

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 74

THURSDAY, 1 DECEMBER 2005



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

2 SUSPENSION OF STANDING AND SESSIONAL ORDERS—CONSIDERATION OF EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION AMENDMENT (WELFARE TO WORK AND OTHER MEASURES) BILL 2005 AND FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (WELFARE TO WORK) BILL 2005

Mrs Ley (Parliamentary Secretary—Children and Youth Affairs), for Mr Abbott (Leader of the House), pursuant to notice, moved—That, in relation to proceedings on the Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Bill 2005 and the Family and Community Services Legislation Amendment (Welfare to Work) Bill 2005, so much of the standing and sessional orders be suspended to enable:

- (1) at the conclusion of the second reading cognate debate on both bills or at 11.30 a.m. on Thursday, 1 December 2005, whichever is the earlier, a Minister to be called to sum up the second reading debate and thereafter the following occurring without delay:
 - (a) in respect of the Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Bill 2005 the immediate question before the House to be put, then any question or questions necessary to complete the second reading stage to be put; the bill then to be taken as a whole during consideration in detail for a period not exceeding 60 minutes (during which a Minister may move Government amendments together and one question be proposed on the amendments), immediately after which the question then before the House to be put, then the putting without amendment or debate of any question or questions necessary to complete the consideration of the bill; and
 - (b) in respect of the Family and Community Services Legislation Amendment (Welfare to Work) Bill 2005 any question necessary to complete the second reading stage to be put; then the putting without amendment or debate of any question or questions necessary to complete the consideration of the bill; and
- (2) any variation to this arrangement to be made only by a Minister moving a motion without notice.

Ms Gillard addressing the House—

Closure of Member

Mrs Ley moved—That the Member be no longer heard.

Question—put.

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

AYES, 80

Mr Andrews	Mr Entsch	Jackie Kelly	Mr Ruddock
Fran Bailey	Mr Farmer	Mr Laming	Mr Schultz
Mr Baird	Mr Fawcett	Mrs Ley	Mr Scott
Mr Baker	Mr M. D. Ferguson	Mr Lindsay	Mr Secker
Mr Baldwin	Mr Forrest*	Mr Lloyd	Mr Slipper
Mr Barresi	Ms Gambaro	Mr McArthur*	Mr A. D. H. Smith
Mr Bartlett	Mrs Gash	Mr Macfarlane	Mr Somlyay
Mr Billson	Mr Georgiou	Mr McGauran	Dr Stone
Mrs B. K. Bishop	Mr Hardgrave	Mrs Markus	Mr C. P. Thompson
Ms J. Bishop	Mr Hartsuyker	Mrs May	Mr Ticehurst
Mr Broadbent	Mr Henry	Mrs Moylan	Mr Tollner
Mr Brough	Mr Hockey	Mr Nairn	Mr Truss
Mr Cadman	Mrs Hull	Dr Nelson	Mr Tuckey
Mr Causley	Mr Hunt	Mr Neville	Mr Turnbull
Mr Ciobo	Dr Jensen	Ms Panopoulos	Mr M. A. J. Vaile
Mr Cobb	Mr Johnson	Mr Pearce	Mrs D. S. Vale
Mr Costello	Mr Jull	Mr Prosser	Mr Vasta
Mr Downer	Mr Katter	Mr Pyne	Mr Wakelin
Mrs Draper	Mr Keenan	Mr Randall	Dr Washer
Mrs Elson	Mrs D. M. Kelly	Mr Robb	Mr Wood

NOES, 61

Mr Adams	Mr Emerson	Mr Jenkins	Mr Ripoll
Mr Andren	Mr L. D. T. Ferguson	Mr Kerr	Ms Roxon
Mr Beazley	Mr M. J. Ferguson	Ms C. King	Mr Rudd
Mr Bevis	Mr Fitzgibbon	Dr Lawrence	Mr Sawford
Ms Bird	Mr Garrett	Ms Livermore	Mr Sercombe
Mr Bowen	Mr Georganas	Mr McClelland	Mr S. F. Smith
Ms A. E. Burke	Ms George	Ms Macklin	Mr Snowdon
Mr A. S. Burke	Mr Gibbons	Mr McMullan	Mr Swan
Mr Byrne	Ms Gillard	Mr Melham	Mr Tanner
Ms Corcoran	Ms Grierson	Mr Murphy	Mr K. J. Thomson
Mr Crean	Mr Griffin	Mr B. P. O'Connor	Ms Vamvakinou
Mr Danby*	Ms Hall*	Mr G. M. O'Connor	Mr Wilkie
Mr Edwards	Mr Hatton	Ms Owens	Mr Windsor
Mrs Elliot	Mr Hayes	Ms Plibersek	
Ms A. L. Ellis	Ms Hoare	Mr Price	
Ms K. M. Ellis	Mrs Irwin	Mr Quick	

* Tellers

And so it was resolved in the affirmative.

