of the following resolution agreed to by the Senate:

- (1) That the following matters be referred to the Joint Standing Committee on Electoral Matters for inquiry and report:
  - (a) the circumstances surrounding the impersonation of Family First polling booth workers and the distribution of misleading voting information at polling booths in the recent South Australian state election;
  - (b) the extent to which this was a calculated activity designed to mislead voters into directing their preferences in a different direction from that of the official Family First voting information;
  - (c) whether comparable activity would be considered to be legal under the *Commonwealth Electoral Act 1918*, including the implications flowing from the decisions in *Bray v Walsh* (1976), *Evans v Crichton-Browne* (1981), *Webster v Deahm* (1993) and *Re Carroll v Electoral Commission of Queensland* (1998);
  - (d) what changes would be required to the *Commonwealth Electoral Act 1918* so as to prevent a political party (or others) engaging in such misleading and deceptive conduct at future federal elections;
  - (e) the allegations that a single family illegally lodged more than 150 votes on polling day through impersonation of other voters; and

- (f) the allegations that a large number of votes remained uncollected from hospital facilities because of errors on the part of polling officials.
- (2) That in conducting the review the committee calls for public submissions and undertakes hearings in relevant capital cities.

#### 5 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILL

A message from Her Excellency the Governor-General was announced informing the House that Her Excellency, in the name of Her Majesty, had assented to the following bill:

18 May 2010—Message No. 335—Do Not Call Register Legislation Amendment 2010.

#### 6 BILLS REFERRED TO MAIN COMMITTEE

Mr Price (Chief Government Whip), by leave, moved—That the following bills be referred to the Main Committee for further consideration:

Ministers of State Amendment 2010;

Defence Legislation Amendment (No. 1) 2010;

National Security Legislation Amendment 2010;

Parliamentary Joint Committee on Law Enforcement 2010;

Insurance Contracts Amendment 2010; and

Immigration (Education) Amendment 2010.

Question—put and passed.

#### 7 APPROPRIATION BILL (NO. 1) 2010-2011—BUDGET DEBATE

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 Rishworth addressing the House—

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

#### 8 QUESTIONS

Questions without notice being asked—

*Member directed to leave*

At 2.54 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.

Questions without notice continuing—

*Document*

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government) presented the following document:

A report to the Council of Australian Governments: Infrastructure Australia, December 2008.

#### 9 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following documents:

Auditor-General—Audit reports of 2009–2010—

Performance audits—

No. 34—The management and use of Double Taxation Agreement information collected through Automatic Exchange: Australian Taxation Office.

No. 35—Administration of the Superannuation Co-contribution Scheme: Australian Taxation Office.

No. 36—Emergency management and community recovery assistance in Centrelink: Centrelink; The Department of Families, Housing, Community Services and Indigenous Affairs.

No. 37—Lightweight Torpedo Replacement Project: Department of Defence.

Assurance Report—

No. 38—Campaign Advertising Review July 2009-March 2010.

Performance audit—

No. 39—Medicare Australia's administration of the Pharmaceutical Benefits Scheme: Medicare Australia; Department of Health and Ageing; Department of Human Services.

Reports ordered to be made Parliamentary Papers.

**10 AUSTRALIAN NATIONAL AUDIT OFFICE—REPORT OF INDEPENDENT AUDITOR ON PERFORMANCE AUDIT**

The Speaker, in accordance with the *Auditor-General Act 1997*, presented the following document:

Australian National Audit Office—Report of the Independent Auditor—Australian National Audit Office IT Performance Review, May 2010.

Report ordered to be made a Parliamentary Paper.

**11 DOCUMENT—MOTION TO TAKE NOTE OF DOCUMENT**

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

Snowy Hydro Limited—Report—Financial report for the period 29 June 2008 to 4 July 2009, and moved—That the House take note of the document.

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

**12 STRONGER ECONOMY—MINISTERIAL STATEMENT**

Mr Swan (Treasurer), by leave, made a ministerial statement relating to a stronger economy and a fairer share for all Australians.

*Suspension of standing and sessional orders—Time for speech*

Mr Swan, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Hockey speaking in reply to the ministerial statement for a period not exceeding 19 minutes.

