

2004-05-06

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 141

WEDNESDAY, 29 NOVEMBER 2006

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

2 STANDING AND SESSIONAL ORDERS—AMENDMENTS

Mr Abbott (Leader of the House), pursuant to notice, moved—That:

(1) the following sessional orders be adopted as permanent standing orders:

(a) In standing order 1, Maximum speaking times, the section of the table headed *Committee and delegation reports on Mondays* be:

<i>Committee and delegation reports on Mondays in the House</i>	10 mins maximum, as allotted by the Selection Committee
Each Member	
<i>in the Main Committee</i>	10 mins
Each Member	
<i>(standing orders 39, 40, 192(b))</i>	

(b) In standing order 1, **Maximum speaking times**, after the section of the table headed *Condolence motion*, the following be inserted:

Dissent motion	30 mins
Whole debate	10 mins
Mover	5 mins
Secunder	10 mins
Member next speaking	5 mins
Any other Member	
<i>(standing order 87)</i>	

(c) Standing order 39:

39 Presentation of reports

(a) Members can present reports of committees or delegations:

- (i) as agreed by the Selection Committee, following prayers on Mondays; or
- (ii) at any time when other business is not before the House.

(b) Members can make statements in relation to these reports:

- (i) during the special set period on Mondays (*standing order 34*); the Selection Committee shall set time limits for statements, of not more than 10 minutes for each Member; or
- (ii) at any other time, by leave of the House.

(c) The Member presenting a report may move without notice, a specific motion in relation to the report. When a report has been presented on Monday under paragraph (a)(i) debate on the question shall be adjourned to a later hour and a motion may be moved that the report be referred to the Main Committee. In other cases debate shall be adjourned to a future day.

(d) Standing order 40:

40 Resumption of debate on reports

- (a) After presentation of reports on Mondays proceedings may be resumed on motions in relation to committee and delegation reports moved on an earlier day.
- (b) For debate in accordance with paragraph (a) the Selection Committee shall set:
 - (i) the order in which motions are to be considered;
 - (ii) time limits for the whole debate; and
 - (iii) time limits for each Member speaking, of not more than 10 minutes.
- (c) During the period provided by *standing order 192* proceedings may be resumed in the Main Committee on motions in relation to committee and delegation reports referred that day or on an earlier day.

(e) Standing order 187:

187 Maintenance of order

- (a) In the Main Committee the Deputy Speaker has the same responsibility for the preservation of order as the Speaker has in the House.
- (b) If disorder occurs in the Committee, the Deputy Speaker:
 - (i) may direct the Member or Members concerned to leave the room for a period of 15 minutes [standing order 94(e) (exclusion from Chamber, etc.) does not apply]; or
 - (ii) may, or on motion moved without notice by any Member must, suspend or adjourn the sitting. If the sitting is adjourned, any business under discussion and not disposed of at the time of the adjournment shall be set down on the Notice Paper for the next sitting.
- (c) Following a suspension or adjournment of the Committee or a refusal of a Member to leave when so directed under paragraph (b), the Deputy Speaker must report the disorder to the House.
- (d) The Deputy Speaker may report the conduct of a Member whether or not action has been taken under paragraph (b).
- (e) Any subsequent action against a Member under *standing order 94 (sanctions against disorderly conduct)* may only be taken in the House.

(f) Standing order 190:

190 General rules for suspensions and adjournments of the Main Committee

The following general rules apply to meetings of the Main Committee:

- (a) The Deputy Speaker must suspend proceedings in the Committee to enable Members to attend divisions in the House.
- (b) If a quorum is not present the Deputy Speaker must immediately suspend proceedings until a stated time, or adjourn the Committee.
- (c) If the House adjourns, the Deputy Speaker must interrupt the business before the Committee and immediately adjourn the Committee.
- (d) The Committee need not adjourn between items of business, nor during a suspension of the House.
- (e) The Committee shall stand adjourned at 6 pm, unless otherwise ordered, when the Committee meets on Mondays in accordance with standing order 192(b), or on completion of all matters referred to it, or may be adjourned on motion moved without notice by any Member—