Ms Macklin rising to address the House—

Closure

Mrs Ley moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 81

Mr Anderson	Mr Entsch	Mr Laming	Mr Scott
Mr Andrews	Mr Farmer	Mrs Ley	Mr Secker
Fran Bailey	Mr Fawcett	Mr Lindsay	Mr Slipper
Mr Baird	Mr M. D. Ferguson	Mr Lloyd	Mr A. D. H. Smith
Mr Baker	Mr Forrest*	Mr McArthur*	Mr Somlyay
Mr Baldwin	Ms Gambaro	Mr Macfarlane	Dr Stone
Mr Barresi	Mrs Gash	Mr McGauran	Mr C. P. Thompson
Mr Bartlett	Mr Georgiou	Mrs Markus	Mr Ticehurst
Mr Billson	Mr Hardgrave	Mrs May	Mr Tollner
Mrs B. K. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Truss
Ms J. Bishop	Mr Henry	Mr Nairn	Mr Tuckey
Mr Broadbent	Mr Hockey	Dr Nelson	Mr Turnbull
Mr Brough	Mrs Hull	Mr Neville	Mr M. A. J. Vaile
Mr Cadman	Mr Hunt	Ms Panopoulos	Mrs D. S. Vale
Mr Causley	Dr Jensen	Mr Pearce	Mr Vasta
Mr Ciobo	Mr Johnson	Mr Prosser	Mr Wakelin
Mr Cobb	Mr Jull	Mr Pyne	Dr Washer
Mr Costello	Mr Katter	Mr Randall	Mr Wood
Mr Downer	Mr Keenan	Mr Robb	
Mrs Draper	Mrs D. M. Kelly	Mr Ruddock	
Mrs Elson	Jackie Kelly	Mr Schultz	

NOES, 61

Mr Adams	Mr Emerson	Mr Jenkins	Mr Ripoll
Mr Andren	Mr L. D. T. Ferguson	Mr Kerr	Ms Roxon
Mr Beazley	Mr M. J. Ferguson	Ms C. King	Mr Rudd
Mr Bevis	Mr Fitzgibbon	Dr Lawrence	Mr Sawford
Ms Bird	Mr Garrett	Ms Livermore	Mr Sercombe
Mr Bowen	Mr Georganas	Mr McClelland	Mr S. F. Smith
Ms A. E. Burke	Ms George	Ms Macklin	Mr Snowdon
Mr A. S. Burke	Mr Gibbons	Mr McMullan	Mr Swan
Mr Byrne	Ms Gillard	Mr Melham	Mr Tanner
Ms Corcoran	Ms Grierson	Mr Murphy	Mr K. J. Thomson
Mr Crean	Mr Griffin	Mr B. P. O'Connor	Ms Vamvakinou
Mr Danby*	Ms Hall*	Mr G. M. O'Connor	Mr Wilkie
Mr Edwards	Mr Hatton	Ms Owens	Mr Windsor
Mrs Elliot	Mr Hayes	Ms Plibersek	
Ms A. L. Ellis	Ms Hoare	Mr Price	
Ms K. M. Ellis	Mrs Irwin	Mr Quick	

* Tellers

And so it was resolved in the affirmative.

And the question—That the suspension of standing and sessional orders be agreed to—being accordingly put—

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

AYES, 81

Mr Anderson	Mr Entsch	Mr Laming	Mr Scott
Mr Andrews	Mr Farmer	Mrs Ley	Mr Secker
Fran Bailey	Mr Fawcett	Mr Lindsay	Mr Slipper
Mr Baird	Mr M. D. Ferguson	Mr Lloyd	Mr A. D. H. Smith
Mr Baker	Mr Forrest*	Mr McArthur*	Mr Somlyay
Mr Baldwin	Ms Gambaro	Mr Macfarlane	Dr Stone
Mr Barresi	Mrs Gash	Mr McGauran	Mr C. P. Thompson
Mr Bartlett	Mr Georgiou	Mrs Markus	Mr Ticehurst
Mr Billson	Mr Hardgrave	Mrs May	Mr Tollner
Mrs B. K. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Truss
Ms J. Bishop	Mr Henry	Mr Nairn	Mr Tuckey
Mr Broadbent	Mr Hockey	Dr Nelson	Mr Turnbull
Mr Brough	Mrs Hull	Mr Neville	Mr M. A. J. Vaile
Mr Cadman	Mr Hunt	Ms Panopoulos	Mrs D. S. Vale
Mr Causley	Dr Jensen	Mr Pearce	Mr Vasta
Mr Ciobo	Mr Johnson	Mr Prosser	Mr Wakelin
Mr Cobb	Mr Jull	Mr Pyne	Dr Washer
Mr Costello	Mr Katter	Mr Randall	Mr Wood
Mr Downer	Mr Keenan	Mr Robb	
Mrs Draper	Mrs D. M. Kelly	Mr Ruddock	
Mrs Elson	Jackie Kelly	Mr Schultz	