Question—put and passed.

Mr Hockey addressed the House.

**13 APPROPRIATION BILL (NO. 1) 2010-2011—BUDGET DEBATE**

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 Sullivan addressing the House—

It being 8.30 p.m., the debate was interrupted in accordance with sessional order 34, Mr Sullivan was granted leave to continue his speech when the debate is resumed, and the resumption of the debate made an order of the day for the next sitting.

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

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

Mrs Irwin made a statement in connection with petitions.

**15 ECONOMICS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

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

Economics—Standing Committee—Inquiry into raising the productivity growth rate in the Australian economy (sent to the Speaker on 28 April 2010, pursuant to standing order 247)—

Report, April 2010.

Minutes of proceedings.

Report ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

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 the next sitting.

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

Question—put and passed.

**16 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

Ms Rea presented the following document:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Human rights in the Asia Pacific: Challenges and opportunities (sent to the Speaker on 19 April 2010, pursuant to standing order 247)—Report, April 2010.

Ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

Ms Rea moved—That the House take note of the report.

In accordance with standing order 39, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

Ms Rea moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

**17 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER**

Dr Southcott presented the following document:

Australian Parliamentary Delegation to People's Republic of China and Hong Kong in November 2009—Report, May 2010.

Dr Southcott made a statement in connection with the report.

**18 LAPSE OF NOTICE**

Upon notice No. 1 Private Members' business, being called on and the bill not being presented, the notice lapsed.

**19 HEALTH AND HOSPITAL FUNDING**

Mr Hale, pursuant to notice, moved—That the House:

- (1) congratulates the Rudd Government on reaching its historic COAG agreement on health and hospital reform;
- (2) acknowledges the massive investment by the Government in training more doctors and health professionals, cutting waiting list, improving services in emergency departments and providing cancer care and services throughout Australia; and
- (3) notes that the Leader of the Opposition, when Health Minister, reduced funding for public hospitals by \$1 billion.

Debate ensued.

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

**20 ADJOURNMENT**

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

Debate ensued.

And then the House, at 10 p.m., adjourned until 2 p.m. tomorrow.



**DOCUMENTS**

The following documents were deemed to have been presented on 24 May 2010:

*Appropriation Act (No. 1) 2008-2009*—Determination to reduce appropriations upon request—2009-10 No. 8 [F2010L01236].

*Appropriation Act (No. 1) 2009-2010, Appropriation Act (No. 1) 2008-2009 and Appropriation Act (No. 1) 2007-2008*—Determination to amend reduction of appropriations upon request—2009-10 No. 1 [F2010L01237].

Automotive Transformation Scheme Act—Regulations—Select Legislative Instruments—2010 No. 82 [F2010L01201].

Broadcasting Services Act—Broadcasting Services (Events) Notice (No. 1) 2004—Amendment—2010 No. 1 [F2010L01323].

Civil Aviation Act—

Civil Aviation Regulations—

Civil Aviation Orders—2010—20.18 Amendment (No. 1) [F2010L01305].

Exemptions—2010—

Nos CASA EX26, CASA EX27, CASA EX28, CASA EX33, CASA EX36, CASA EX37, CASA EX38, CASA EX39 [F2010L00944], [F2010L00949], [F2010L00950], [F2010L01033], [F2010L01093], [F2010L01094], [F2010L01144], [F2010L01147].

Civil Aviation Safety Regulations—

Airworthiness Directives under—Part 39.001(1)—

AD/B737—No. 307—Amendment (No. 2) [F2010L01304].

AD/GA8—No. 5—Amendment (No. 4) [F2010L01296].

Revocation—2010 No. CASA ADCX 11 [F2010L01306].

Manual of Standards—Part 139—2010 Amendment (No. 1) [F2010L01202].

Commonwealth Authorities and Companies Act—Notice under section 45—Commonwealth acquiring sole share in Outback Stores Pty Ltd.

Copyright Act—Declarations under—

paragraph 10A (1)(c)—23 April 2010.

paragraph 10A (1)(d)—23 April 2010.

