

2008-09-10

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 166

THURSDAY, 3 JUNE 2010

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

2 **PRIVILEGE—STATEMENT BY SPEAKER**

The Speaker made a statement concerning the matter of privilege raised by Mr Albanese (Leader of the House) on Monday, in relation to reports that the Member for Ryan had complained to police authorities that he had been subject to undue pressure and intimidation to resign from Parliament.

The Speaker said that the Leader of the House had suggested that the alleged actions could constitute a contempt as an improper interference with the free performance by the Member of his duties as a member. The Member for Ryan had supported consideration of the issue as a matter of privilege and had provided some detail of the actions that had been of concern to him.

The Speaker stated that he had considered the comments by the Leader of the House and the Member for Ryan and had had regard to relevant precedents. In *House of Representatives Practice* it is stated that an attempt to influence a Member in his or her conduct as a member by threats is a contempt, as is any conduct having a tendency to impair a member's independence in the future. To be an offence against the House, conduct has to be found to amount to, or be intended or likely to amount to, improper interference.

The Speaker said that complaints of breach of privilege relating to matters arising within political parties had been raised in the House before, although no cases had been referred to the Committee of Privileges. In responding to the complaints, former Speakers had noted, using precedents from the United Kingdom, that arrangements within political parties are unlikely to give rise to matters of privilege or contempt. It had also been noted that the raising of the complaint by a third party may not be a good foundation for action being taken in the area. The view had been expressed, however, that if any Member sought the protection of the House in such matters, the House ought to seek the advice of the Committee of Privileges as to the proper course.

The Speaker said that, although no reference on such matters had been made by the House, the Senate Committee of Privileges had reported on a case involving party processes. In this case, involving Senator Tambling, who had been disendorsed by his party, the committee found that a penalty had been imposed on him on account of his vote on a certain matter, and that, although the actions of the party were "reckless and ill judged", on balance, and in light of certain developments, a contempt should not be found.

The Speaker also referred briefly to a case in New Zealand in 1993, in which the High Court had considered a matter involving the disendorsement of a member of Parliament from the political party of which he had been a long-standing member. The court noted that there must be no question of discipline or coercion which could in some way influence the manner in which a member of Parliament went about his or her business. The judgement went on to say, however, this had nothing to do with choosing candidates to promote for election, and so did not involve matters of privilege.

The Speaker stated that, while the matters he had referred to were not directly comparable, they illustrated that questions relating to the operation of political parties could present particular issues in relation to privilege. There seemed to be a recognized role for political parties in dealing with matters of internal discipline and the endorsement of candidates, and that such actions might at times be quite robust without being improper. However, it is the case that action taken within a political party could

potentially amount to an improper interference with the free performance by a member of his or her duties.

The Speaker stated that the question of whether such action would be found to amount to a contempt would be dependent on the particular circumstances.

The Speaker said that the following points were relevant in his consideration of the matter:

- (1) intimidating a member with a view to influencing the behaviour of a member in relation to his or her duties was a very serious matter;
- (2) the Member concerned in the case had supported the initial complaint and provided some detail;
- (3) the matters complained of were focussed on activities within a political party and were related to questions of the endorsement of a member as a candidate for a political party; and
- (4) the Member had confirmed that he had referred his concerns to the police.

The allegations were serious and went to the ability of a member to be able to perform his duties freely and without proper interference, and the fact that they had occurred within the context of a political party did not make them immune from considerations of possible improper interference.

The Speaker stated that these were areas in which the House did not have precedents of its own to guide it and that the matter was distinguished from earlier cases in the House because the Member concerned had spoken in support of the complaint and had provided details of his concerns that he had been subject to intimidation. Whilst the matter had been referred to the police, the Speaker's role was to consider the matter in terms of parliamentary law and practice. Having regard to the material before him, the Speaker concluded that he was willing to allow precedence to a motion. The Speaker said that the complaint might allow the House to receive advice in an area in which it had not had the benefit of informed consideration.

3 MATTER RAISED IN RELATION TO THE MEMBER FOR RYAN—REFERENCE TO COMMITTEE OF PRIVILEGES AND MEMBERS' INTERESTS

Mr Albanese (Leader of the House) moved—That the following matter be referred to the Committee of Privileges and Members' Interests: having regard to the matters raised in the House on 31 May by the Leader of the House and referred to in the House on 2 June by the Member for Ryan, whether the Member for Ryan has been subject to improper interference, or attempted improper interference, with the free performance of his duties as a Member, and, if so, whether a contempt has been committed.