NOES, 61

Mr Adams	Mr Emerson	Mr Jenkins	Mr Ripoll
Mr Andren	Mr L. D. T. Ferguson	Mr Kerr	Ms Roxon
Mr Beazley	Mr M. J. Ferguson	Ms C. King	Mr Rudd
Mr Bevis	Mr Fitzgibbon	Dr Lawrence	Mr Sawford
Ms Bird	Mr Garrett	Ms Livermore	Mr Sercombe
Mr Bowen	Mr Georganas	Mr McClelland	Mr S. F. Smith
Ms A. E. Burke	Ms George	Ms Macklin	Mr Snowdon
Mr A. S. Burke	Mr Gibbons	Mr McMullan	Mr Swan
Mr Byrne	Ms Gillard	Mr Melham	Mr Tanner
Ms Corcoran	Ms Grierson	Mr Murphy	Mr K. J. Thomson
Mr Crean	Mr Griffin	Mr B. P. O'Connor	Ms Vamvakinou
Mr Danby*	Ms Hall*	Mr G. M. O'Connor	Mr Wilkie
Mr Edwards	Mr Hatton	Ms Owens	Mr Windsor
Mrs Elliot	Mr Hayes	Ms Plibersek	
Ms A. L. Ellis	Ms Hoare	Mr Price	
Ms K. M. Ellis	Mrs Irwin	Mr Quick	

* Tellers

And so it was resolved in the affirmative.

3 CSIRO MINERALS LABORATORY EXTENSIONS, WATERFORD, PERTH, WA—APPROVAL OF WORK

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), 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: CSIRO minerals laboratory extensions, Waterford, Perth, WA.

Question—put and passed.

4 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—REDEVELOPMENT OF POST-1945 CONFLICTS GALLERIES AND DISCOVERY ROOM FOR THE AUSTRALIAN WAR MEMORIAL, CANBERRA, ACT

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), 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: Redevelopment of post-1945 conflicts galleries and discovery room for the Australian War Memorial, Canberra, ACT.

Question—put and passed.

5 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—FIT-OUT OF NEW LEASED PREMISES FOR THE DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY IN CIVIC, ACT

Dr Stone (Parliamentary Secretary to the Minister for Finance and Administration), 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: Fit-out of new leased premises for the Department of Agriculture, Fisheries and Forestry in Civic, ACT.

Question—put and passed.

6 EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION AMENDMENT (WELFARE TO WORK AND OTHER MEASURES) BILL 2005

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—*And on the amendment moved thereto by Ms Macklin (Deputy Leader of the Opposition), viz.*—That all words after “That” be omitted with a view to substituting the following words: “the House declines to give the bill a second reading, because the House condemns the Government for:

- (1) failing to allow the parliament and the Australian people proper scrutiny of the bill;
- (2) ignoring the concerns raised in the Senate’s inquiry into this bill;
- (3) after nine long years, failing to implement real welfare reform that tackles the reason someone isn’t working and delivers practical solutions;
- (4) simply dumping people from one welfare payment to a lower welfare payment;
- (5) making extreme cuts to the household budgets of vulnerable Australian families;
- (6) decreasing the rewards from moving from welfare to work, to the extent that people may actually end up poorer from work than they would have been on welfare;
- (7) failing to provide any modelling to support their case for putting people on a lower welfare payment to help them gain work;
- (8) failing its own test of welfare reform by failing to address the growing number of people on welfare;
- (9) failing to provide adequate assistance for people moving from welfare to work, particularly for making insufficient investment in vocational education and training;
- (10) failing to guarantee in legislation that welfare recipients can meet their Newstart obligations by improving their job skills through training, and restricting access to the Pensioner Education Supplement;
- (11) implementing an unduly punitive compliance system;
- (12) failing to provide that parents can legitimately decline a job where the costs of child care would wipe out their income or worse; and
- (13) providing insufficient protections for vulnerable Australians in legislation, and relying too much on guidelines”—

Debate resumed.

It being 11.30 a.m., in accordance with the resolution agreed to earlier this day, the debate was interrupted and Mr Andrews (Minister for Employment and Workplace Relations) summed up the second reading debate.

