

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 123

TUESDAY, 20 OCTOBER 2009

1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (Mr Jenkins) took the Chair, and read Prayers.

2 MINISTERIAL ARRANGEMENTS

Ms Gillard (Acting Prime Minister) informed the House that, during the absence overseas of Mr Rudd (Prime Minister), she would answer questions on his behalf.

Ms Gillard also informed the House that, during the absence overseas of Mr S. F. Smith (Minister for Foreign Affairs), Mr Crean (Minister for Trade) would answer questions on his behalf.

3 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 3.33 p.m. the Member for Paterson (Mr Baldwin) was directed, under standing order 94, to leave the Chamber for one hour for raising a frivolous point of order, and he accordingly left the Chamber.

Questions without notice continuing—

Ms Roxon (Minister for Health and Ageing) answering a question—

Closure of Member

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

Question—put.

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

AYES, 53

| | | | |
|------------------|--------------------|---------------|-------------------|
| Mr Abbott | Mrs Gash | Mr Macfarlane | Mr Slipper |
| Mr Andrews | Mr Georgiou | Ms Marino | Mr A. D. H. Smith |
| Fran Bailey | Mr Haase | Mrs Markus | Mr Somlyay |
| Mr Billson | Mr Hartsuyker | Mrs May | Dr Southcott |
| Mrs B. K. Bishop | Mr A. G. Hawke | Mr Morrison | Dr Stone |
| Ms J. I. Bishop | Mr D. P. M. Hawker | Mrs Moylan | Mr Truss |
| Mr Briggs | Mrs Hull* | Mr Pearce | Mr Tuckey |
| Mr Broadbent | Mr Hunt | Mr Pyne | Mr Turnbull |
| Mr Chester | Mr Irons | Mr Ramsey | Mrs Vale |
| Mr Ciobo | Dr Jensen | Mr Ruddock | Dr Washer |
| Mr Coulton | Mr Johnson* | Mr Schultz | Mr Wood |
| Mr Dutton | Mr Laming | Mr Scott | |
| Mr Farmer | Ms Ley | Mr Secker | |
| Mr Forrest | Mr Lindsay | Mr Simpkins | |

NOES, 77

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

* Tellers

Pairs

| | |
|----------------|---------------|
| Ms A. L. Ellis | Mr Neville |
| Mr Price | Mrs Mirabella |
| Mr Hayes | Mr Randall |
| Mr McMullan | Mr Robert |
| Mr S. F. Smith | Mr Hockey |

And so it was negatived.

Questions without notice continued.

4 DEPARTMENT OF PARLIAMENTARY SERVICES ANNUAL REPORT—AUDITOR-GENERAL'S REPORT

The Speaker presented the following documents:

Department of Parliamentary Services—Report for 2008-09.

Auditor-General—Audit report No. 7 of 2009–2010—Performance audit—Administration of grants by the National Health and Medical Research Council.

Reports ordered to be made Parliamentary Papers.

5 DOCUMENTS

The following documents were presented:

Attorney-General's Department—Report for 2008-09.

Australian Communications and Media Authority—Report for 2008-09.

Australian Competition and Consumer Commission—Report for 2008-09, incorporating report of the Australian Energy Regulator.

Australian Government Solicitor—Statement of corporate intent for 2009-10.

Bankruptcy Act 1966—Report on the operation of the Act for 2008-09.

Classification Board and Classification Review Board—Report for 2008-09.

Department of Families, Housing, Community Services and Indigenous Affairs—Report for 2008-09.

Finance—Advance to the Finance Minister—Issues from the Advances under the annual Appropriation Acts—Report for 2008-09.

Insolvency and Trustee Service Australia—Report for 2008-09.

Inspector-General of Taxation—Report for 2008-09.

Office of Parliamentary Counsel—Report for 2008-09.

Superannuation (Government Co-contribution for Low Income Earners) Act 2003—Quarterly report on the operation of the Act for the period 1 January to 31 March 2009.

War Crimes Act 1945—Report on the operation of the Act for 2008-09.

6 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Australian Competition and Consumer Commission—Report for 2008-09, incorporating report of the Australian Energy Regulator.

Department of Families, Housing, Community Services and Indigenous Affairs—Report for 2008-09.

Finance—Advance to the Finance Minister—Issues from the Advances under the annual Appropriation Acts—Report for 2008-09.

Office of Parliamentary Counsel—Report for 2008-09.

Superannuation (Government Co-contribution for Low Income Earners) Act 2003—Quarterly report on the operation of the Act for the period 1 January to 31 March 2009.

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

7 DOCUMENTS

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

Higher Education Support Amendment (VET FEE-HELP and Tertiary Admission Centres) Bill 2009—Correction to the explanatory memorandum.

Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Bill 2009—Replacement explanatory memorandum.

8 BUSHFIRE SEASON—MINISTERIAL STATEMENT

Mr McClelland (Attorney-General), by leave, made a ministerial statement relating to the Commonwealth's preparations for the bushfire season.

Suspension of standing and sessional orders—Time for speech

Mr McClelland, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Ms Ley speaking in reply to the ministerial statement for a period not exceeding 17 minutes.

Question—put and passed.

Ms Ley addressed the House.

9 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PEOPLE SMUGGLING

The House was informed that Mr Turnbull (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The consequences of the Government's policy failures that have increased the people smuggling trade".

The proposed discussion having received the necessary support—

Mr Turnbull addressed the House.

Discussion ensued.

The time allotted under standing order 1 having expired, the discussion was interrupted.

10 FUEL QUALITY STANDARDS AMENDMENT BILL 2009—SENATE'S AMENDMENT

The order of the day having been read for the consideration of the amendment made by the Senate—

On the motion of Mr Garrett (Minister for the Environment, Heritage and the Arts), the amendment was agreed to, after debate.

11 TRADE PRACTICES AMENDMENT (AUSTRALIAN CONSUMER LAW) 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 third reading to be moved immediately.

On the motion of Dr Emerson (Minister for Competition Policy and Consumer Affairs), the bill was read a third time.

12 SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (INCOME SUPPORT FOR STUDENTS) 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.

Mr Sidebottom addressing the House—

13 ADJOURNMENT

It being 8.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensuing—

Document

Ms King, by leave, presented the following document:

Homelessness—(*Receipt of document as a petition subject to approval by the Standing Committee on Petitions*).

Debate continued.

The House continuing to sit until 9 p.m.—The Speaker adjourned the House until 9 a.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 20 October 2009:

Commonwealth Authorities and Companies Act—Statement relating to delay in furnishing report within specified period—Australian Curriculum, Assessment and Reporting Authority—Report for 2008-09.

Health Insurance Act—Principles—2009—Accredited pathology laboratories—Approval—Amendment (No. 1)—Business cost calculator report.

Sydney Airport Curfew Act—Dispensation—2009 No. 8.

Taxation Administration Act—Rulings—2009 PR Nos 51, 52.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Cobb, *Ms A. L. Ellis, Mr Hayes, Mr Hockey, Mr Keenan, Mr McMullan, Mrs Mirabella, *Mr Neville, Mr Oakeshott, Mr Price, Mr Randall, Mr Robert, Mr Rudd and Mr S. F. Smith.

* On leave

I. C. HARRIS
Clerk of the House of Representatives