Question—put and passed.

4 EXCISE TARIFF AMENDMENT (AVIATION FUEL) BILL 2010

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government) presented a Bill for an Act to amend the *Excise Tariff Act 1921*.

Document

Mr Albanese presented an explanatory memorandum to the bill and to the Customs Tariff Amendment (Aviation Fuel) Bill 2010.

Bill read a first time.

Mr Albanese 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.

5 CUSTOMS TARIFF AMENDMENT (AVIATION FUEL) BILL 2010

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

Bill read a first time.

Mr Albanese 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.

6 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—HMAS PENGUIN AND PITTWATER ANNEXE REDEVELOPMENT, MOSMAN AND CLAREVILLE, 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: HMAS Penguin and Pittwater annexe redevelopment, Mosman and Clareville, New South Wales.

Question—put and passed.

7 DOCUMENT

Dr Kelly (Parliamentary Secretary for Defence Support), presented the following document: Territories Law Reform Bill 2010—Correction to the explanatory memorandum.

8 PUBLICATIONS COMMITTEE—REPORT

Mr Hayes (Chair) presented the following document:

PUBLICATIONS COMMITTEE REPORT

The Publications Committee reports that it has met and considered documents presented to the House of Representatives since 13 May 2010.

The Committee recommends that the following be made Parliamentary Papers:

Productivity Commission—Report No. 48—Australia's anti-dumping and countervailing system, 18 December 2009.

Tourism Australia—Report for 2008-09—Correction.

CHRIS HAYES

Chair

3 June 2010

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

9 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.

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

Leave granted for third reading to be moved immediately.

On the motion of Ms K. M. Ellis (Minister for Early Childhood Education, Childcare and Youth), the bill was read a third time.

10 VETERANS' AFFAIRS LEGISLATION AMENDMENT (2010 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.

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

Message from the Governor-General

Message No. 354, 28 May 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 Griffin (Minister for Defence Personnel), the bill was read a third time.

11 CHILD SUPPORT AND FAMILY ASSISTANCE LEGISLATION AMENDMENT (BUDGET AND OTHER 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.

Document

Mr Bidgood, by leave, presented the following document:

Whips list of 2007 new Labor Members, 42nd Parliament—Photographs.

Debate continued.

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

Message from the Governor-General

Message No. 355, 28 May 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 Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs), the bill was read a third time.

12 EXPORT MARKET DEVELOPMENT GRANTS 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 Truss addressing the House—

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

13 QUESTIONS

Questions without notice being asked—

Suspension of standing and sessional orders moved

Mr Abbott (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Warringah moving the following motion forthwith—That the Prime Minister be called and address the House, for a period not exceeding 10 minutes, to be followed by the Leader of the Opposition for the same time, to address the claim that his new mining tax will drive investment offshore, destroy jobs and risk Australia's economic prosperity, and, in particular that the Prime Minister:

- (1) explain why his great big new tax doesn't risk our prosperity when today's announcement by Xstrata – to immediately suspend \$586 million of investment in two Queensland mining projects and put 3,250 new jobs at risk – proves otherwise;
- (2) stop playing class war politics over the livelihoods of mining communities across Australia and dump his tax before any more projects are jeopardised or another job lost; and
- (3) stop hiding from the mining industry, the Parliament and the Australian people, by stepping up to the mark today and defending his tax.

Closure of Member

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

Question—put.