Question—That the words proposed to be omitted stand part of the question—put.
The House divided (the Deputy Speaker, Mr Lindsay, in the Chair)—

AYES, 79

Mr Anderson	Mr Entsch	Jackie Kelly	Mr Schultz
Mr Andrews	Mr Farmer	Mr Laming	Mr Scott
Fran Bailey	Mr Fawcett	Mrs Ley	Mr Secker
Mr Baird	Mr M. D. Ferguson	Mr Lloyd	Mr Slipper
Mr Baker	Mr Forrest*	Mr McArthur*	Mr A. D. H. Smith
Mr Baldwin	Ms Gambaro	Mr Macfarlane	Mr Somlyay
Mr Barresi	Mrs Gash	Mr McGauran	Dr Stone
Mr Bartlett	Mr Georgiou	Mrs Markus	Mr C. P. Thompson
Mr Billson	Mr Haase	Mrs May	Mr Ticehurst
Mrs B. K. Bishop	Mr Hardgrave	Mr Nairn	Mr Tollner
Ms J. Bishop	Mr Hartsuyker	Dr Nelson	Mr Truss
Mr Broadbent	Mr Henry	Mr Neville	Mr Tuckey
Mr Brough	Mr Hockey	Ms Panopoulos	Mr Turnbull
Mr Cadman	Mrs Hull	Mr Pearce	Mr M. A. J. Vaile
Mr Causley	Mr Hunt	Mr Prosser	Mrs D. S. Vale
Mr Ciobo	Dr Jensen	Mr Pyne	Mr Vasta
Mr Cobb	Mr Johnson	Mr Randall	Mr Wakelin
Mr Costello	Mr Jull	Mr Richardson	Dr Washer
Mrs Draper	Mr Keenan	Mr Robb	Mr Wood
Mrs Elson	Mrs D. M. Kelly	Mr Ruddock	

NOES, 62

Mr Adams	Mr Emerson	Mr Jenkins	Mr Quick
Mr Andren	Mr L. D. T. Ferguson	Mr Katter	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Mr Kerr	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Ms C. King	Mr Rudd
Ms Bird	Mr Garrett	Dr Lawrence	Mr Sawford
Mr Bowen	Mr Georganas	Ms Livermore	Mr Sercombe
Ms A. E. Burke	Ms George	Mr McClelland	Mr S. F. Smith
Mr A. S. Burke	Mr Gibbons	Ms Macklin	Mr Snowdon
Mr Byrne	Ms Gillard	Mr McMullan	Mr Swan
Ms Corcoran	Ms Grierson	Mr Melham	Mr Tanner
Mr Crean	Mr Griffin	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Ms Hall*	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Mr Hatton	Mr G. M. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hayes	Ms Owens	Mr Windsor
Ms A. L. Ellis	Ms Hoare	Ms Plibersek	
Ms K. M. Ellis	Mrs Irwin	Mr Price	

* Tellers

And so it was resolved in the affirmative.

Question—That the bill be now read a second time—put.

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

AYES, 79

Mr Anderson	Mr Entsch	Jackie Kelly	Mr Schultz
Mr Andrews	Mr Farmer	Mr Laming	Mr Scott
Fran Bailey	Mr Fawcett	Mrs Ley	Mr Secker
Mr Baird	Mr M. D. Ferguson	Mr Lloyd	Mr Slipper
Mr Baker	Mr Forrest*	Mr McArthur*	Mr A. D. H. Smith
Mr Baldwin	Ms Gambaro	Mr Macfarlane	Mr Somlyay
Mr Barresi	Mrs Gash	Mr McGauran	Dr Stone
Mr Bartlett	Mr Georgiou	Mrs Markus	Mr C. P. Thompson
Mr Billson	Mr Haase	Mrs May	Mr Ticehurst
Mrs B. K. Bishop	Mr Hardgrave	Mr Nairn	Mr Tollner
Ms J. Bishop	Mr Hartsuyker	Dr Nelson	Mr Truss
Mr Broadbent	Mr Henry	Mr Neville	Mr Tuckey
Mr Brough	Mr Hockey	Ms Panopoulos	Mr Turnbull
Mr Cadman	Mrs Hull	Mr Pearce	Mr M. A. J. Vaile
Mr Causley	Mr Hunt	Mr Prosser	Mrs D. S. Vale
Mr Ciobo	Dr Jensen	Mr Pyne	Mr Vasta
Mr Cobb	Mr Johnson	Mr Randall	Mr Wakelin
Mr Costello	Mr Jull	Mr Richardson	Dr Washer
Mrs Draper	Mr Keenan	Mr Robb	Mr Wood
Mrs Elson	Mrs D. M. Kelly	Mr Ruddock	

NOES, 62

Mr Adams	Mr Emerson	Mr Jenkins	Mr Quick
Mr Andren	Mr L. D. T. Ferguson	Mr Katter	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Mr Kerr	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Ms C. King	Mr Rudd
Ms Bird	Mr Garrett	Dr Lawrence	Mr Sawford
Mr Bowen	Mr Georganas	Ms Livermore	Mr Sercombe
Ms A. E. Burke	Ms George	Mr McClelland	Mr S. F. Smith
Mr A. S. Burke	Mr Gibbons	Ms Macklin	Mr Snowdon
Mr Byrne	Ms Gillard	Mr McMullan	Mr Swan
Ms Corcoran	Ms Grierson	Mr Melham	Mr Tanner
Mr Crean	Mr Griffin	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Ms Hall*	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Mr Hatton	Mr G. M. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hayes	Ms Owens	Mr Windsor
Ms A. L. Ellis	Ms Hoare	Ms Plibersek	
Ms K. M. Ellis	Mrs Irwin	Mr Price	

* Tellers

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

Message from the Governor-General

Message No. 122, 14 November 2005, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Consideration in detail

In accordance with the resolution agreed to earlier this day, bill taken as a whole.

