

2008-09-10

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 165

WEDNESDAY, 2 JUNE 2010

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- 1 The House met, at 9 a.m., pursuant to adjournment. The Speaker (Mr Jenkins) took the Chair, and read Prayers.
- 2 **NATIONAL HEALTH AMENDMENT (PHARMACEUTICAL BENEFITS SCHEME) 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 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 (Mrs Gash), and the resumption of the debate made an order of the day for the next sitting.
- 3 **HUMAN RIGHTS (PARLIAMENTARY SCRUTINY) BILL 2010**  
Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to establish a Parliamentary Joint Committee on Human Rights, 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 (Mrs Gash), and the resumption of the debate made an order of the day for the next sitting.
- 4 **HUMAN RIGHTS (PARLIAMENTARY SCRUTINY) (CONSEQUENTIAL PROVISIONS) BILL 2010**  
Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to deal with consequential matters in connection with the *Human Rights (Parliamentary Scrutiny) Act 2010*, 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 (Mrs Gash), and the resumption of the debate made an order of the day for the next sitting.
- 5 **CORPORATIONS AMENDMENT (SONS OF GWALIA) BILL 2010**  
Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law), pursuant to notice, presented a Bill for an Act to amend the law relating to claims against corporations, and for related purposes.

*Document*

Mr Bowen presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Bowen 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.

**6 CRIMES AMENDMENT (ROYAL FLYING DOCTOR SERVICE) BILL 2010**

Mr O'Connor (Minister for Home Affairs), pursuant to notice, presented a Bill for an Act to amend the *Crimes Act 1914*, and for related purposes.

*Document*

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

Bill read a first time.

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

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

**7 ELECTORAL AND REFERENDUM AMENDMENT (CLOSE OF ROLLS AND OTHER MEASURES) BILL (NO. 2) 2010**

Mr Gray (Parliamentary Secretary for Western and Northern Australia) for 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 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.

**8 ELECTORAL AND REFERENDUM AMENDMENT (PRE-POLL VOTING AND OTHER MEASURES) BILL 2010**

Mr Gray (Parliamentary Secretary for Western and Northern Australia) for 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 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.

**9 ELECTORAL AND REFERENDUM AMENDMENT (MODERNISATION AND OTHER MEASURES) BILL 2010**

Mr Gray (Parliamentary Secretary for Western and Northern Australia) for 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 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 (Mr Billson), and the resumption of the debate made an order of the day for the next sitting.

**10 ELECTORAL AND REFERENDUM AMENDMENT (HOW-TO-VOTE CARDS AND OTHER MEASURES) BILL 2010**

Mr Gray (Parliamentary Secretary for Western and Northern Australia) for 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 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 (Mr Billson), and the resumption of the debate made an order of the day for the next sitting.

**11 DOCUMENT**

Mr M. J. Ferguson (Minister for Resources and Energy), presented the following document:

Tax Laws Amendment (Research and Development) Bill 2010 and the Income Tax Rates Amendment (Research and Development) Bill 2010—Correction to the explanatory memorandum.

**12 AIRPORTS (ON-AIRPORT ACTIVITIES ADMINISTRATION) VALIDATION 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 Ms McKew (Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government), the bill was read a third time.

**13 GOVERNANCE OF AUSTRALIAN GOVERNMENT SUPERANNUATION SCHEMES 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.

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

AYES, 76

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

## NOES, 54

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

\* Tellers

And so it was resolved in the affirmative—bill read a second time.

*Message from the Governor-General*

Message No. 342, 3 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.

*Document*

Mr Tanner (Minister for Finance and Deregulation) presented a supplementary explanatory memorandum to the bill.

Mr Tanner, by leave, moved Government amendments (1) to (12) together.

Debate continued.

It being 2 p.m., the debate was interrupted in accordance with standing order 97, and further consideration in detail of the bill made an order of the day for a later hour this day.

**14 QUESTIONS**

Questions without notice being asked—

*Document*

Ms Gillard (Minister for Education) presented the following document:

Building the Education Revolution—Printed transcript of 2GB radio interview of Brad Orgill, Head of the BER taskforce, and unnamed caller, 2 June 2010.

Questions without notice continuing—

*Member directed to leave*

At 3.46 p.m. the Member for Boothby (Dr Southcott) 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 3.48 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 having been called to order from the Chair, and he accordingly left the Chamber.

Questions without notice continued.

**15 DOCUMENT**

Mr Johnson, by indulgence, indicated his support for the raising by Mr Albanese (Leader of the House) during a previous sitting of the House of a matter of privilege, and, by leave, presented the following document:

Improper influence and improper pressure on a Federal Member of Parliament to resign—Letter from Mr Michael Johnson MP to Mr Tony Negus, Commissioner of Federal Police, 18 May 2010.

**16 AUSTRALIAN FINANCIAL SERVICES SECTOR—MINISTERIAL STATEMENT**

Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law), by leave, made a ministerial statement relating to Australia as a financial services centre.

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

Mr Bowen, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Hartsuyker speaking in reply to the ministerial statement for a period not exceeding 15 minutes.

Question—put and passed.

Mr Hartsuyker addressed the House.

**17 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PRIMARY SCHOOLS FOR THE 21ST CENTURY PROGRAM**

The House was informed that both Mr Katter and Mr Pyne had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 46, the Speaker had given priority to the matter proposed by Mr Pyne, namely, “The urgent need for the Government to effectively manage the Primary Schools for the 21st Century Program”.

The proposed discussion having received the necessary support—

Mr Pyne addressed the House.

Discussion ensued.

Discussion concluded.

