

2004-05-06-07

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 171

THURSDAY, 24 MAY 2007

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

2 **NATIONAL HEALTH AMENDMENT (PHARMACEUTICAL BENEFITS SCHEME) BILL 2007**

Mr Abbott (Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the *National Health Act 1953*, and for related purposes.

*Document*

Mr Abbott presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

3 **EVIDENCE AMENDMENT (JOURNALISTS' PRIVILEGE) BILL 2007**

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Evidence 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 (Ms Plibersek), and the resumption of the debate made an order of the day for the next sitting.

4 **MIGRATION AMENDMENT (STATUTORY AGENCY) BILL 2007**

Mr Andrews (Minister for Immigration and Citizenship), pursuant to notice, presented a Bill for an Act to amend the *Migration Act 1958*, and for related purposes.

*Document*

Mr Andrews presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

5 **FAMILY ASSISTANCE LEGISLATION AMENDMENT (CHILD CARE MANAGEMENT SYSTEM AND OTHER MEASURES) BILL 2007**

Mr Brough (Minister for Families, Community Services and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to amend the law in relation to family assistance, and for related purposes.

*Document*

Mr Brough presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**6 ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT (TOWNSHIP LEASING) BILL 2007**

Mr Brough (Minister for Families, Community Services and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to amend the *Aboriginal Land Rights (Northern Territory) Act 1976*, and for related purposes.

*Document*

Mr Brough presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**7 HIGHER EDUCATION LEGISLATION AMENDMENT (2007 BUDGET MEASURES) BILL 2007**

Ms J. Bishop (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend the law in relation to higher education and research funding, and for related purposes.

*Document*

Ms J. Bishop presented an explanatory memorandum to the bill.

Bill read a first time.

Ms J. Bishop moved—That the bill be now read a second time.

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

**8 FINANCIAL SECTOR LEGISLATION AMENDMENT (RESTRUCTURES) BILL 2007**

Mr Dutton (Minister for Revenue and Assistant Treasurer), pursuant to notice, presented a Bill for an Act to amend certain laws relating to the financial sector, and for related purposes.

*Document*

Mr Dutton presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**9 SOCIAL SECURITY AMENDMENT (APPRENTICESHIP WAGE TOP-UP FOR AUSTRALIAN APPRENTICES) BILL 2007**

Mr Robb (Minister for Vocational and Further Education), pursuant to notice, presented a Bill for an Act to amend the law relating to taxation, veterans' entitlements and social security, and for related purposes.

*Document*

Mr Robb presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**10 PRODUCT STEWARDSHIP (OIL) AMENDMENT BILL 2007**

Mr Cobb (Assistant Minister for the Environment and Water Resources), pursuant to notice, presented a Bill for an Act to amend the *Product Stewardship (Oil) Act 2000*, and for related purposes.

*Document*

Mr Cobb presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**11 CORPORATIONS LEGISLATION AMENDMENT (SIMPLER REGULATORY SYSTEM) BILL 2007**

Mr Pearce (Parliamentary Secretary to the Treasurer), pursuant to notice, presented a Bill for an Act to amend the law relating to corporations, and for related purposes.

*Document*

Mr Pearce presented an explanatory memorandum to the following bills:

Corporations Legislation Amendment (Simpler Regulatory System) Bill 2007.

Corporations (Fees) Amendment Bill 2007.

Corporations (Review Fees) Amendment Bill 2007.

Bill read a first time.

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

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

**12 CORPORATIONS (FEES) AMENDMENT BILL 2007**

Mr Pearce (Parliamentary Secretary to the Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Corporations (Fees) Act 2001*, and for related purposes.

Bill read a first time.

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

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

**13 CORPORATIONS (REVIEW FEES) AMENDMENT BILL 2007**

Mr Pearce (Parliamentary Secretary to the Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Corporations (Review Fees) Act 2003*, and for related purposes.

Bill read a first time.

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

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

**14 TAX LAWS AMENDMENT (2007 MEASURES NO. 3) 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—*And on the amendment moved thereto by Mr Bowen, 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 condemns the Government for its lack of commitment to the Australian managed funds industry and its lack of commitment to ensure Australia becomes an Asian financial services hub and calls on the Government to reduce the withholding rate applied to non dividend, royalty and interest distributions from managed investment funds to non-residents to a flat and final rate of 15 per cent”—

Debate resumed.

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

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

## AYES, 78

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

## NOES, 52

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

\* Tellers

And so it was resolved in the affirmative.

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

*Message from the Governor-General*

Message No. 292, 9 May 2007, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for third reading to be moved immediately.

On the motion of Mr Dutton (Minister for Revenue and Assistant Treasurer), the bill was read a third time.

**15 TAX LAWS AMENDMENT (SMALL BUSINESS) 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.

Mr Emerson 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 calls

on the Government to implement Labor's *BAS Easy* option for simplifying GST bookkeeping requirements on small business with an annual turnover of less than two million dollars".

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.

#### 16 QUESTIONS

Questions without notice being asked—

*Document*

Mr Hockey (Minister for Employment and Workplace Relations) presented the following document:

Workchoices anniversary shows the rot is setting in—Media release by Victorian Minister for Industrial Relations, 25 March 2007.

