

2004-05-06-07

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 162

TUESDAY, 27 MARCH 2007

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

2 QUESTIONS

Questions without notice were asked.

3 DOCUMENTS

The following documents were presented:

Australian Radiation Protection and Nuclear Safety Agency—Report for 2005-06—Correction.

Medical Indemnity Act—Report by the Australian Government Actuary on the costs of the Australian Government's run-off cover scheme for medical indemnity insurers for 2005-06.

Superannuation (Government Co-contribution for Low Income Earners) Act—Quarterly report on the operation of the Act for the period 1 October to 31 December 2006.

Sydney Airport Demand Management Act—Quarterly report on movement cap for Sydney airport for the period 1 October to 31 December 2006.

Treaties—*Multilateral—Text, together with national interest analysis, regulation impact statement and annexures*—Agreement concerning the establishing of global technical regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles, done at Geneva on 28 June 1998.

4 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Australian Radiation Protection and Nuclear Safety Agency—Report for 2005-06—Correction.

Medical Indemnity Act—Report by the Australian Government Actuary on the costs of the Australian Government's run-off cover scheme for medical indemnity insurers for 2005-06.

Sydney Airport Demand Management Act—Quarterly report on movement cap for Sydney airport for the period 1 October to 31 December 2006.

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

5 DOCUMENT

Mr Pyne (Minister for Ageing) presented the following document:

Aged care—Review of place allocation decision—2006 aged care approvals round—Queensland south coast region.

6 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PROSPERITY OF AUSTRALIAN FAMILIES

The House was informed that Mr Rudd had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's failure to establish the foundation for the long term prosperity of Australian families".

The proposed discussion having received the necessary support—

Mr Rudd addressed the House.

Discussion ensued.

The time allotted under sessional order No. 1 having expired, the discussion was interrupted.

7 MESSAGE FROM THE SENATE—NATIVE TITLE AMENDMENT BILL 2006

Message No. 495, 26 March 2007, from the Senate was reported returning the Native Title Amendment Bill 2006 with amendments.

Ordered—That the amendments be considered at the next sitting.

8 COMMITTEES—MEMBERSHIP

The House was informed that the Chief Opposition Whip had nominated Members to be members of certain committees.

Mrs Ley (Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry), by leave, moved—That:

- (1) Ms A. E. Burke be discharged from the Committee of Privileges and that, in her place, Ms A. L. Ellis be appointed a member of the committee; and
- (2) Ms Hall and Mr Wilkie be appointed members of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity.

Question—put and passed.

9 MIGRATION AMENDMENT (BORDER INTEGRITY) 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.

Consideration in detail

Bill, by leave, taken as a whole.

Document

Mr Andrews (Minister for Immigration and Citizenship) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Andrews, by leave, Government amendments (1) to (12) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

10 PRIVATE HEALTH INSURANCE (REINSURANCE TRUST FUND LEVY) AMENDMENT BILL 2006—SENATE'S REQUESTS

The order of the day having been read for the consideration of the amendments requested by the Senate—

On the motion of Mr Lindsay (Parliamentary Secretary to the Minister for Defence), the requested amendments were made, after debate.

11 PRIVATE HEALTH INSURANCE BILL 2006—SENATE'S AMENDMENTS

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

On the motion of Mr Lindsay (Parliamentary Secretary to the Minister for Defence), the amendments were agreed to, after debate.

12 PRIVATE HEALTH INSURANCE (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 2006—SENATE'S AMENDMENTS

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

On the motion of Mr Lindsay (Parliamentary Secretary to the Minister for Defence), the amendments were agreed to, after debate.

13 AGED CARE AMENDMENT (SECURITY AND PROTECTION) BILL 2007—SENATE'S AMENDMENT

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

On the motion of Mr Lindsay (Parliamentary Secretary to the Minister for Defence), the amendment was agreed to, after debate.

14 AGED CARE—REVIEW OF PLACE ALLOCATION DECISION—2006 AGED CARE APPROVALS ROUND—QUEENSLAND SOUTH COAST REGION—STATEMENT BY MINISTER

Mr Pyne (Minister for Ageing), by leave, made a statement in relation to a document he tabled earlier today (*see item No 5, page 1807*), viz.—

Aged care—Review of place allocation decision—2006 aged care approvals round—Queensland south coast region.

Ms Roxon, by leave, also made a statement on the matter.

Suspension of standing and sessional orders moved

Ms Roxon moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Gellibrand from moving the following motion: That this House rejects the inadequate and rushed report of the Minister for Ageing into the allocation of aged care beds in Queensland by the former Minister for Ageing, Senator Santoro, and calls for a proper independent inquiry which investigates the probity of the allocation of bed licences and receives appropriate external advice.

Mr Albanese (seconder) addressing the House—

Closure of Member

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

Question—put.

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

AYES, 80

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

NOES, 54

Mr Adams	Mr Emerson	Ms Hoare	Mr Quick
Mr Albanese	Mr L. D. T. Ferguson	Mrs Irwin	Mr Ripoll
Mr Andren	Mr M. J. Ferguson	Mr Kerr	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Ms King	Mr Sawford
Ms Bird	Mr Garrett	Ms Livermore	Mr Sercombe
Mr A. S. Burke	Mr Georganas	Ms Macklin	Mr S. F. Smith
Mr Byrne	Ms George	Mr McMullan	Mr Snowdon
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
Ms A. L. Ellis	Mr Hatton	Ms Plibersek	
Ms K. M. Ellis	Mr Hayes	Mr Price	

* Tellers

And so it was resolved in the affirmative.

