

2004-05-06

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 115

MONDAY, 14 AUGUST 2006

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- 1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.
- 2 **AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS**  
Mr L. D. T. Ferguson presented the following document:  
Australian Parliamentary Delegation to the European Institutions and a bilateral visit to Norway (22 April to 6 May 2006)—Report, June 2006.  
Mr L. D. T. Ferguson and Dr Washer made statements in connection with the report.
- 3 **AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER**  
Mrs Moylan presented the following document:  
Australian Parliamentary Delegation to the meeting of the Inter-Parliamentary Working Group on Reform, Geneva (17 and 18 July 2006)—Report, August 2006.  
Mrs Moylan made a statement in connection with the report.
- 4 **FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT**  
Mr Baird presented the following document:  
Foreign Affairs, Defence and Trade—Joint Standing Committee—Australia's response to the Indian Ocean Tsunami—Report, June 2006.  
Ordered to be made a Parliamentary Paper.  
Statements in connection with the report were made.  
The time allotted for making statements on the report having expired—  
Mr Baird moved—That the House take note of the report.  
In accordance with sessional order 39, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.
- 5 **ECONOMICS, FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**  
Mr Baird (Chair) presented the following documents (sent to the Speaker on 7 July 2006, pursuant to standing order 247):  
Economics, Finance and Public Administration—Standing Committee—Review of the Reserve Bank of Australia and Payments System Board Annual Reports 2005 (First Report)—  
Report, June 2006.  
Minutes of proceedings.  
Report ordered to be made a Parliamentary Paper.  
Statements in connection with the report were made.  
The time allotted for making statements on the report having expired—

Mr Baird moved—That the House take note of the report.

In accordance with sessional order 39, the debate was adjourned, and the resumption of the debate made an order of the day for a later hour this day.

Mr Baird moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

**6 TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT**

Dr Southcott (Chair) presented the following document:

Treaties—Joint Standing Committee—Report 75: Treaties tabled on 11 October 2005 (2), 28 February and 28 March 2006 (2)—Report, June 2006.

Ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Dr Southcott moved—That the House take note of the report.

In accordance with sessional order 39, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

**7 INTELLIGENCE AND SECURITY—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS**

Mr Jull (Chair) presented the following document:

Intelligence and Security—Parliamentary Joint Committee—Review of administration and expenditure: Australian intelligence organisations, Number 4—Recruitment and training—Report, August 2006.

Ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

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

Mr Jull presented the following document:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Australia's relationship with the Republic of Korea; and developments on the Korean peninsula—Report, June 2006.

Ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Mr Jull moved—That the House take note of the report.

In accordance with sessional order 39, the debate was adjourned, and the resumption of the debate made an order of the day for a later hour this day.

Mr Jull moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

**9 PAYMENT OF ACCOUNTS BY GOVERNMENT BILL 2006**

Mr Bowen, pursuant to notice, presented a Bill for an Act to require annual reports of departments and agencies to report on the payment of accounts.

Mr Bowen made a statement in relation to the bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 41.

**10 MEMBERS' STATEMENTS**

Members' statements were made.

**11 QUESTIONS**

Questions without notice being asked—

*Member directed to leave*

At 2.16 p.m. the Member for Grayndler (Mr Albanese) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continuing—

*Member directed to leave*

At 2.50 p.m. the Member for Melbourne (Mr Tanner) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continuing—

*Member directed to leave*

At 2.51 p.m. the Member for Lyons (Mr Adams) 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 continued.

**12 DOCUMENTS**

Mr Price, by leave, during a personal explanation, presented the following documents:

Air-conditioning for students of Noumea Primary School, Shalvey, NSW—

Copies of letters from Mr Price to—

Hon Richard Amery MP, Member for Mount Druitt, 4 November 2004.

Prime Minister, John Howard, 17 November 2004.

Copy of letter from year 5 and 6 students at Noumea Primary School to Mr Price, 28 October 2004.