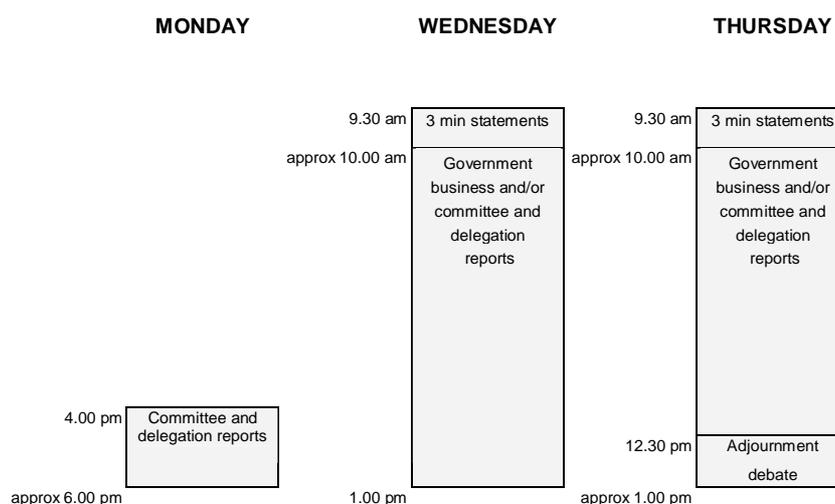
That the Committee do now adjourn.

- (f) No amendment may be moved to the question.

(g) Standing order 192:

192 Main Committee's order of business

- (a) If the Committee meets on a Wednesday or Thursday the normal order of business is set out in figure 4.
- (b) On sitting Mondays the Committee shall meet from 4 pm to 6 pm if required to consider orders of the day relating to committee and delegation reports in accordance with *standing order 40 (resumption of debate on reports)*.

Figure 4 Main Committee order of business

The sitting times of the Main Committee are set by the Deputy Speaker and are subject to change. Additional sittings may be scheduled if required. Adjournment debates can occur on days other than Thursdays by agreement between the whips.

(h) Standing order 193:

193 Members' three minute statements

If the Main Committee meets before 10 am the first item of business shall be statements by Members. The Deputy Speaker may call a Member, including a Parliamentary Secretary but not a Minister, to make a statement for no longer than three minutes. The period for Members' statements may continue for 30 minutes, irrespective of suspensions for divisions in the House.

(i) Standing order 77:

77 Anticipating discussion

During a debate, a Member may not anticipate the discussion of a subject listed on the Notice Paper and expected to be debated on the same or next sitting day. In determining whether a discussion is out of order the Speaker should not prevent incidental reference to a subject.

- (2) standing orders 100(f) and 248 be deleted;
- (3) a new standing order 40A be inserted, as follows:

40A Removal of committee and delegation reports orders of the day

The Clerk shall remove from the Notice Paper an order of the day relating to committee and delegation reports which has not been called on for eight consecutive sitting Mondays.

- (4) standing order 18(a) be amended to read:

18(a) If the Speaker is absent the Deputy Speaker shall be the Acting Speaker. If both the Speaker and the Deputy Speaker are absent, the Second Deputy Speaker shall be the Acting Speaker.

- (5) standing order 41(d) be amended to read:

41(d) When each notice is called on by the Clerk, the Member in whose name the notice stands may present the bill, together with an explanatory memorandum (if available), and may speak to the bill for no longer than 5 minutes. The bill shall be then read a first time and the motion for the second reading shall be set down on the Notice Paper for the next sitting.

- (6) standing order 2, definition of area of Members' seats be amended to read:

area of Members' seats means the area of seats on the floor of the Chamber reserved for Members. It does not include seats in the advisers' box or special galleries, but does include the seat where the Serjeant-at-Arms usually sits. The expression is used in *standing orders 128 and 129 (divisions)*. See *figure 1*.

- (7) unless otherwise ordered, the following amendments to the standing orders be adopted to operate from the commencement of sittings in 2007 until the end of June 2007:

- (a) Insert in standing order 39:

39(d) (i) Delegation reports may also be presented to the Speaker at any time. Delegation reports thus presented are deemed to have been presented to the House on the next sitting day following presentation, and ordered listed as separate orders of the day on the Notice Paper under Main Committee, committee and delegation reports, for debate during the period provided by *standing order 192(b)*.

(ii) Debate on the delegation reports orders of the day will have priority over all other reports on the next sitting Monday in the Main Committee unless otherwise determined by the Selection Committee.

(b) Insert in standing order 1, **Maximum speaking times**, in the section of the table headed **Committee and delegation reports on Mondays**:

<i>Delegation reports deemed presented (in accordance with sessional order 39(d)(i)) in the Main Committee</i> Two Members	5 mins each
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Debate ensued.

Question—put and passed.