Debate ensued.

The time for consideration of the bill having expired, the question—That the bill be agreed to—put.

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

AYES, 79

Mr Anderson	Mr Entsch	Jackie Kelly	Mr Schultz
Mr Andrews	Mr Farmer	Mr Laming	Mr Scott
Fran Bailey	Mr Fawcett	Mrs Ley	Mr Secker
Mr Baird	Mr M. D. Ferguson	Mr Lindsay	Mr Slipper
Mr Baker	Mr Forrest*	Mr Lloyd	Mr A. D. H. Smith
Mr Baldwin	Ms Gambaro	Mr McArthur*	Mr Somlyay
Mr Barresi	Mrs Gash	Mr Macfarlane	Dr Stone
Mr Bartlett	Mr Georgiou	Mr McGauran	Mr C. P. Thompson
Mr Billson	Mr Haase	Mrs Markus	Mr Ticehurst
Mrs B. K. Bishop	Mr Hardgrave	Mrs May	Mr Tollner
Ms J. Bishop	Mr Hartsuyker	Mr Nairn	Mr Truss
Mr Broadbent	Mr Henry	Dr Nelson	Mr Tuckey
Mr Brough	Mr Hockey	Mr Neville	Mr Turnbull
Mr Cadman	Mrs Hull	Mr Pearce	Mr M. A. J. Vaile
Mr Causley	Mr Hunt	Mr Prosser	Mrs D. S. Vale
Mr Ciobo	Dr Jensen	Mr Pyne	Mr Vasta
Mr Cobb	Mr Johnson	Mr Randall	Mr Wakelin
Mr Costello	Mr Jull	Mr Richardson	Dr Washer
Mrs Draper	Mr Keenan	Mr Robb	Mr Wood
Mrs Elson	Mrs D. M. Kelly	Mr Ruddock	

NOES, 60

Mr Adams	Ms K. M. Ellis	Mrs Irwin	Ms Plibersek
Mr Andren	Mr Emerson	Mr Jenkins	Mr Price
Mr Beazley	Mr L. D. T. Ferguson	Mr Katter	Mr Quick
Mr Bevis	Mr M. J. Ferguson	Mr Kerr	Mr Ripoll
Ms Bird	Mr Fitzgibbon	Ms C. King	Ms Roxon
Mr Bowen	Mr Garrett	Dr Lawrence	Mr Rudd
Ms A. E. Burke	Mr Georganas	Ms Livermore	Mr Sawford
Mr A. S. Burke	Ms George	Mr McClelland	Mr Sercombe
Mr Byrne	Mr Gibbons	Ms Macklin	Mr S. F. Smith
Ms Corcoran	Ms Gillard	Mr McMullan	Mr Snowdon
Mr Crean	Ms Grierson	Mr Melham	Mr Tanner
Mr Danby*	Mr Griffin	Mr Murphy	Mr K. J. Thomson
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Ms Vamvakinou
Mrs Elliot	Mr Hayes	Mr G. M. O'Connor	Mr Wilkie
Ms A. L. Ellis	Ms Hoare	Ms Owens	Mr Windsor

* Tellers

And so it was resolved in the affirmative.

Bill agreed to.

Consideration in detail concluded.

And the question—That the bill be now read a third time—put.

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

AYES, 80

Mr Anderson	Mr Entsch	Jackie Kelly	Mr Ruddock
Mr Andrews	Mr Farmer	Mr Laming	Mr Schultz
Fran Bailey	Mr Fawcett	Mrs Ley	Mr Scott
Mr Baird	Mr M. D. Ferguson	Mr Lindsay	Mr Secker
Mr Baker	Mr Forrest*	Mr Lloyd	Mr Slipper
Mr Baldwin	Ms Gambaro	Mr McArthur*	Mr A. D. H. Smith
Mr Barresi	Mrs Gash	Mr Macfarlane	Mr Somlyay
Mr Bartlett	Mr Georgiou	Mr McGauran	Dr Stone
Mr Billson	Mr Haase	Mrs Markus	Mr C. P. Thompson
Mrs B. K. Bishop	Mr Hardgrave	Mrs May	Mr Ticehurst
Ms J. Bishop	Mr Hartsuyker	Mr Nairn	Mr Tollner
Mr Broadbent	Mr Henry	Dr Nelson	Mr Truss
Mr Brough	Mr Hockey	Mr Neville	Mr Tuckey
Mr Cadman	Mrs Hull	Ms Panopoulos	Mr Turnbull
Mr Causley	Mr Hunt	Mr Pearce	Mr M. A. J. Vaile
Mr Ciobo	Dr Jensen	Mr Prosser	Mrs D. S. Vale
Mr Cobb	Mr Johnson	Mr Pyne	Mr Vasta
Mr Costello	Mr Jull	Mr Randall	Mr Wakelin
Mrs Draper	Mr Keenan	Mr Richardson	Dr Washer
Mrs Elson	Mrs D. M. Kelly	Mr Robb	Mr Wood

