

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 106

THURSDAY, 25 JUNE 2009

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

2 FIT-OUT OF NEW LEASED PREMISES FOR THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION IN SYDNEY, NSW—APPROVAL OF WORK

Mr Combet (Minister for Defence Personnel, Materiel and Science), for Dr Kelly (Parliamentary Secretary for Defence Support), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Fit-out of new leased premises for the Australian Securities and Investments Commission in Sydney, New South Wales.

Debate ensued.

Question—put and passed.

3 NATIONAL CONSUMER CREDIT PROTECTION BILL 2009

Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law), pursuant to notice, presented a Bill for an Act relating to credit, 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 (Mr Lindsay), and the resumption of the debate made an order of the day for the next sitting.

4 NATIONAL CONSUMER CREDIT PROTECTION (TRANSITIONAL AND CONSEQUENTIAL PROVISIONS) BILL 2009

Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law), pursuant to notice, presented a Bill for an Act to deal with transitional and consequential matters in connection with *National Consumer Credit Protection Act 2009*, 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 (Mr Lindsay), and the resumption of the debate made an order of the day for the next sitting.

5 NATIONAL CONSUMER CREDIT PROTECTION (FEES) BILL 2009

Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law) presented a Bill for an Act to impose, as taxes, fees for things done under the *National Consumer Credit Protection Act 2009* or the *National Consumer Credit Protection (Transitional and Consequential Provisions) Act 2009*, 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 (Mr Lindsay), and the resumption of the debate made an order of the day for the next sitting.

6 CORPORATIONS LEGISLATION AMENDMENT (FINANCIAL SERVICES MODERNISATION) BILL 2009

Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law), pursuant to notice, presented a Bill for an Act to amend the *Corporations Act 2001* and the *Australian Securities and Investments Commission Act 2001*, 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 (Mr Randall), and the resumption of the debate made an order of the day for the next sitting.

7 TAX LAWS AMENDMENT (2009 MEASURES NO. 4) BILL 2009

Dr Emerson (Minister for Competition Policy and Consumer Affairs) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

Document

Dr Emerson presented an explanatory memorandum to the bill.

Bill read a first time.

Dr Emerson moved—That the bill be now read a second time.

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

8 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

Mr Hayes presented the following document:

Australian Parliamentary Delegation to Canada, the United States, Italy, Austria, the United Kingdom and the Netherlands, 12 April to 3 May 2009—Report, June 2009.

Mr Hayes and Mr Wood, by leave, made statements in connection with the report.

9 PUBLICATIONS COMMITTEE—REPORT

Mr Hayes (Chair) presented the following document:

PUBLICATIONS COMMITTEE REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate. Having considered documents presented to the Parliament since 4 June 2009, it recommends that the following be made Parliamentary Papers:

Australian Competition and Consumer Commission—Telecommunications reports for 2007-08—Report 1: Telecommunications competitive safeguards; Report 2: Changes in the prices paid for telecommunications services in Australia.

Australian National University—Report for 2008.

Defence Force Discipline Act 1982—Reports for 2008—
Director of Military Prosecutions.

Judge Advocate General.

REPORT OF COMMITTEE ACTIVITIES

The Publications Committee reports that, in accordance with an undertaking given in the committee's report *Distribution of the Parliamentary Papers Series*, as at 24 June 2009, 35 documents are yet to be supplied by their author agency for inclusion in the series. These agencies have been, or are in the process of being, reminded of their obligations. The committee will report to the chamber if agencies remain in default at the end of 2009.

CHRIS HAYES

Chair

25 June 2009

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

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

Mr Bevis presented the following documents:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Sealing a just outcome: Report from the inquiry into RAAF F-111 Deseal/Reseal workers and their families—Report, June 2009.

Ordered to be made a Parliamentary Paper.

Mr Bevis and Mr Robert, by leave, made statements in connection with the report.