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

AYES, 77

Mr Adams	Mrs Elliot	Mr Kerr	Ms Rishworth
Mr Albanese	Ms A. L. Ellis	Ms King	Ms Roxon
Mr Bevis	Ms K. M. Ellis	Ms Livermore	Mr Rudd
Mr Bidgood	Dr Emerson	Mr McClelland	Ms Saffin
Ms Bird	Mr L. D. T. Ferguson	Ms McKew	Mr Shorten
Mr Bowen	Mr M. J. Ferguson	Ms Macklin	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	Mr Gibbons	Mr Murphy	Mr Symon
Ms Campbell	Ms Gillard	Ms Neal	Mr Tanner
Mr Champion	Mr Gray	Mr Neumann	Mr C. R. Thomson
Mr Cheeseaman	Ms Grierson	Mr O'Connor	Mr K. J. Thomson
Mr Clare	Mr Griffin	Ms Owens	Mr Trevor
Ms Collins	Mr Hale	Ms Parke	Mr Turnour
Mr Crean	Ms Hall*	Mr Perrett	Ms Vamvakinou
Mr Danby	Mr Hayes*	Ms Plibersek	Mr Zappia
Mrs D'Ath	Mrs Irwin	Mr Raguse	
Mr Debus	Ms Jackson	Ms Rea	
Mr Dreyfus	Dr Kelly	Mr Ripoll	

NOES, 59

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

* Tellers

And so it was resolved in the affirmative.

Mr Hockey (seconder) addressing the House—

Closure of Member

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

Question—put.

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

AYES, 77

Mr Adams	Mrs Elliot	Mr Kerr	Ms Rishworth
Mr Albanese	Ms A. L. Ellis	Ms King	Ms Roxon
Mr Bevis	Ms K. M. Ellis	Ms Livermore	Mr Rudd
Mr Bidgood	Dr Emerson	Mr McClelland	Ms Saffin
Ms Bird	Mr L. D. T. Ferguson	Ms McKew	Mr Shorten
Mr Bowen	Mr M. J. Ferguson	Ms Macklin	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	Mr Gibbons	Mr Murphy	Mr Symon
Ms Campbell	Ms Gillard	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	Mr Hale	Ms Parke	Mr Turnour
Mr Crean	Ms Hall*	Mr Perrett	Ms Vamvakinou
Mr Danby	Mr Hayes*	Ms Plibersek	Mr Zappia
Mrs D'Ath	Mrs Irwin	Mr Raguse	
Mr Debus	Ms Jackson	Ms Rea	
Mr Dreyfus	Dr Kelly	Mr Ripoll	

NOES, 59

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

* Tellers

And so it was resolved in the affirmative.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put.

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

AYES, 58

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

NOES, 77

Mr Adams	Mrs Elliot	Mr Kerr	Ms Rishworth
Mr Albanese	Ms A. L. Ellis	Ms King	Ms Roxon
Mr Bevis	Ms K. M. Ellis	Ms Livermore	Mr Rudd
Mr Bidgood	Dr Emerson	Mr McClelland	Ms Saffin
Ms Bird	Mr L. D. T. Ferguson	Ms McKew	Mr Shorten
Mr Bowen	Mr M. J. Ferguson	Ms Macklin	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	Mr Gibbons	Mr Murphy	Mr Symon
Ms Campbell	Ms Gillard	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	Mr Hale	Ms Parke	Mr Turnour
Mr Crean	Ms Hall*	Mr Perrett	Ms Vamvakinou
Mr Danby	Mr Hayes*	Ms Plibersek	Mr Zappia
Mrs D'Ath	Mrs Irwin	Mr Raguse	
Mr Debus	Ms Jackson	Ms Rea	
Mr Dreyfus	Dr Kelly	Mr Ripoll	

* Tellers

And so it was negatived.

Questions without notice continuing—

Suspension of standing and sessional orders moved

Mr Katter moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Kennedy moving immediately the following motion—That the House immediately debate a matter of national importance, namely the continuing deterioration of the Australian mining industry demonstrated by the announcement by Xstrata that they will not be proceeding with Ernest Henry copper mine at Cloncurry nor the Wandoan Coal Project, costing Queensland 3,200 jobs in construction and over 1,000 permanent jobs thereafter.

Closure of Member

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

Question—put.

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

AYES, 77

Mr Adams	Mrs Elliot	Mr Kerr	Ms Rishworth
Mr Albanese	Ms A. L. Ellis	Ms King	Ms Roxon
Mr Bevis	Ms K. M. Ellis	Ms Livermore	Mr Rudd
Mr Bidgood	Dr Emerson	Mr McClelland	Ms Saffin
Ms Bird	Mr L. D. T. Ferguson	Ms McKew	Mr Shorten
Mr Bowen	Mr M. J. Ferguson	Ms Macklin	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	Mr Gibbons	Mr Murphy	Mr Symon
Ms Campbell	Ms Gillard	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	Mr Hale	Ms Parke	Mr Turnour
Mr Crean	Ms Hall*	Mr Perrett	Ms Vamvakinou
Mr Danby	Mr Hayes*	Ms Plibersek	Mr Zappia
Mrs D'Ath	Mrs Irwin	Mr Raguse	
Mr Debus	Ms Jackson	Ms Rea	
Mr Dreyfus	Dr Kelly	Mr Ripoll	

NOES, 59

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

* Tellers

And so it was resolved in the affirmative.