NOES, 60

Mr Adams	Ms K. M. Ellis	Mrs Irwin	Ms Plibersek
Mr Andren	Mr Emerson	Mr Jenkins	Mr Price
Mr Beazley	Mr L. D. T. Ferguson	Mr Katter	Mr Quick
Mr Bevis	Mr M. J. Ferguson	Mr Kerr	Mr Ripoll
Ms Bird	Mr Fitzgibbon	Ms C. King	Ms Roxon
Mr Bowen	Mr Garrett	Dr Lawrence	Mr Rudd
Ms A. E. Burke	Mr Georganas	Ms Livermore	Mr Sawford
Mr A. S. Burke	Ms George	Mr McClelland	Mr Sercombe
Mr Byrne	Mr Gibbons	Ms Macklin	Mr S. F. Smith
Ms Corcoran	Ms Gillard	Mr McMullan	Mr Snowdon
Mr Crean	Ms Grierson	Mr Melham	Mr Tanner
Mr Danby*	Mr Griffin	Mr Murphy	Mr K. J. Thomson
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Ms Vamvakinou
Mrs Elliot	Mr Hayes	Mr G. M. O'Connor	Mr Wilkie
Ms A. L. Ellis	Ms Hoare	Ms Owens	Mr Windsor

* Tellers

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

7 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (WELFARE TO WORK) BILL 2005

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 and passed—bill read a second time.

Message from the Governor-General

Message No. 123, 14 November 2005, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

In accordance with the resolution agreed to earlier today, the question—That the remaining stages of the bill be agreed to—put and passed—bill read a third time.

8 TAX LAWS AMENDMENT (IMPROVEMENTS TO SELF ASSESSMENT) BILL (NO. 2) 2005

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 by Mr Fitzgibbon who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the bill a second reading, the House condemns the Government for:

- (1) maintaining and allowing the self assessment system to so seriously deteriorate over a long period of time so these radical reforms are needed;
- (2) failing to provide sufficient certainty on how oral advice will be recorded and made available; and
- (3) failure to clarify in this bill how the personal tax affairs of a taxpayer will be linked to the tax affairs of a company with which the taxpayer is associated”.

Document

Mr Fitzgibbon, by leave, presented the following document:

Tax Laws Amendment (Improvements to Self Assessment) Bill (No. 2) 2005—Copy of letter from Senator David Johnston, Senator for Western Australia and other Coalition Senators and Members, to Mr Costello, Treasurer, 8 September 2005.

Debate continued.

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

9 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 2.50 p.m. the Member for Swan (Mr Wilkie) 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—

Suspension of standing and sessional orders moved

Mr Beazley (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition moving that the House censure the Treasurer for:

- (1) his endorsement of the establishment of offshore tax havens by Mr Robert Gerard, a major donor to the Liberal Party, for the purpose of evading his legal tax obligations;
- (2) his involvement in a conspiracy to conceal the true corporate tax affairs of Mr Gerard prior to recommending Cabinet appoint Mr Gerard to the Reserve Bank Board;
- (3) his refusal to sack Mr Gerard from the Reserve Bank Board despite the fact that Mr Gerard made ‘false and misleading statements’ to the Australian Taxation Office in an attempt to cover up tax fraud; and
- (4) his double standards in refusing to sack Mr Robert Gerard from the Reserve Bank Board for good reason while ramming through legislation that will enable four million Australian workers to be sacked for no reason.

Debate ensued.

Member directed to leave

At 3.14 p.m. the Member for Lingiari (Mr Snowdon) 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.

Debate continued.