Mr Bevis 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 Bevis, by leave, moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

11 INTELLIGENCE AND SECURITY—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Bevis (Chair) presented the following documents:

Intelligence and Security—Parliamentary Joint Committee—Review of the re-listing of Hizballah's External Security Organisation (ESO) as a terrorist organisation—Report, June 2009.

Ordered to be made a Parliamentary Paper.

Mr Bevis and Mr Ruddock, by leave, made statements in connection with the report.

12 COMMITTEE OF PRIVILEGES AND MEMBERS' INTERESTS—DOCUMENT

Mr Raguse (Chair) presented the following document:

Committee of Privileges and Members' Interests—Register of Members' Interests for the 42nd Parliament—Notifications of alterations of interests received during the period 27 March 2009 to 24 June 2009.

13 PRIVATE HEALTH INSURANCE 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.

Message from the Governor-General

Message No. 207, 5 June 2009, 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 Butler (Parliamentary Secretary for Health), the bill was read a third time.

14 MIGRATION AMENDMENT (ABOLISHING DETENTION DEBT) 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 Mr L. D. T. Ferguson (Parliamentary Secretary for Multicultural Affairs and Settlement Services), the bill was read a third time.

15 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:

23 June 2009—Message No. 208—

Social Security Amendment (Training Incentives) 2009.

Social Security Legislation Amendment (Improved Support for Carers) 2009.

Social Security Legislation Amendment (Improved Support for Carers) (Consequential and Transitional) 2009.

24 June 2009—Message—

No. 209—

Defence Legislation Amendment (No. 1) 2009.

Tax Laws Amendment (2009 Measures No. 3) 2009.

No. 210—

Family Assistance and Other Legislation Amendment (2008 Budget and Other Measures) 2009.

Family Assistance Amendment (Further 2008 Budget Measures) 2009.

Family Assistance Legislation Amendment (Child Care) 2009.

Private Health Insurance (National Joint Replacement Register Levy) 2009.

Social Security and Other Legislation Amendment (Australian Apprentices) 2009.

16 MESSAGES FROM THE SENATE

Messages from the Senate, 24 June 2009, were reported, informing the House that:

- (a) Senator Marshall had been discharged from attendance on the Parliamentary Joint Committee on Corporations and Financial Services, and Senator the Hon. McLucas had been appointed a member of the committee; and Senator Bishop had been discharged from attendance on the Parliamentary Standing Committee on Public Works, and Senator the Hon. McLucas had been appointed a member of the committee—No. 290; and
- (b) Senator the Hon. Ronaldson had been discharged from attendance on the Joint Standing Committee on Electoral Matters, and Senator Ryan had been appointed a member of the committee—No. 291.

17 NATIONAL GREENHOUSE AND ENERGY REPORTING 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.

Mr K. J. Thomson addressing the House—

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

18 QUESTIONS

Questions without notice being asked—

Closure of Member

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

Question—put.

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

AYES, 58

Mr Abbott	Mrs Gash	Mr Macfarlane	Mr Scott
Mr Andrews	Mr Georgiou	Ms Marino	Mr Secker
Fran Bailey	Mr Haase	Mrs Markus	Mr Simpkins
Mr Baldwin	Mr Hartsuyker	Mrs May	Mr Slipper
Mr Billson	Mr A. G. Hawke	Mrs Mirabella	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr D. P. M. Hawker	Mrs Moylan	Mr Somlyay
Ms J. I. Bishop	Mr Hockey	Dr Nelson	Dr Southcott
Mr Briggs	Mr Hunt	Mr Neville*	Dr Stone
Mr Broadbent	Mr Irons	Mr Pearce	Mr Truss
Mr Chester	Dr Jensen	Mr Ramsey	Mr Tuckey
Mr Ciobo	Mr Johnson*	Mr Randall	Mr Turnbull
Mr Cobb	Mr Keenan	Mr Robb	Mrs Vale
Mr Coulton	Mr Laming	Mr Robert	Mr Wood
Mr Dutton	Ms Ley	Mr Ruddock	
Mr Forrest	Mr Lindsay	Mr Schultz	

NOES, 78

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

* Tellers

Pairs

Ms Gillard	Mr Costello
Mr Dreyfus	Mr Pyne

And so it was negatived.