Corporations Act—ASIC Class Orders—2010 Nos 321, 322 [F2010L01297], [F2010L01298].

Customs Act—Orders—

Tariff Concession—

2008—No. 0826518 [F2010L01242].

2009—Nos 0910173, 0910405, 0912352, 0915970, 0918846, 0919695, 0920259, 0925543, 0925633, 0925645, 0925647, 0925648, 0929463, 0933953, 0933955, 0934180, 0934806, 0935339, 0936151, 0936289, 0936711, 0937101, 0937117, 0937254, 0937572, 0937861, 0938775 [F2010L01146], [F2010L01143], [F2010L01145], [F2010L01148], [F2010L01140], [F2010L01142], [F2010L01163], [F2010L01225], [F2010L01139], [F2010L01151], [F2010L01150], [F2010L01149], [F2010L01022], [F2010L01020], [F2010L01016], [F2010L01141], [F2010L01023], [F2010L01003], [F2010L01017], [F2010L01021], [F2010L01019], [F2010L01002], [F2010L01001], [F2010L01131], [F2010L01276], [F2010L01129], [F2010L01130].

2010—Nos 0932752, 0932753, 0938596, 0938677, 0939172, 0939654, 0939740, 0939743, 0939751, 0939786, 0939875, 0940330, 0940349, 0940617, 0941603, 0942073, 0942794, 0943592, 0943745, 0944773, 0944790, 0944793 [F2010L01185], [F2010L01169], [F2010L01171], [F2010L01186], [F2010L01218], [F2010L01106], [F2010L01108], [F2010L01107], [F2010L01162], [F2010L01184], [F2010L01117], [F2010L01183], [F2010L01138], [F2010L01212], [F2010L01213], [F2010L01211], [F2010L01234], [F2010L01228], [F2010L01235], [F2010L01231], [F2010L01232], [F2010L01233].

Tariff Concession Revocation—2010—Nos 5, 6, 8, 9 [F2010L01239], [F2010L01240], [F2010L01243], [F2010L01244].

Environment Protection and Biodiversity Conservation Act—Instruments under—

section 184—12 April 2010 [F2010L01221].

section 303DC—17 May 2010 [2] [F2010L01321], [F2010L01324].

Federal Financial Relations Act—Determination under section 16—2010 National partnership payments (No. 18) [F2010L01290].

Financial Management and Accountability Act—Determinations—Transfer of functions from—  
DEWHA to DCCEE—2010 No. 9 [F2010L01312].

FAHCSIA to Centrelink—2010 No. 10 [F2010L01319].

Lands Acquisition Act—Statement under section 125—May 2010.

Migration Act—Migration Regulations—Instrument—2010 Class of persons, No. IMMI 10/033  
[F2010L01313].

Nation-building Funds Act—Determination—2010 Building Australia fund (Subsequent credit)  
[F2010L01254].

Taxation Administration Act—  
Determinations—

1992—TD Nos 134 (Withdrawal), 135 (Addendum), 147 (Addendum).

1993—TD Nos 43 (Withdrawal), 45 (Withdrawal).

1995—TD Nos 7 (Addendum), 9 (Withdrawal).

1996—TD Nos 19 (Addendum), 21 (Addendum).

1997—TD No. 3 (Addendum).

2010—TD Nos 13, 16.

Old series—TD Nos 37 (Withdrawal), 50 (Withdrawal), 51 (Withdrawal).

Rulings—

1994—SGR No. 2 (Withdrawal).

1995—TR No. 6 (Partial withdrawal).

2010—

CR Nos 14, 15, 16, 17, 18.

PR Nos 8 (Addendum), 10, 11, 12, 13.

Telecommunications (Consumer Protection and Service Standards) Act—Determinations—2010—

Universal service subsidies—2009-10—  
contestable areas (No. 1) [F2010L01307].

default area (No. 1) [F2010L01302].

extended zones (No. 1) [F2010L01303].

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#### **ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Bevis, Ms A. L. Ellis, Mr Katter,  
Ms McKew, Ms Macklin and Mrs Mirabella.

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**B. C. WRIGHT**  
Clerk of the House of Representatives

2008-09-10

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

No. 159

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

MONDAY, 24 MAY 2010

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1 The Main Committee met at 4 p.m.