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

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

AYES, 57

Mr Adams	Mr Emerson	Mrs Irwin	Mr Price
Mr Beazley	Mr L. D. T. Ferguson	Mr Jenkins	Mr Quick
Mr Bevis	Mr M. J. Ferguson	Mr Kerr	Mr Ripoll
Ms Bird	Mr Fitzgibbon	Ms C. King	Ms Roxon
Mr Bowen	Mr Garrett	Dr Lawrence	Mr Rudd
Ms A. E. Burke	Mr Georganas	Ms Livermore	Mr Sawford
Mr A. S. Burke	Ms George	Mr McClelland	Mr Sercombe
Mr Byrne	Mr Gibbons	Ms Macklin	Mr S. F. Smith
Ms Corcoran	Ms Gillard	Mr McMullan	Mr Swan
Mr Crean	Ms Grierson	Mr Melham	Mr Tanner
Mr Danby*	Mr Griffin	Mr Murphy	Mr K. J. Thomson
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Ms Vamvakinou
Mrs Elliot	Mr Hatton	Mr G. M. O'Connor	
Ms A. L. Ellis	Mr Hayes	Ms Owens	
Ms K. M. Ellis	Ms Hoare	Ms Plibersek	

NOES, 82

Mr Anderson	Mr Entsch	Jackie Kelly	Mr Ruddock
Mr Andrews	Mr Farmer	Mr Laming	Mr Schultz
Fran Bailey	Mr Fawcett	Mrs Ley	Mr Scott
Mr Baird	Mr M. D. Ferguson	Mr Lindsay	Mr Secker
Mr Baker	Mr Forrest*	Mr Lloyd	Mr Slipper
Mr Baldwin	Ms Gambaro	Mr McArthur*	Mr A. D. H. Smith
Mr Barresi	Mrs Gash	Mr Macfarlane	Mr Somlyay
Mr Bartlett	Mr Georgiou	Mr McGauran	Dr Stone
Mr Billson	Mr Haase	Mrs Markus	Mr C. P. Thompson
Mrs B. K. Bishop	Mr Hardgrave	Mrs May	Mr Ticehurst
Ms J. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Tollner
Mr Broadbent	Mr Henry	Mr Nairn	Mr Truss
Mr Brough	Mr Hockey	Dr Nelson	Mr Tuckey
Mr Cadman	Mr Howard	Mr Neville	Mr Turnbull
Mr Causley	Mrs Hull	Ms Panopoulos	Mrs D. S. Vale
Mr Ciobo	Mr Hunt	Mr Pearce	Mr Vasta
Mr Cobb	Dr Jensen	Mr Prosser	Mr Wakelin
Mr Costello	Mr Johnson	Mr Pyne	Dr Washer
Mr Downer	Mr Jull	Mr Randall	Mr Wood
Mrs Draper	Mr Keenan	Mr Richardson	
Mrs Elson	Mrs D. M. Kelly	Mr Robb	

* Tellers

And so it was negatived.

Questions without notice concluded.

10 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 19 of 2005–2006—Performance audit—Managing for quarantine effectiveness—Follow-up—Department of Agriculture, Fisheries and Forestry; Biosecurity Australia.

Ordered to be made a Parliamentary Paper.

11 DOCUMENTS

The following documents were presented:

Aboriginal Land Commissioner—Report for 2004-05.

Anindilyakwa Land Council—Report for 2004-05.

Australian Customs Service—Report for 2004-05.

Corporations and Financial Services—Joint Statutory Committee—Report—Australian Accounting Standards tabled in accordance with the *Corporations Act 2001* on 30 August and 16 November 2004—Government response.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Expanding Australia's trade and investment relations with the Gulf States—Government response.

Migration—Joint Standing Committee—Report—To make a contribution: Review of skilled labour migration programs 2004—Government response.

Native Title Act—Native title representative bodies—

Aboriginal Legal Rights Movement Inc.—Native Title Unit—Report for 2004-05.

Carpentaria Land Council—Aboriginal Corporation—Report for 2004-05.

Central Land Council—Report for 2004-05.

North Queensland Land Council—Aboriginal Corporation—Report for 2004-05.

Northern Land Council—Report for 2004-05.

Tiwi Land Council—Report for 2004-05.

Torres Strait Regional Authority—Report for 2004-05.

12 DOCUMENT

Mr McGauran (Deputy Leader of the House) presented the following document:

Petition not in accord with standing and sessional orders of the House.

13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—GOVERNING FOR ALL AUSTRALIANS

The House was informed that Mr Beazley (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The need for the Government to govern for all Australians not just a privileged few".

The proposed discussion having received the necessary support—

Mr Beazley addressed the House.

Discussion ensued.

Discussion concluded.

14 DEFENCE LEGISLATION AMENDMENT BILL (NO. 2) 2005—REPORT FROM MAIN COMMITTEE

The Speaker reported that the bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Mr Nairn (Parliamentary Secretary to the Prime Minister), by leave, the bill was read a third time.

15 CENSUS INFORMATION LEGISLATION AMENDMENT BILL 2005—REPORT FROM MAIN COMMITTEE

The Speaker reported that the bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Mr Nairn (Parliamentary Secretary to the Prime Minister), by leave, the bill was read a third time.