Questions without notice continued.

#### 17 DOCUMENT

Mr Hockey (Minister for Employment and Workplace Relations), during a personal explanation, presented the following document:

Goulburn's Lilac City Motor Inn—Extracts from various interviews, 23 May 2007.

#### 18 DOCUMENT

Ms Gillard (Deputy Leader of the Opposition), by leave, during a personal explanation, presented the following document:

Hotels and motels AWA, Fairness Test, John Howard's retirement—Transcript of Ms Gillard interview with John Laws (2UE), 23 May 2007.

#### 19 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 39 of 2006–2007—Performance audit—Distribution of funding for community grant programmes: Department of Families, Community Services and Indigenous Affairs.

Ordered to be made a Parliamentary Paper.

#### 20 DOCUMENTS

The following documents were presented:

Australian Heritage Council—Report for the period March 2004 to February 2007.

Australian Political Exchange Council—Report for 2005-06.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Review of Australia–New Zealand trade and investment relations—Government response.

Higher education—Report for 2005.

Migration—Joint Standing Committee—Detention centre contracts: Review of audit report No. 1, 2005-2006, Management of the detention centre contracts—Part B—Government response.

Productivity Commission—Report No. 39—Tasmanian freight subsidy arrangements, 14 December 2006.

Publications—Joint Standing Committee—Distribution of the Parliamentary Papers Series—Government response.

#### 21 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Foreign Affairs, Defence and Trade—Joint Standing Committee—Review of Australia–New Zealand trade and investment relations—Government response.

Migration—Joint Standing Committee—Detention centre contracts: Review of audit report No. 1, 2005-2006, Management of the detention centre contracts—Part B—Government response.

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

## 22 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—CLIMATE CHANGE

The House was informed that Mr Garrett had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s failure, over eleven years, to address the urgent environmental and economic challenge of climate change”.

The proposed discussion having received the necessary support—

Mr Garrett addressed the House.

Discussion ensued.

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

## 23 TAX LAWS AMENDMENT (SMALL BUSINESS) 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—*And on the amendment moved thereto by Mr Emerson (see item No. 15, page 1892)*—

Debate having been resumed by Mrs Hull—

## 24 ADJOURNMENT

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

Debate ensued.

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 24 May 2007:

Taxation Administration Act—

Determination—2007 No. TD 19.

Rulings—2007—

Nos CR 42, CR 43

Nos PR 10 (Addendum), PR 46, PR 47, PR 48.

Nos ST 2366 (Withdrawal), ST 2367 (Withdrawal), ST 2368 (Withdrawal), ST 2369 (Withdrawal), ST 2370 (Withdrawal), ST 2371 (Withdrawal), ST 2372 (Withdrawal), ST 2373 (Withdrawal), ST 2375 (Withdrawal), ST 2376 (Withdrawal), ST 2377 (Withdrawal), ST 2378 (Withdrawal), ST 2379 (Withdrawal), ST 2380 (Withdrawal), ST 2381 (Withdrawal), ST 2382 (Withdrawal), ST 2383 (Withdrawal), ST 2385 (Withdrawal), ST 2386 (Withdrawal).

## ATTENDANCE

All Members attended (at some time during the sitting) except Mr Baldwin, Mr Beazley, Ms Corcoran, Mr Downer, Ms Hoare, Mrs D. M. Kelly, Jackie Kelly and Ms King.

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

2004-05-06-07

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

No. 171

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

THURSDAY, 24 MAY 2007

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1 The Main Committee met at 9.30 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 APPROPRIATION BILL (NO. 1) 2007-2008—BUDGET DEBATE**

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 Tanner, 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 is of the view that:

- (1) despite record high commodity prices from surging demand from India and China and rising levels of taxation, the Government has failed to secure Australia's long term economic fundamentals and should be condemned for its failure to:
  - (a) address Australia's flagging productivity growth;
  - (b) stem the widening current account deficit and trade deficits;
  - (c) attend to the long term relative decline in education and training investment undercutting workplace productivity;
  - (d) provide national leadership on infrastructure including a high speed national broadband network for the whole country;
  - (e) expand and encourage research and development to move Australian industry and exports up the value-chain; and
  - (f) reform our health system to equip it for a future focused on prevention, early intervention and an ageing population;
- (2) the Government's failure to address the damaging consequences of climate change is endangering Australia's future economic prosperity;
- (3) the Government's extreme industrial relations laws will lower wages and conditions for many workers and do nothing to enhance productivity, participation or economic growth; and
- (4) the Government's Budget documents fail the test of transparency and accountability”—

Debate resumed.

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*Suspension of meeting*

At 11.43 a.m., a division having been called in the House, the proceedings were suspended.

*Resumption of meeting*

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

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Debate continued.

Dr Jensen 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.

**4 ADJOURNMENT**

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

Debate ensued.

Question—put and passed.

At 1.01 p.m., the Deputy Speaker adjourned the Main Committee until 4 p.m. on Monday, 28 May 2007.



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