3 AIRSPACE BILL 2006

Mrs D. M. Kelly (Parliamentary Secretary to the Minister for Transport and Regional Services), for Mr M. A. J. Vaile (Minister for Transport and Regional Services), pursuant to notice, presented a Bill for an Act relating to airspace administration and regulation, and for related purposes.

Document

Mrs D. M. Kelly presented an explanatory memorandum to the bill.

Bill read a first time.

Mrs D. M. Kelly moved—That the bill be now read a second time.

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

4 AIRSPACE (CONSEQUENTIALS AND OTHER MEASURES) BILL 2006

Mrs D. M. Kelly (Parliamentary Secretary to the Minister for Transport and Regional Services), for Mr M. A. J. Vaile (Minister for Transport and Regional Services), pursuant to notice, presented a Bill for an Act to provide for consequential matters relating to the enactment of the *Airspace Act 2006*, and for other purposes.

Document

Mrs D. M. Kelly presented an explanatory memorandum to the bill.

Bill read a first time.

Mrs D. M. Kelly moved—That the bill be now read a second time.

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

5 CUSTOMS TARIFF AMENDMENT (INCORPORATION OF PROPOSALS) BILL 2006

Mr Ruddock (Attorney-General) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

Document

Mr Ruddock presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Ruddock moved—That the bill be now read a second time.

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

6 AUSTRALIAN ENERGY MARKET AMENDMENT (GAS LEGISLATION) BILL 2006

Mr Macfarlane (Minister for Industry, Tourism and Resources), pursuant to notice, presented a Bill for an Act to amend the law relating to gas, and for other purposes.

Document

Mr Macfarlane presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Macfarlane moved—That the bill be now read a second time.

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

7 ENERGY EFFICIENCY OPPORTUNITIES AMENDMENT BILL 2006

Mr Macfarlane (Minister for Industry, Tourism and Resources), pursuant to notice, presented a Bill for an Act to amend the *Energy Efficiency Opportunities Act 2006*, and for related purposes.

Document

Mr Macfarlane presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Macfarlane moved—That the bill be now read a second time.

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

8 COMMONWEALTH RADIOACTIVE WASTE MANAGEMENT LEGISLATION AMENDMENT 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—

Debate resumed by Ms Macklin (Deputy Leader of the Opposition) who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the House:

- (1) refuses the bill a second reading, because of the Howard Government’s:
 - (a) continuing arrogant approach imposing a nuclear waste dump on the people of the Northern Territory without proper scientific assessment and consultation processes;
 - (b) broken election commitments to not locate a waste dump in the Northern Territory;
 - (c) overriding of many Federal, State and Territory legal protections, rights and safeguards;
 - (d) destruction of any recourse to procedural fairness provisions for anyone wishing to challenge the Minister’s decision to impose a waste dump on the people of the Northern Territory;
 - (e) continuing and aggravated disregard of the International Atomic Energy Commission’s recommendations on good social practices like consultation and transparency in relation to nuclear waste; and
 - (f) failure to deliver a national waste repository after ten long years in government; and
- (2) in light of the Howard Government’s imposition of a nuclear waste dump on the Northern Territory community, and the recent High Court decision in the Workchoices case, expresses deep concern that the Howard Government will override community objections and State and Territory laws to impose nuclear reactors and high level nuclear waste dumps on local communities across Australia”.

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.

The House divided (the Deputy Speaker, Mrs B. K. Bishop, in the Chair)—

AYES, 78

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

NOES, 57

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

* 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, Mrs B. K. Bishop, in the Chair)—

AYES, 79

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

NOES, 57

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

* Tellers

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

Leave granted for third reading to be moved immediately.

On the motion of Ms J. Bishop (Minister for Education, Science and Training), the bill was read a third time.

9 DEFENCE LEGISLATION AMENDMENT 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—

Debate resumed by Mr McClelland who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “while not declining a second reading for this bill, the House believes that as the provisions for the establishment of an Australian Military Court are not in line with Chapter 3 of the Constitution as recommended by the Senate Foreign Affairs, Defence and Trade References Committee report of June 2005, and as the appointments to the court and juries are restricted to serving military personnel, the new court can never be separate from the chain of command and the provisions of the Bill therefore maintain the longstanding unsatisfactory compromise

which denies the true independence, fairness and objectivity essential for the proper functioning of the military justice system”.

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.

10 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 2.13 p.m. the Member for Denison (Mr Kerr) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and he accordingly left the Chamber.