**18 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS**

Messages from Her Excellency the Governor-General were announced informing the House that Her Excellency, in the name of Her Majesty, had assented to the following bills:

31 May 2010—Message—

No. 346—Higher Education Support Amendment (University College London) 2010.

No. 347—Health Practitioner Regulation (Consequential Amendments) 2010.

No. 348—Australian Research Council Amendment 2010.

No. 349—Anti-People Smuggling and Other Measures 2010.

No. 350—Freedom of Information Amendment (Reform) 2010.

No. 351—Australian Information Commissioner 2010.

No. 352—Therapeutic Goods (Charges) Amendment 2010.

No. 353—Therapeutic Goods Amendment (2009 Measures No. 3) 2010.

**19 GOVERNANCE OF AUSTRALIAN GOVERNMENT SUPERANNUATION SCHEMES BILL 2010**

The order of the day having been read for the further consideration in detail of the bill—

Bill, as a whole.

Debate resumed on the bill and on the amendments moved together by Mr Tanner (Minister for Finance and Deregulation) (*see item No. 13, page 1818*)—

Debate continued.

Question—That the amendments be agreed to—put and passed.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

## 20 COMSUPER 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.

The House divided (the Deputy Speaker, Ms Saffin, in the Chair)—

### AYES, 76

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

### NOES, 53

Mr Andrews	Mr Haase	Mrs May	Mr Simpkins
Mr Baldwin	Mr Hartsuyker	Mr Morrison	Mr Slipper
Mr Billson	Mr A. G. Hawke	Mrs Moylan	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr D. P. M. Hawker	Mr Neville*	Mr Somlyay
Mr Briggs	Mr Hunt	Mr Oakeshott	Dr Southcott
Mr Broadbent	Mr Irons	Ms O'Dwyer	Dr Stone
Mr Chester	Dr Jensen	Mr Pyne	Mr Truss
Mr Cobb	Mr Keenan	Mr Ramsey	Mr Turnbull
Mr Coulton	Mr Laming	Mr Randall	Mrs Vale
Mr Dutton	Ms Ley	Mr Robert	Dr Washer
Mr Farmer	Mr Lindsay	Mr Ruddock	Mr Wood
Mr Fletcher	Mr Macfarlane	Mr Schultz	
Mrs Gash	Ms Marino	Mr Scott	
Mr Georgiou	Mrs Markus	Mr Secker*	

\* Tellers

And so it was resolved in the affirmative—bill read a second time.

### *Message from the Governor-General*

Message No. 343, 3 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.

On the motion of Mr Tanner (Minister for Finance and Deregulation), by leave, Government amendments (1) to (7) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

**21 SUPERANNUATION LEGISLATION (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) 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.

The House divided (the Deputy Speaker, Ms Saffin, in the Chair)—

AYES, 76

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

NOES, 51

Mr Andrews	Mr Georgiou	Mrs Markus	Mr Scott
Mr Baldwin	Mr Haase	Mrs May	Mr Secker*
Mr Billson	Mr Hartsuyker	Mr Morrison	Mr Simpkins
Mrs B. K. Bishop	Mr A. G. Hawke	Mrs Moylan	Mr Slipper
Mr Briggs	Mr Hunt	Mr Neville*	Mr A. D. H. Smith
Mr Broadbent	Mr Irons	Mr Oakeshott	Mr Somlyay
Mr Chester	Dr Jensen	Ms O'Dwyer	Dr Southcott
Mr Cobb	Mr Keenan	Mr Pyne	Dr Stone
Mr Coulton	Mr Laming	Mr Ramsey	Mr Tuckey
Mr Dutton	Ms Ley	Mr Randall	Mrs Vale
Mr Farmer	Mr Lindsay	Mr Robert	Dr Washer
Mr Fletcher	Mr Macfarlane	Mr Ruddock	Mr Wood
Mrs Gash	Ms Marino	Mr Schultz	

\* Tellers

And so it was resolved in the affirmative—bill read a second time.

*Message from the Governor-General*

Message No. 344, 3 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.

*Documents*

Mr Tanner (Minister for Finance and Deregulation) presented the supplementary explanatory memorandum to the bill and the supplementary explanatory memorandum to the ComSuper Bill 2010.

On the motion of Mr Tanner, by leave, Government amendments (1) to (4) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

**22 FAMILY ASSISTANCE LEGISLATION AMENDMENT (CHILD CARE BUDGET 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.

Ms Rea addressing the House—

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**23 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 8 p.m., adjourned until 9 a.m. tomorrow.

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**DOCUMENTS**

The following documents were deemed to have been presented on 2 June 2010:

Civil Aviation Act—Airspace Regulations—Instruments—2010 Nos CASA OAR 82, CASA OAR 83 [F2010L01475], [F2010L01474].

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Ms George, Mrs Hull and \*Mrs Mirabella.

\* On leave

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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. 165

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**WEDNESDAY, 2 JUNE 2010**

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1 The Main Committee met at 9.30 p.m.

**2 MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements being made—

*Petition*

Mr Hawker presented the following petition approved by the Standing Committee on Petitions:  
National Retail Award and school students—1,656 petitioners.

Members' constituency statements continued.

**3 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.

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*Suspension of meeting*

At 12.57 p.m., the Deputy Speaker left the Chair.

*Resumption of meeting*

At 4.03 p.m., the Deputy Speaker resumed the Chair.

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Debate continuing—

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*Suspension of meeting*

At 6.21 p.m., a division having been called in the House, the proceedings were suspended.

*Resumption of meeting*

At 6.53 p.m., the proceedings were resumed.

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Debate continued.

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

**4 ADJOURNMENT**

On the motion of Mr Raguse, the Main Committee adjourned at 7.27 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