16 ADJOURNMENT

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

Debate ensued.

Document

Mr Nairn (Parliamentary Secretary to the Prime Minister), by leave, presented the following document:

Correctional Centre at Hume, ACT—Submission opposing the development application, Mr Nairn, Member for Eden-Monaro, 29 November 2005.

Debate continued.

The House continuing to sit until 5 p.m.—The Speaker adjourned the House until 12.30 p.m. next Monday.

DOCUMENTS

The following documents were deemed to have been presented on 1 December 2005:

Broadcasting Services Act—Determination—2005 Broadcasting Services (Australian Content) Standard [F2005L03716].

Civil Aviation Act—

Civil Aviation Regulations—

Exemption—2005 No. CASA EX52 [F2005L03768].

Instrument—2005 No. CASA 317 [F2005L03719].

Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—2005—29 (2) November [F2005L03820], [F2005L03821].

Commonwealth Electoral Act—Australian Electoral Commission—Certificate pursuant to section 46—17 November 2005.

Customs Act—Orders—

Tariff Concession—2005—25 (18) November [F2005L03744], [F2005L03750], [F2005L03752], [F2005L03754], [F2005L03760], [F2005L03762], [F2005L03771], [F2005L03774], [F2005L03776], [F2005L03777], [F2005L03779], [F2005L03780], [F2005L03781], [F2005L03784], [F2005L03785], [F2005L03788], [F2005L03789], [F2005L03792].

Tariff Concession Revocation—2005 4 October [F2005L03729].

Defence Act—Determinations under section 58B—2005 Nos 50, 51.

Environment Protection and Biodiversity Conservation Act—Instruments under subsection 303DC(1)—28 October 2005 [F2005L03798].

7 November 2005 [F2005L03763].

26 November 2005 [F2005L03848].

27 (2) November 2005 [F2005L03813], [F2005L03814].

28 (8) November 2005 [F2005L03806], [F2005L03810], [F2005L03826], [F2005L03827], [F2005L03828], [F2005L03832], [F2005L03841], [F2005L03842].

29 (8) November 2005 [F2005L03815], [F2005L03819], [F2005L03822], [F2005L03825], [F2005L03836], [F2005L03839], [F2005L03845], [F2005L03846].

30 November 2005 [F2005L03847].

Family Law Act—Rules of court—Select Legislative Instrument—2005 No. 292 [F2005L03838].

National Health Act—

Arrangements under subparagraph 100(1)(b)(i)—2005 No. PB 35 [F2005L03741].

Declaration under subsection 85(2AA)—2005 No. PB 29 [F2005L03722].

Determination under subsection 85B(1)—2005 No. PB 33 [F2005L03725].

Determination under section 93—2005—No. PB 34 [F2005L03724].

Taxation Administration Act—

Determinations—2005 Nos TD 48, TD 49, TD 50, TD 51.

Rulings—2005—

No. CR 105.

Nos PR 111, PR 112, PR 113.

No. SGR 2.

Telecommunications (Consumer Protection and Service Standards) Act—Determination—2005 NRS Levy Formula Modification (No. 1) [F2005L03816].

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Abbott, Mr Albanese, Mr Dutton and Dr Southcott*.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2004-05

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 74

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 1 DECEMBER 2005

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 DEFENCE LEGISLATION AMENDMENT BILL (NO. 2) 2005

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—*And on the amendment moved thereto by Mr McClelland, viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the bill a second reading, the House:

- (1) condemns the Government for its failure to implement in full the recommendations of the Senate Foreign Affairs, Defence and Trade References Committee report on military justice 2005;
- (2) notes that the measures contained in this bill will not be sufficient to address the issues of bullying, harassment, victimisation, intimidation, bias and failure of natural justice which have been revealed so regularly in the last decade; and
- (3) notes that unless the Government properly deals with this matter in a determined fashion, the reputation of Australia's armed forces will continue to be unfairly sullied and remain a deterrent for talented young Australians to join the ADF” —

Debate resumed.

Amendment negatived.

Question—That the bill be now read a second time—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 ENVIRONMENT AND HERITAGE—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 Dr Washer—That the House take note of the document (*presented on 12 September 2005*), viz.:

Environment and Heritage—Standing Committee—Report—Sustainable cities—Final report, August 2005—

Debate resumed.

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

5 CENSUS INFORMATION LEGISLATION AMENDMENT BILL 2005

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.

Suspension of sitting

At 11.41 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 11.58 a.m., the proceedings were resumed.

Debate continued.

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.

6 ADJOURNMENT

Mr Pearce (Parliamentary Secretary to the Treasurer) moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 12.55 p.m. the Deputy Speaker adjourned the Main Committee until 9.30 a.m. on Wednesday, 7 November 2005.

B. C. WRIGHT
Clerk of the Main Committee