Questions without notice continuing—

Document

Mr Albanese, by leave, presented the following document:

Water recovery—Progress report—Extract from “The Living Murray” website, 29 November 2006.

Questions without notice continuing—

Member directed to leave

At 2.25 p.m. the Member for Sydney (Ms Plibersek) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given by the Chair, and she accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 2.43 p.m. the Member for Lingiari (Mr Snowdon) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and he accordingly left the Chamber.

Questions without notice continuing—

Speaker’s ruling

The Speaker having ruled a question by Mr S. F. Smith out of order—

Dissent from ruling moved

Mr S. F. Smith moved—That the ruling be dissented from.

Debate ensued.

Question—put.

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

AYES, 56

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

NOES, 82

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

* Tellers

And so it was negatived.

Questions without notice concluded.

11 DOCUMENTS

The following documents were presented:

Australian Vocational and Technical Education System—National Report to Parliament for 2005.

Defence Force Remuneration Tribunal—Report for 2005-06.

Indigenous Business Australia—Report for 2005-06.

Migration Act 1958—Section 486O—Assessment of detention arrangements—

Government response to the Commonwealth Ombudsman's statements—Personal identifiers 074/06 to 081/06.

Reports by the Commonwealth Ombudsman—Personal identifiers 074/06 to 081/06.

12 DOCUMENT—MOTION TO TAKE NOTE OF DOCUMENT

Mr McGauran (Deputy Leader of the House) moved—That the House take note of the following document:

Australian Vocational and Technical Education System—National Report to Parliament for 2005.

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

13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIAN WHEAT INDUSTRY

The House was informed that both Mr S. F. Smith and Mr Windsor had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 46, the Speaker had given priority to the matter proposed by Mr Windsor, namely, "The future of the Australian wheat industry".

The proposed discussion having received the necessary support—

Mr Windsor addressed the House.

Discussion ensued.

Discussion concluded.

14 BILL REFERRED TO MAIN COMMITTEE

Mr Bartlett (Chief Government Whip), by leave, moved—That the Environment and Heritage Legislation Amendment (Antarctic Seals and Other Measures) Bill 2006 be referred to the Main Committee for further consideration.

Question—put and passed.

15 DATACASTING TRANSMITTER LICENCE FEES BILL 2006—REPORT FROM MAIN COMMITTEE

The Deputy 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 Ms Gambaro (Parliamentary Secretary—Foreign Affairs), by leave, the bill was read a third time.

16 BROADCASTING SERVICES AMENDMENT (COLLECTION OF DATACASTING TRANSMITTER LICENCE FEES) BILL 2006—REPORT FROM MAIN COMMITTEE

The Deputy 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 Ms Gambaro (Parliamentary Secretary—Foreign Affairs), by leave, the bill was read a third time.

17 AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION AMENDMENT (AUDIT INSPECTION) BILL 2006—REPORT FROM MAIN COMMITTEE

The Deputy 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 Ms Gambaro (Parliamentary Secretary—Foreign Affairs), by leave, the bill was read a third time.

18 DEFENCE LEGISLATION AMENDMENT 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 McClelland, (see item No. 9, page 1603)—*

Debate resumed.

Amendment negatived.

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

Consideration in detail

Bill, by leave, taken as a whole.

Document

Mr Billson (Minister Assisting the Minister for Defence) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Billson, by leave, Government amendments (1) to (40) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Billson, by leave, the bill was read a third time.

19 MESSAGE FROM THE SENATE—FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (2006 BUDGET MEASURES) BILL 2006

Message No. 421, 28 November 2006, from the Senate was reported returning the Families, Community Services and Indigenous Affairs and Veterans' Affairs Legislation Amendment (2006 Budget Measures) Bill 2006 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Mr Cobb (Minister for Community Services), the amendments were agreed to.

20 MIGRATION AMENDMENT (EMPLOYER SANCTIONS) BILL 2006

The order of the day having been read for the second reading—

Document

Mr Robb (Parliamentary Secretary—Immigration and Multicultural Affairs) presented an explanatory memorandum to the bill.

Mr Robb moved—That the bill be now read a second time.

Mr A. S. Burke 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 is of the opinion that:

- (1) the Government has failed for more than six years to introduce sanctions for employers who employ unlawful non-citizens and individuals with work restrictions, despite a 1999 Government commissioned inquiry recommending it do so;
- (2) the bill fails to address the need for higher penalties for employers who are repeat offenders under the legislation; and
- (3) the legislation’s bar on employer culpability may be too low, the reference to ‘the person knows that, or is reckless as to whether, the worker is an unlawful non-citizen’ is sufficiently reserved that it may prove difficult to successfully bring sanctions against an employer”.