Mr Scott (seconded) addressing the House—

Closure of Member

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

Question—put.

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

AYES, 77

Mr Adams	Mrs Elliot	Mr Kerr	Ms Rishworth
Mr Albanese	Ms A. L. Ellis	Ms King	Ms Roxon
Mr Bevis	Ms K. M. Ellis	Ms Livermore	Mr Rudd
Mr Bidgood	Dr Emerson	Mr McClelland	Ms Saffin
Ms Bird	Mr L. D. T. Ferguson	Ms McKew	Mr Shorten
Mr Bowen	Mr M. J. Ferguson	Ms Macklin	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	Mr Gibbons	Mr Murphy	Mr Symon
Ms Campbell	Ms Gillard	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	Mr Hale	Ms Parke	Mr Turnour
Mr Crean	Ms Hall*	Mr Perrett	Ms Vamvakinou
Mr Danby	Mr Hayes*	Ms Plibersek	Mr Zappia
Ms D'Ath	Mrs Irwin	Mr Raguse	
Mr Debus	Ms Jackson	Ms Rea	
Mr Dreyfus	Dr Kelly	Mr Ripoll	

NOES, 59

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

* Tellers

And so it was resolved in the affirmative.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put.

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

AYES, 59

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

NOES, 77

Mr Adams	Mrs Elliot	Mr Kerr	Ms Rishworth
Mr Albanese	Ms A. L. Ellis	Ms King	Ms Roxon
Mr Bevis	Ms K. M. Ellis	Ms Livermore	Mr Rudd
Mr Bidgood	Dr Emerson	Mr McClelland	Ms Saffin
Ms Bird	Mr L. D. T. Ferguson	Ms McKew	Mr Shorten
Mr Bowen	Mr M. J. Ferguson	Ms Macklin	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	Mr Gibbons	Mr Murphy	Mr Symon
Ms Campbell	Ms Gillard	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	Mr Hale	Ms Parke	Mr Turnour
Mr Crean	Ms Hall*	Mr Perrett	Ms Vamvakinou
Mr Danby	Mr Hayes*	Ms Plibersek	Mr Zappia
Mrs D'Ath	Mrs Irwin	Mr Raguse	
Mr Debus	Ms Jackson	Ms Rea	
Mr Dreyfus	Dr Kelly	Mr Ripoll	

* Tellers

And so it was negatived.

Member directed to leave

At 2.36 p.m. the Member for Kennedy (Mr Katter) was directed, under standing order 94, to leave the Chamber for one hour for persisting in speaking after having been called to order by the Chair, and he accordingly left the Chamber.

Questions without notice continued.

14 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr Abbott (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Warringah from moving the following motion forthwith: That this House censures the Prime Minister for failing to govern Australia in a way that:

- (1) takes the nation forward and not backwards;
- (2) grows our economic prosperity, not risks it;

- (3) enhances our international reputation as a safe investment destination not trashes it;
- (4) keeps promises, not breaks them;
- (5) reduces debt and builds a surplus rather than reckless spending and billion dollar deficits;
- (6) stands up for our world leading industries, not hides from them;
- (7) spends taxpayers dollars like it comes out of his own pocket, not throws it out the door; and
- (8) has the mettle to defend his decisions and not run away; and,
- finally and most importantly, for the damage that his great big new tax is doing to investment and jobs as evidenced by Xstrata's decision to suspend \$596 million of current investment today.

Closure of Member

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

Question—put.