**13 ENERGY INITIATIVES—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF DOCUMENT**

Mr Howard (Prime Minister), by leave, made a ministerial statement on energy initiatives and presented the following document:

Energy Initiatives—Ministerial statement, 14 August 2006.

Mr Abbott (Leader of the House) moved—That the House take note of the document.

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

Mr Abbott, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Beazley (Leader of the Opposition) speaking for a period not exceeding 30 minutes.

Question—put and passed.

Mr Beazley addressed the House.

Debate adjourned (Mr Turnbull—Parliamentary Secretary to the Prime Minister), and the resumption of the debate made an order of the day for the next sitting.

**14 MATTER REFERRED TO MAIN COMMITTEE**

Mr Turnbull (Parliamentary Secretary to the Prime Minister), by leave, moved—That the following order of the day be referred to the Main Committee for debate:

Energy Initiatives—Ministerial statement—Motion to take note of document: Resumption of debate.

Question—put and passed.

**15 WHIP OF THE NATIONALS**

Mr M. A. J. Vaile (Deputy Prime Minister) informed the House that the parliamentary party of The Nationals had appointed Mrs Hull as The Nationals' Whip following the resignation of Mr Forrest.

**16 PETITIONS**

Petitions lodged for presentation were announced.

**17 KOKODA TRACK**

Mr Crean, pursuant to notice, moved—That this House:

- (1) notes that:
  - (a) the Kokoda Track in Papua New Guinea is a place of great historical significance to Australia as the site of one of the great battles in the greater Battle for Australia in the Second World War where many young Australians fought and died in the defence of their country against foreign invasion;
  - (b) there are serious concerns that mining activities along the Track will damage and deface the landscape and deter visitors wishing to pay their respects to those who fought and died, supported by loyal Papuans and New Guineans; and
- (2) calls on the Australian Government and the Minister for Veterans' Affairs to:
  - (a) work with the Government of Papua New Guinea to protect the natural environment and the historical integrity of the Kokoda Track;
  - (b) ensure the safety and enhance the significance of the Track for visitors and walkers by improving the amenities and interpretive materials, and protecting the memorials along the Track; and
  - (c) report back to this House within 12 months on progress in implementing these actions.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

**18 INTEREST RATES**

Mr Beazley (Leader of the Opposition), pursuant to notice, moved—That this House:

- (1) notes that there have been three interest rate rises since the Prime Minister promised the Australian people in 2004 that, if re-elected, he would “keep interest rates at record lows”;
- (2) notes that there have been seven consecutive interest rate rises since 2002;
- (3) notes that the Howard Government has spent a billion dollars advertising itself, a billion dollars on the wrong war in Iraq, hundreds of millions of dollars on regional rorts and half a billion dollars on lawyers and consultants to implement its extreme industrial relations laws;
- (4) notes that, despite spending billions of dollars on itself, the Howard Government has failed to invest in the drivers of national productivity including skills, infrastructure and innovation; and
- (5) calls on the Prime Minister to immediately bring down a mini budget to redirect wasteful spending to invest in these productivity drivers necessary to build the economy's productive capacity and put downward pressure on interest rates.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting, and Mr Ciobo was granted leave to continue his speech when the debate is resumed.

**19 FREIGHT RAIL NETWORK**

Mr Hartsuyker, pursuant to notice, moved—That this House:

- (1) notes the importance of rail in meeting the nation's transport task into the future; and
- (2) is of the view that:
  - (a) as a nation we remain focused on transferring more freight off road and onto rail—particularly on Australia's east coast corridor;
  - (b) we continue to develop an efficient, integrated system, which reflects the necessity for inter-modal links; and
  - (c) strong competition on the freight rail network is encouraged and that competition between different transport industries is maintained.

Debate ensued.

The time allotted for private members' business having expired, the debate was interrupted, the resumption of the debate made an order of the day for the next sitting, and Mr Hayes was granted leave to continue his speech when the debate is resumed.

## 20 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 44, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

The time allotted for the debate having expired—

Question—That grievances be noted—put and passed.