Debate continued.

Mr Baird addressing the House—

21 ADJOURNMENT

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Deputy Speaker adjourned the House until 9 a.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 29 November 2006:

Australian Prudential Regulation Authority Act—Determination under section 57—(Confidentiality) No. 14, 23 November 2006 [F2006L03853].

Australian Research Council Act—Determinations—2006 Nos 32, 33, 34, 35, 36, 37, 38, 39.

Banking Act—Determination—2006 Banking (prudential standard) No. 14 [F2006L03823].

Broadcasting Services Act—Variation—2006 Licence area plans for Perth radio—No. 1 [F2006L03776].

Civil Aviation Act—

Civil Aviation Regulations—

Exemption—2006 No. CASA EX63 [F2006L03671].

Instrument—2006 No. CASA 422 [F2006L03706].

Civil Aviation Safety Regulations—Airworthiness Directives—

Part 39-105—2006—

7 November [F2006L03842].

8 (5) November [F2006L03840], [F2006L03845], [F2006L03846], [F2006L03851], [F2006L03852].

9 (3) November [F2006L03841], [F2006L03843], [F2006L03844].

23 (6) November [F2006L03855], [F2006L03874], [F2006L03875], [F2006L03876], [F2006L03877], [F2006L03878].

24 (2) November [F2006L03856], [F2006L03880].

Part 39-106—23 November 2006 [F2006L03881].

Customs Act—Tariff Concession Orders—24 (8) November 2006 [F2006L03861], [F2006L03862], [F2006L03864], [F2006L03865], [F2006L03867], [F2006L03868], [F2006L03869], [F2006L03871].

Education Services for Overseas Students Act—Determination under section 59—2007 Contributions criteria [F2006L03698].

Environment Protection and Biodiversity Conservation Act—Instrument under section 184(1)(a)—10 November 2006 [F2006L03838].

Fisheries Management Act—

Southern and Eastern Scalefish and Shark Fishery Management Plan 2003—Temporary Order—2006, No. 2 [F2006L03870].

Southern Squid Jig Fishery Management Plan 2005—Determination—2006 Total allowable effort [F2005L03832].

Gene Technology Act—Determination under section 78—27 November 2006 [F2006L03771].

Industry Research and Development Act—Direction—2006 Innovation investment fund program, Round three, No. 1 [F2006L03854].

Insurance Act—Determination—2006 Insurance (prudential standard) No. 10 [F2006L03826].

Life Insurance Act—Determination—2006 Life insurance (prudential standard) No. 4 [F2006L03831].

Migration Act—Migration Regulations—Instruments—2006—

Arrangements for work and holiday visa applicants from Thailand, Iran, Chile and Turkey [F2006L03828].

Travel agents for PRC citizens applying for tourist visas, No. IMMI 06/082 [F2006L03857].

National Health Act—Determination under paragraph 98B(1)(a)—2006 Pharmaceutical Benefits Amendment No. 3 [F2006L03873].



ATTENDANCE

All Members attended (at some time during the sitting) except Mrs Draper, Ms Livermore, Dr Nelson, Mr Pearce and Mr Ticehurst.



I. C. HARRIS

Clerk of the House of Representatives

2004-05-06

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 141

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 29 NOVEMBER 2006

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 DATACASTING TRANSMITTER LICENCE FEES 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—

Debate resumed.

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.

4 BROADCASTING SERVICES AMENDMENT (COLLECTION OF DATACASTING TRANSMITTER LICENCE FEES) 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—

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.

5 AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION AMENDMENT (AUDIT INSPECTION) 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—

Debate resumed.

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 REPORT OF THE INQUIRY INTO CERTAIN AUSTRALIAN COMPANIES IN RELATION TO THE UN OIL-FOR-FOOD PROGRAMME—MOTION TO TAKE NOTE OF DOCUMENTS

The order of the day having been read for the resumption of the debate on the motion of Mr McGauran—That the House take note of the documents (*presented on 27 November 2006*), viz.—

Report of the inquiry into certain Australian companies in relation to the UN Oil-for-food Programme, November 2006—

Debate resumed.

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

7 ADJOURNMENT

Mr Neville moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 12.46 p.m., the Deputy Speaker adjourned the Main Committee until 9.30 a.m. tomorrow.



B. C. WRIGHT
Clerk of the Main Committee