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

AYES, 75

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

NOES, 53

Mr Abbott	Mrs Gash	Ms Marino	Mr Simpkins
Mr Andrews	Mr Georgiou	Mrs Markus	Mr Slipper
Mr Baldwin	Mr Haase	Mrs May	Mr A. D. H. Smith
Mr Billson	Mr Hartsuyker	Mr Morrison	Mr Somlyay
Mrs B. K. Bishop	Mr A. G. Hawke	Mrs Moylan	Dr Southcott
Ms J. I. Bishop	Mr Hockey	Mr Neville*	Dr Stone
Mr Briggs	Mr Hunt	Ms O'Dwyer	Mr Truss
Mr Broadbent	Mr Irons	Mr Pyne	Mr Tuckey
Mr Chester	Dr Jensen	Mr Ramsey	Mr Turnbull
Mr Ciobo	Mr Keenan	Mr Robb	Dr Washer
Mr Cobb	Mr Laming	Mr Ruddock	Mr Wood
Mr Coulton	Ms Ley	Mr Schultz	
Mr Dutton	Mr Lindsay	Mr Scott	
Mr Forrest	Mr Macfarlane	Mr Secker*	

* Tellers

And so it was resolved in the affirmative.

Mr Truss (Leader of the Nationals—seconder) addressing the House—

Closure of Member

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

Question—put.

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

AYES, 75

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

NOES, 53

Mr Abbott	Mrs Gash	Ms Marino	Mr Simpkins
Mr Andrews	Mr Georgiou	Mrs Markus	Mr Slipper
Mr Baldwin	Mr Haase	Mrs May	Mr A. D. H. Smith
Mr Billson	Mr Hartsuyker	Mr Morrison	Mr Somlyay
Mrs B. K. Bishop	Mr A. G. Hawke	Mrs Moylan	Dr Southcott
Ms J. I. Bishop	Mr Hockey	Mr Neville*	Dr Stone
Mr Briggs	Mr Hunt	Ms O'Dwyer	Mr Truss
Mr Broadbent	Mr Irons	Mr Pyne	Mr Tuckey
Mr Chester	Dr Jensen	Mr Ramsey	Mr Turnbull
Mr Ciobo	Mr Keenan	Mr Robb	Dr Washer
Mr Cobb	Mr Laming	Mr Ruddock	Mr Wood
Mr Coulton	Ms Ley	Mr Schultz	
Mr Dutton	Mr Lindsay	Mr Scott	
Mr Forrest	Mr Macfarlane	Mr Secker*	

* Tellers

And so it was resolved in the affirmative.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put.

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

AYES, 53

Mr Abbott	Mrs Gash	Ms Marino	Mr Simpkins
Mr Andrews	Mr Georgiou	Mrs Markus	Mr Slipper
Mr Baldwin	Mr Haase	Mrs May	Mr A. D. H. Smith
Mr Billson	Mr Hartsuyker	Mr Morrison	Mr Somlyay
Mrs B. K. Bishop	Mr A. G. Hawke	Mrs Moylan	Dr Southcott
Ms J. I. Bishop	Mr Hockey	Mr Neville*	Dr Stone
Mr Briggs	Mr Hunt	Ms O'Dwyer	Mr Truss
Mr Broadbent	Mr Irons	Mr Pyne	Mr Tuckey
Mr Chester	Dr Jensen	Mr Ramsey	Mr Turnbull
Mr Ciobo	Mr Keenan	Mr Robb	Dr Washer
Mr Cobb	Mr Laming	Mr Ruddock	Mr Wood
Mr Coulton	Ms Ley	Mr Schultz	
Mr Dutton	Mr Lindsay	Mr Scott	
Mr Forrest	Mr Macfarlane	Mr Secker*	

NOES, 74

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

* Tellers

And so it was negatived.

15 DOCUMENTS

The following documents were presented:

Broadcasting Services Act 1992—Content and Access: The future of program standards and captioning requirements on digital television multi-channels—Report, June 2010.

Department of the Treasury—Guarantee Scheme for Large Deposits and Wholesale Funding—Report, 21 May 2010.

Infant Formula—Advisory panel on the marketing in Australia of infant formula—Report for 2008-09.

16 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Broadcasting Services Act 1992—Content and Access: The future of program standards and captioning requirements on digital television multi-channels—Report, June 2010.

Department of the Treasury—Guarantee Scheme for Large Deposits and Wholesale Funding—Report, 21 May 2010.

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

17 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ILLEGAL BOAT ARRIVALS

The House was informed that Mr Morrison had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s failure to introduce policies and take decisions to address the unprecedented rate of illegal boat arrivals”.