## 21 MESSAGES FROM THE SENATE

Messages from the Senate, 10 August 2006, were reported returning the following bills without amendment:

No. 354—Australian Technical Colleges (Flexibility in Achieving Australia's Skills Needs) Amendment 2006.

No. 355—Trade Practices Amendment (National Access Regime) 2006.

## 22 PETROLEUM RETAIL LEGISLATION REPEAL BILL 2006

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 M. J. Ferguson, 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) calls on the Government to require the Department of Industry, Tourism and Resources to report to the Parliament annually, commencing in August 2007, on the measures taken and the progress made to:
  - (a) increase market penetration of ethanol and biodiesel, LPG and CNG, including the number and location of service stations and the names of the companies offering these products on their retail sites;
  - (b) secure new investment in biofuel, LPG and CNG production and supply infrastructure in Australia; and
  - (c) secure investment in new alternative transport fuel industries in Australia, including gas and coal to liquids;
- (2) calls on the Government to review, in 2009, the proposal to introduce excise on ethanol and biodiesel, LPG and CNG in 2011, and consider whether or not there is a case for delaying the introduction of excise, depending on the progress made:
  - (a) in increasing market penetration of biofuels, LPG and CNG;
  - (b) in securing new investment in biofuel, LPG and CNG production and supply infrastructure in Australia; and
  - (c) towards achieving the 350 million litre biofuels target in 2010;
- (3) criticises the Government for:
  - (a) its tardiness in moving on petrol retail reform;
  - (b) bypassing due parliamentary process in introducing a regulation to “undeclare” companies under the Sites Act;
  - (c) failing to introduce amendments to the TPA to implement the 2003 Dawson and 2004 Senate recommendations for reform; and
  - (d) failing to act to reduce Australia's dependence on foreign oil and improve its transport fuel security;
- (4) calls on the Government to immediately conduct a feasibility study into a gas to liquids fuels plant in Australia, including:
  - (a) consideration of Petroleum Resources Rent tax incentives for developers of gas fields which provide resources for gas to liquid fuels projects;

- (b) examining a new infrastructure investment allowance for investment in Australian gas to liquids infrastructure; and
- (c) developing a targeted funding scheme for research and development in this area;
- (5) calls on the Government to immediately embrace Labor's Fuels Blueprint proposal to:
  - (a) make alternative fuel vehicles tariff free, cutting up to \$2000 off the price of current hybrid cars; and
  - (b) grant tax rebates for converting petrol cars to LPG; and
- (6) calls on the Government to immediately embrace Labor's Fuels Blueprint to find more oil and use more gas by:
  - (a) re-examining the depreciation regime for gas production infrastructure; and
  - (b) allowing the selective use of flow-through share schemes for smaller operators".

Debate resumed.

Debate adjourned (Mr Hunt—Parliamentary Secretary to the Minister for the Environment and Heritage), and the resumption of the debate made an order of the day for the next sitting.

### 23 PRIVILEGE—STATEMENT BY SPEAKER

The Speaker referred to a matter raised on 10 August 2006 by the Leader of the Opposition and the Members for Ballarat and Chisholm concerning whether privilege was breached by the Minister for Education, Science and Training disclosing to the House the content of correspondence Members had had with her in relation to infrastructure projects in schools in the Members' electorates.

The Speaker stated that the House Committee of Privileges in its report on the records and correspondence of Members had noted that there was no general protection of privilege afforded to the correspondence of Members, including their correspondence with Ministers. He further stated that the Committee of Privileges had also noted the special nature of the correspondence between Members and Ministers which could go to very sensitive matters raised by the Members on behalf of constituents. The Speaker said that while there was no legal impediment to disclosure in such cases, judgements should be made by individual Members as to whether disclosure could damage the trust that is placed by constituents in having Members make representations on their behalf.

The Speaker stated that in this particular case, he did not consider that the Minister's disclosure of the contents of representations made to her by the Members concerned was designed to interfere with their ability to raise such matters in the future. He therefore did not consider a prima facie case had been made such as would permit precedence being given to a motion concerning these matters.