Questions without notice continued.

19 DOCUMENT

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government), adding to an answer to a question without notice, presented the following document:

Nation Building Program—off network projects: Total Australian Government contribution.

20 DOCUMENTS

The Speaker presented the following documents:

Committee reports—Schedule of Government responses to the reports of House of Representatives and joint committees, for period 4 December 2008 to 24 June 2009, and reports presented to which responses are outstanding, 25 June 2009.

House of Representatives and joint committees—Access to Committee documents—Report by the Speaker.

21 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following documents:

Auditor-General—Audit reports of 2008–2009—Performance audits—

No. 46—Business continuity management and emergency management in Centrelink: Centrelink.

No. 47—Management of domestic fishing compliance: Australian Fisheries Management Authority.

Reports ordered to be made Parliamentary Papers.

22 DOCUMENTS

The following documents were presented:

Attorney-General's Department—

Australia's fourth report under the convention on the rights of the child, October 2008.

Australia's initial report under the optional protocol to the convention on the rights of the child on the involvement of children in armed conflict, October 2008.

Australia's initial report under the optional protocol to the convention on the rights of the child on the sale of children, child prostitution and child pornography, December 2008.

Department of Defence—Special purpose flights—Schedule for the period July to September 2008.

Department of Finance and Deregulation—Reports—

Former parliamentarians' travel paid by the department for the period July to December 2008.

Parliamentarians' overseas study travel reports for the period July to December 2008.

Parliamentarians' travel paid by the department for the period July to December 2008.

Ministerial statement—Treasury—Report on the operation of the guarantee scheme for large deposits and wholesale funding—Mr Swan, the Treasurer—25 June 2009.

Public Accounts and Audit—Joint Committee—Report 412—Audit reports reviewed during the 41st Parliament—Government response to recommendation 18.

Treaties—Multilateral—Text, together with national interest analysis and annexure—Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, done at The Hague, 15 November 1965.

23 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Department of Defence—Special purpose flights—Schedule for the period July to September 2008.

Department of Finance and Deregulation—Reports—

Former parliamentarians' travel paid by the department for the period July to December 2008.

Parliamentarians' overseas study travel reports for the period July to December 2008.

Parliamentarians' travel paid by the department for the period July to December 2008.

Public Accounts and Audit—Joint Committee—Report 412—Audit reports reviewed during the 41st Parliament—Government response to recommendation 18.

Ministerial statement—Treasury—Report on the operation of the guarantee scheme for large deposits and wholesale funding—Mr Swan, the Treasurer—25 June 2009.

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

24 LEAVE OF ABSENCE TO ALL MEMBERS

Mr Albanese (Leader of the House) moved—That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

25 MESSAGE FROM THE SENATE—DISABILITY DISCRIMINATION AND OTHER HUMAN RIGHTS LEGISLATION AMENDMENT BILL 2008

Message No. 295, 25 June 2009, from the Senate was reported returning the Disability Discrimination and Other Human Rights Legislation Amendment Bill 2008 with an amendment.

Ordered—That the amendment be considered immediately.

On the motion of Mr Albanese (Leader of the House), the amendment was agreed to.

26 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—COMMONWEALTH GOVERNMENT DEBT

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 growth in Commonwealth Government debt which this week passes \$100 billion”.

The proposed discussion having received the necessary support—

Mr Hockey addressed the House.

Discussion ensued.

Mr A. D. H. Smith addressing the House—

27 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

The House continuing to sit until 5 p.m.—The Speaker adjourned the House until 2 p.m. on Tuesday, 11 August 2009.