The proposed discussion having received the necessary support—

Mr Morrison 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, 70

Mr Adams	Mr Dreyfus	Ms Jackson	Mr Ripoll
Mr Albanese	Mrs Elliot	Dr Kelly	Ms Rishworth
Mr Bevis	Ms A. L. Ellis	Ms Livermore	Ms Roxon
Mr Bidgood	Dr Emerson	Mr McClelland	Ms Saffin
Ms Bird	Mr L. D. T. Ferguson	Ms McKew	Mr Shorten
Mr Bowen	Mr M. J. Ferguson	Ms Macklin	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	Mr Gibbons	Mr Murphy	Mr Symon
Mr Champion	Ms Gillard	Mr Neumann	Mr Tanner
Mr Cheeseman	Mr Gray	Mr O’Connor	Mr C. R. Thomson
Mr Clare	Ms Grierson	Ms Owens	Mr K. J. Thomson
Ms Collins	Mr Griffin	Ms Parke	Mr Trevor
Mr Crean	Mr Hale	Mr Perrett	Mr Turnour
Mr Danby	Ms Hall*	Ms Plibersek	Mr Zappia
Mrs D’Ath	Mr Hayes*	Mr Raguse	
Mr Debus	Mrs Irwin	Ms Rea	

NOES, 49

Mr Andrews	Mr Georgiou	Mrs Markus	Mr Simpkins
Mr Baldwin	Mr Haase	Mrs May	Mr Slipper
Mr Billson	Mr Hartsuyker	Mr Morrison	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr A. G. Hawke	Mrs Moylan	Mr Somlyay
Ms J. I. Bishop	Mr Hockey	Mr Neville*	Dr Southcott
Mr Briggs	Mr Hunt	Ms O’Dwyer	Dr Stone
Mr Broadbent	Mr Irons	Mr Pyne	Mr Truss
Mr Chester	Dr Jensen	Mr Ramsey	Mr Tuckey
Mr Ciobo	Mr Keenan	Mr Robb	Dr Washer
Mr Cobb	Mr Laming	Mr Ruddock	Mr Wood
Mr Coulton	Ms Ley	Mr Schultz	
Mr Forrest	Mr Macfarlane	Mr Scott	
Mrs Gash	Ms Marino	Mr Secker*	

* Tellers

And so it was resolved in the affirmative.

18 EXPORT MARKET DEVELOPMENT GRANTS 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 having been resumed by Mr Truss (Leader of the Nationals)—

19 **ADJOURNMENT**

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

Debate ensued.

The House continuing to sit until 5 p.m.—The Deputy Speaker adjourned the House until 2 p.m. on Tuesday, 15 June 2010.

DOCUMENT

The following document was deemed to have been presented on 3 June 2010:

Taxation Administration Act—Instrument under section 15-25 of schedule 1—25 May 2010 [F2010L01472].

ATTENDANCE

All Members attended (at some time during the sitting) except Fran Bailey, Mr Combet, Ms George, Mr Hawker, Mrs Hull, *Mrs Mirabella, Mr Pearce, Mr Swan and Mrs Vale.

* On leave

B. C. WRIGHT
Clerk of the House of Representatives

2008-09-10

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 166

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 3 JUNE 2010

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' CONSTITUENCY STATEMENTS

Members' constituency statements being made—

Petitions

Mr Scott presented the following petitions approved by the Standing Committee on Petitions:

National School Chaplaincy Program—2,964 petitioners.

Marriage Equality Amendment Bill—270 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.

Documents

Mr Bradbury, by leave, presented the following documents:

Australia and major advanced economies, 2010-2015—Copy of graphs—

Fiscal position the envy of the world.

Net debt peaks dramatically lower.

Debate continued.

Mrs B. K. Bishop was granted leave to continue her speech when the debate is resumed.

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

4 ADJOURNMENT

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

Debate ensuing—

Petition

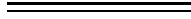
Mr Murphy presented the following petition approved by the Standing Committee on Petitions:

Treaty to prevent mining and export of asbestos—1,045 petitioners.

Debate continued.

Question—put and passed.

At 1 p.m., the Deputy Speaker adjourned the Main Committee until 4 p.m. on Tuesday, 15 June 2010.



DAVID ELDER
Clerk of the Main Committee