Closure

Mr Pyne moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 80

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

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Mr Adams	Mr Emerson	Ms Hoare	Mr Quick
Mr Albanese	Mr L. D. T. Ferguson	Mrs Irwin	Mr Ripoll
Mr Andren	Mr M. J. Ferguson	Mr Kerr	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Ms King	Mr Sawford
Ms Bird	Mr Garrett	Ms Livermore	Mr Sercombe
Mr A. S. Burke	Mr Georganas	Ms Macklin	Mr S. F. Smith
Mr Byrne	Ms George	Mr McMullan	Mr Snowdon
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
Ms A. L. Ellis	Mr Hatton	Ms Plibersek	
Ms K. M. Ellis	Mr Hayes	Mr Price	

* Tellers

And so it was resolved in the affirmative.

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

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

AYES, 54

Mr Adams	Mr Emerson	Ms Hoare	Mr Quick
Mr Albanese	Mr L. D. T. Ferguson	Mrs Irwin	Mr Ripoll
Mr Andren	Mr M. J. Ferguson	Mr Kerr	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Ms King	Mr Sawford
Ms Bird	Mr Garrett	Ms Livermore	Mr Sercombe
Mr A. S. Burke	Mr Georganas	Ms Macklin	Mr S. F. Smith
Mr Byrne	Ms George	Mr McMullan	Mr Snowdon
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
Ms A. L. Ellis	Mr Hatton	Ms Plibersek	
Ms K. M. Ellis	Mr Hayes	Mr Price	

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Mr Anderson	Mr Farmer	Mr Laming	Mr Scott
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Mr Baldwin	Mrs Gash	Mr McGauran	Dr Southcott
Mr Barresi	Mr Georgiou	Mrs Markus	Dr Stone
Mr Bartlett	Mr Haase	Mrs May	Mr C. P. Thompson
Mr Billson	Mr Hardgrave	Mrs Mirabella	Mr Ticehurst
Mrs B. K. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Tollner
Mr Broadbent	Mr Henry	Dr Nelson	Mr Truss
Mr Brough	Mr Hockey	Mr Neville	Mr Tuckey
Mr Cadman	Mrs Hull*	Mr Pearce	Mr Turnbull
Mr Ciobo	Mr Hunt	Mr Prosser	Mr M. A. J. Vaile
Mr Cobb	Dr Jensen	Mr Pyne	Mrs D. S. Vale
Mr Downer	Mr Johnson	Mr Randall	Mr Vasta
Mrs Draper	Mr Jull	Mr Richardson	Mr Wakelin
Mr Dutton	Mr Keenan	Mr Robb	Dr Washer
Mrs Elson	Mrs D. M. Kelly	Mr Ruddock	Mr Windsor
Mr Entsch	Jackie Kelly	Mr Schultz	Mr Wood

* Tellers

And so it was negatived.

15 HIGHER EDUCATION LEGISLATION AMENDMENT (2007 MEASURES NO. 1) BILL 2007

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 S. F. Smith 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 notes that while assessing the quality and effectiveness of university research is a necessary and desirable public policy objective:

- (1) any initiative in this area must be robust, rigorous and support an open and transparent process of peer review;
- (2) as proposed by the Government, the Research Quality Framework (RQF) is likely to constitute a disincentive to undertake long-term, basic research;
- (3) the university sector has assessed that the RQF would reduce research links with industry and lessen collegiate efforts among researchers and academics from different universities;
- (4) essential aspects and details of the scheme are yet to be worked out, so that implementation for 2008 is in serious doubt;
- (5) the cost and other resources involved in the assessment and reporting processes mean that the Government’s proposed RQF risks preventing breakthrough research from occurring by being overly bureaucratic for too little year on year return; and
- (6) the RQF measures and processes as set out in the bill should not be proceeded with, and should be replaced by a model that is fair, equitable, tailored to different disciplines and international best practice”.

Debate continued.

Mr Bartlett (Chief Government Whip) 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.

16 MAIN COMMITTEE BUSINESS

Mr Bartlett (Chief Government Whip), by leave, moved—That unless otherwise ordered, for the Main Committee meeting tomorrow, Members' 3 minute statements shall continue for a period of 90 minutes, irrespective of suspensions for divisions in the House.

Question—put and passed.

17 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 9 a.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 27 March 2007:

Higher Education Support Act—Funding Agreements under section 30-25—

Australian Catholic University—12 March 2007.

Macquarie University—12 March 2007.

University of Newcastle—12 March 2007.

University of New England—12 March 2007.

University of New South Wales—12 March 2007.

University of Notre Dame Australia—12 March 2007.

University of Sydney—12 March 2007.

University of Wollongong—12 March 2007.

Lands Acquisition Act—Statements under—

sub-section 40(3)—March 2007.

section 125(5)—March 2007.

ATTENDANCE

All Members attended (at some time during the sitting) except Ms A. E. Burke, Mr Lloyd and Mr Nairn.

I. C. HARRIS
Clerk of the House of Representatives