### 24 ADJOURNMENT

It being past 9 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 9.30 p.m.—The Speaker adjourned the House until 2 p.m. tomorrow.

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### DOCUMENTS

The following documents were deemed to have been presented on 14 August 2006:

A New Tax System (Goods and Services Tax) Act—Determination—2006 A New Tax System (Goods and Services Tax) Act Simplified Accounting Method (No. 1) [F2005L02632].

Broadcasting Services Act—Variation—2006 Licence area plan for Wagga Wagga radio—No. 1 [F2006L02610].

Corporations Act—Declaration under paragraph 1020F(1)(c)—Australian Securities and Investments Commission—Class Order CO 06/636 [F2005L02636].

Currency Act—Determination—2006 Currency (Perth Mint) (No. 2) [F2006L02668].

Customs Act—Tariff Concession Orders—2006 4 (14) August [F2006L02620], [F2006L02621], [F2006L02622], [F2006L02623], [F2006L02624], [F2006L02625], [F2006L02641], [F2006L02642], [F2006L02643], [F2006L02648], [F2006L02649], [F2006L02650], [F2006L02651], [F2006L02652].

Farm Household Support Act—Regulations—Select Legislative Instrument—2006 No. 205 [F2005L02560].

Judiciary Act—Rules of Court—Select Legislative Instrument—2006 No. 218 [F2006L02612].

Marriage Act—Regulations—Select Legislative Instrument—2006 No. 208 [F2006L02600].

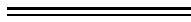
Migration Act—Statement under subsection 91L(3)—2006 27 June.

Proceeds of Crime Act—Regulations—Select Legislative Instrument—2006 No. 209 [F2006L02566].

Therapeutic Goods Act—Regulations—Select Legislative Instruments—2006 Nos 212, 214 [F2006L02573], [F2006L02575].

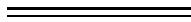
Therapeutic Goods (Charges) Act—Regulations—Select Legislative Instrument—2006 No. 213 [F2005L02570].

Trade Practices Act—Regulations—Select Legislative Instrument—2006 No. 217 [F2006L02635].



**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Byrne, Mrs Draper, Mrs Ley and Mrs D. S. Vale.



**I. C. HARRIS**  
Clerk of the House of Representatives

2004-05-06

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 115

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

MONDAY, 14 AUGUST 2006

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1 The Main Committee met at 4 p.m.

**2 CORPORATIONS AND FINANCIAL SERVICES—PARLIAMENTARY JOINT COMMITTEE—REPORT—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 A. E. Burke—That the House take note of the document (*presented on 21 June 2006*), viz.:

Corporations and Financial Services—Parliamentary Joint Committee—Corporate responsibility: Managing risk and creating value—Report, June 2006—

Debate resumed.

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

**3 ECONOMICS, FINANCE AND PUBLIC ADMINISTRATION—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 Mr Baird—That the House take note of the document (*presented on 14 August 2006*), viz.:

Economics, Finance and Public Administration—Standing Committee—Review of the Reserve Bank and Payment System Board Annual Reports 2005—First report, June 2006—

Debate resumed.

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

**4 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT 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 Mr Jull—That the House take note of the document (*presented on 14 August 2006*), viz.:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Australia's relationship with the Republic of Korea; and developments on the Korean peninsula—Report, June 2006—

Debate resumed.

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

**5 AUSTRALIAN DEFENCE FORCE COMMITMENT TO AFGHANISTAN—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF DOCUMENT**

The order of the day having been read for the resumption of the debate on the motion of Mr Abbott (Leader of the House)—That the House take note of the document (*presented on 9 August 2006*), viz.:

Australian Defence Force commitment to Afghanistan—Ministerial Statement—

Debate resumed.

Mr Danby was granted leave to continue his speech when the debate is resumed.



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

**6 ADJOURNMENT**

On the motion of Mr Neville, the Main Committee adjourned at 6 p.m.

The Deputy Speaker fixed 9.30 a.m. on Wednesday, 16 August 2006, for the next meeting of the Main Committee.



**B. C. WRIGHT**  
Clerk of the Main Committee