**2 MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements were made.

**3 AUSTRALIAN WINE AND BRANDY CORPORATION 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.

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.

**4 MINISTERS OF STATE 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.

*Message from the Governor-General*

Message No. 341, 15 March 2010, from Her Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for the question on the report to be put immediately.

Question—That the bill be reported to the House without amendment—put and passed.

**5 MEMBERS' STATEMENTS**

Members' statements being made—

*Document*

Ms Parke, by leave, presented the following document:

World Heritage listing of the Dampier Archipelago—(*Receipt of document as a petition subject to approval by the Standing Committee on Petitions*).

Members' statements continued.

**6 SYDNEY AIRPORT LONG TERM OPERATING PLAN**

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

- (1) notes the impact that the noise generated by aircraft landing at Sydney (Kingsford-Smith) Airport in Sydney has on all residents of surrounding suburbs;

- (2) recognises the importance of the Long Term Operating Plan (LTOP) for Sydney Airport and Associated Airspace as a mechanism to implement a policy of noise sharing;
- (3) acknowledges the Ministerial Direction issued under sub section 16(1) of the Air Services Act 1995 dated 30 July 1997, requiring Airservices Australia to implement the general structure and layout of the flight paths shown within LTOP;
- (4) expresses concern:
  - (a) at the failure of Airservices Australia to fully implement the jet flight paths prescribed in the LTOP; and
  - (b) with the actions taken by Airservices Australia to develop and utilise new jet flight paths at will, particularly the use of Boree Four Standard Terminal Arrival Route which involves aircraft arrivals using airspace over the electoral divisions of Bradfield, North Sydney, Lowe, Grayndler, Watson, Barton and Cook, particularly during the operation of the airport curfew; and
- (5) calls on the Minister for Infrastructure, Transport, Regional Development and Local Government to take all necessary steps to direct Airservices Australia to confine jet aircraft arrivals to the jet tracks indicated in the LTOP. (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

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

#### 7 COMMEMORATION OF THE BATTLE FOR CRETE

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

- (1) acknowledges the important contributions of Australian, New Zealand, British and Greek soldiers and Greek civilians in the defence of Crete against the 20 May 1941 German invasion;
- (2) calls for the annual commemoration of the Battle for Crete within Australia as an event of national significance; and
- (3) encourages reflection on the shared experiences of Australian and Greek nationals through the Battle for Crete, the bond forged between our two nations in a time of war, and the evolution of Australian Greek relations within the post-war period. (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

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

#### 8 DEBT RECOVERY IN THE PRIMARY PRODUCTION SECTOR

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

- (1) recognises that a crisis is emerging in respect of debt recovery across the primary production sector of the Australian economy as a consequence of more than seven years of drought;
- (2) acknowledges the need for debt recovery protocols in commercial lending similar to those that exist for mortgage lending;
- (3) supports the concept of compulsory debt mediation prior to lenders exercising their rights to pursue recovery through legal processes; and
- (4) agrees that the Federal Parliament could legislate such a requirement in respect of corporations but the States and Territories need to legislate in respect of other commercial business arrangements. (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

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

#### 9 INDEXATION OF MILITARY SUPERANNUATION PENSIONS

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



- (1) should consider increasing the Military Superannuation Pension twice annually by the greatest of either the Consumer Price Index, the Pensioner and Beneficiary Living Cost Index or the Male Total Average Weekly Earnings; and
- (2) should do this in recognition of the unique circumstances of military service compared to all others within the public service. (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

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

**10 GRIEVANCE DEBATE**

Pursuant to the provisions of standing order 192B, the order of the day having been read for the resumption of the debate on the question—That grievances be noted—

Debate ensuing—

*Document*

Mr Neville, by leave, presented the following document:

Recommendations for Outstanding Awards—Delta Company battle of Long Tan.

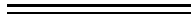
Debate continued.

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

**11 ADJOURNMENT**

On the motion of Mrs Irwin, the Main Committee adjourned at 9.30 p.m.

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



**DAVID ELDER**  
Clerk of the Main Committee