DOCUMENTS

The following documents were deemed to have been presented on 25 June 2009:

Australian Prudential Regulation Authority Act—Determination under section 57—2009 Confidentiality No. 8 [F2009L02487].

Civil Aviation Act—

Civil Aviation Regulations—Exemption—2009 No. CASA EX48 [F2009L02280].

Civil Aviation Safety Regulations—Airworthiness Directives under—
Part 39-105—

AD/LA-4—No. 4—Cancellation [F2009L02283].

AD/MU-2—

No. 9—Cancellation [F2009L02315].

No. 19—Cancellation [F2009L02316].

No. 26—Cancellation [F2009L02317].

No. 27—Cancellation [F2009L02318].

No. 38—Cancellation [F2009L02319].

No. 72 [F2009L02320].

AD/S-76—

No. 54—Cancellation [F2009L02346].

No. 55—Amendment (No. 1)—Cancellation [F2009L02347].

No. 58—Cancellation [F2009L02348].
AD/SF340—No. 108—Amendment (No. 1) [F2009L02349].
AD/SM-205—No. 19—Cancellation [F2009L02350].
Part 39-106—
AD/PT6A—
No. 7—Cancellation [F2009L02321].
No. 23—Cancellation [F2009L02328].
No. 26—Cancellation [F2009L02329].
AD/PT6T—No. 2—Cancellation [F2009L02330].
Health Insurance Act—Declaration—2009 QAA No. 1 [F2009L02413].
Income Tax Assessment Act 1936 and *Taxation Administration Act*—Instrument—2009—Lodgment of income tax returns—Child Support Agency—Parents with a child support assessment [F2009L02503].
Income Tax Assessment Act 1936, *Income Tax Assessment Act 1997*, *Taxation Administration Act*, *Superannuation Industry (Supervision) Act*, and *Income Tax (Transitional Provisions) Act*—Instrument—Lodgment of returns for the year of income ended 30 June 2009 [F2009L02500].
Migration Act—*Migration Regulations*—Instrument—2009—Appropriate regional authority, No. IMMI 09/061 [F2009L02147].
National Health Act—Determination under section 84BA—19 June 2009 [F2009L02492].
Taxation Administration Act 1953—Instrument—Lodgment of statements by first home saver account providers for the year ended 30 June 2009 [F2009L02505].
Veterans' Entitlements Act and *Military Rehabilitation and Compensation Act*—Instruments under section 196B—2009 Nos 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 [F2009L02400], [F2009L02402], [F2009L02404], [F2009L02403], [F2009L02411], [F2009L02412], [F2009L02415], [F2009L02416], [F2009L02417], [F2009L02418], [F2009L02419], [F2009L02420], [F2009L02421], [F2009L02422], [F2009L02423].
Water Act—Rules—2009—under—
section 92—Water charge (Termination fees) [F2009L02425].
section 97—Water market [F2009L02424].

ATTENDANCE

All Members attended (at some time during the sitting) except Ms Campbell, Mr Costello, Mr Crean, Mr Danby, Mr Dreyfus, Mr Farmer, Mr Garrett, Ms Gillard, Mrs Hull, Mr Morrison, Mr Pyne, Mr S. F. Smith and Dr Washer.

I. C. HARRIS
Clerk of the House of Representatives

2008-09

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 106

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 25 JUNE 2009

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' CONSTITUENCY STATEMENTS

Members' constituency statements were made.

**3 INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT AND LOCAL GOVERNMENT—
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 King—That the House take note of the document (*presented on 22 June 2009*), *viz.*—

Infrastructure, Transport, Regional Development and Local Government—Standing Committee—Level crossing safety: An update to the 2004 train illumination report—Report, June 2009—

Debate resumed.

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

4 OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE 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.

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

5 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

At 1.01 p.m., the Deputy Speaker adjourned the Main Committee until 9.30 a.m. on Wednesday, 12 August 2009.

B. C. WRIGHT
Clerk of the Main Committee