

2004-05-06-07

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 186

MONDAY, 13 AUGUST 2007

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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**
Mrs Moylan presented the following document:
Australian Parliamentary Delegation to Cambodia (21 to 26 April 2007) and the 116th Inter-Parliamentary Union Assembly in Bali (27 April to 4 May 2007)—Report, August 2007.
Mrs Moylan and Mr Jenkins made statements in connection with the report.
- 3 **SCIENCE AND INNOVATION—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**
Mr Georgiou (Chair) presented the following documents:
Science and Innovation—Standing Committee—Between a rock and a hard place: The science of geosequestration—
Report, incorporating a dissenting report, August 2007.
Evidence received by the committee.
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 Georgiou moved—That the House take note of the report.
In accordance with standing 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 Georgiou moved—That the order of the day be referred to the Main Committee for debate.
Question—put and passed.
- 4 **ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**
Mr Wakelin (Chair) presented the following documents:
Aboriginal and Torres Strait Islander Affairs—Standing Committee—Indigenous Australians at work: Successful initiatives in Indigenous employment—
Report, incorporating a minority report, June 2007.
Minutes of proceedings.
Report ordered to be made a Parliamentary Paper.
Statements in connection with the report were made.
Mr Wakelin moved—That the House take note of the report.
In accordance with standing 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 Wakelin moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

5 INTELLIGENCE AND SECURITY—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Jull (Chair) presented the following document:

Intelligence and Security—Parliamentary Joint Committee—Report—Review of administration and expenditure No. 5, Australian Intelligence Organisations, June 2007.

Ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

6 INTELLIGENCE AND SECURITY—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Jull (Chair) presented the following document:

Intelligence and Security—Parliamentary Joint Committee—Annual Report of committee activities 2006-07, June 2007.

Ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

7 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:

Economics, Finance and Public Administration—Standing Committee—Australian manufacturing: Today and tomorrow—

Report, July 2007.

Minutes of proceedings.

Report ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

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

In accordance with standing 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.

8 TRANSPORT AND REGIONAL SERVICES—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE

Mr Neville (Chair) presented the following documents:

Transport and Regional Services—Standing Committee—The great freight task: Is Australia's transport network up to the challenge?—

Report, July 2007.

Minutes of proceedings.

Report ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

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

In accordance with standing 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 Neville moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

9 MEMBERS' STATEMENTS

Members' statements were made and a petition was presented.

10 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 2.37 p.m. the Member for Swan (Mr Wilkie) 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—

Member directed to leave

At 2.55 p.m. the Member for Fowler (Mrs Irwin) was directed, under standing order 94, to leave the Chamber for one hour for interjecting after a warning had been given from the Chair, and she accordingly left the Chamber.

Questions without notice continuing—

Document

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

Photograph of Mike Symon, Federal candidate for Deakin; Kevin Harkins, former Federal candidate for Franklin; Dean Mighell State Secretary, ETU, Southern States Branch and Ms Gillard (Deputy Leader of the Opposition).

Questions without notice continuing—

Member directed to leave

At 3.19 p.m. the Member for Oxley (Mr Ripoll) was directed, under standing order 94, to leave the Chamber for one hour for interjecting after a warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continued.

11 PETITIONS

Petitions lodged for presentation were announced.

12 UK PENSIONS

Mr Fawcett, pursuant to notice, moved—That the House:

(1) notes that:

- (a) over 242,000 British pensioners living in Australia have their pensions frozen in value and thus not increased when the pensions in the United Kingdom (UK) receive annual increases; and
- (b) this practice of freezing these pensions is wholly unfair and discriminatory: Many UK pensioners living overseas do have their pensions increased annually, as expected, given their lifelong mandatory payments into the national UK scheme and in contrast, Australia fully indexes the pensions of its expatriate pensioners living in the UK; and

(2) calls on the Australian Government to take this issue to the Commonwealth Heads of Government in Kampala in October 2007 and to urge the UK Government to end the unfairness in the current indexation of overseas UK pensions.

Debate ensued.

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

13 DISABLED VETERANS AND PENSIONS

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

- (1) affirms its recognition of the sacrifices made by Australia's veterans;
- (2) accepts its obligation to ensure that veterans' sacrifices are acknowledged and that benefits earned by veterans are paid to them on a just and fair basis;

- (3) acknowledges in particular the plight of our most severely disabled veterans;
- (4) acknowledges that the value of the Special Rate Disability Pension (TPI and TTI), Intermediate Rate and Extreme Disablement Adjustment Pensions have been eroded under the Howard Government; and
- (5) supports Labor's policy to index the remaining portions of the above general rate disability pensions to movements in male total average weekly earnings, in recognition of the more severe work and lifestyle effects suffered by the recipients of these entitlements.

Debate ensued.

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

14 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.

Question—That grievances be noted—put and passed.

15 SPECIAL ADJOURNMENT

Mr Robb (Minister for Vocational and Further Education) moved—That the House, at its rising, adjourn until Tuesday, 14 August 2007, at 12.30 p.m., unless the Speaker or, in the event of the Speaker being unavailable, the Deputy Speaker, fixes an alternative day or hour of meeting, and for government business to take precedence from 12.30 p.m. until 2 p.m. on that day.

Question—put and passed.

16 MESSAGE FROM THE SENATE—AVIATION LEGISLATION AMENDMENT (2007 MEASURES NO. 1) BILL 2007

Message No. 583, 13 August 2007, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend legislation relating to aviation, and for related purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

17 APEC PUBLIC HOLIDAY 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 Ms Gillard (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: "whilst not declining to give the bill a second reading, the House:

- (1) condemns the Government's:
 - (a) failure to ensure fairness at work and fairness beyond work through its inherently unfair Work Choices laws; and
 - (b) failure to provide proper protections for important Australian national public holidays like Anzac Day; and
- (2) further condemns the adverse impacts these unfair laws have had on working Australians, their families and the wider Australian community".

Debate continued.

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 Hockey (Minister for Employment and Workplace Relations) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Hockey, by leave, Government amendments (1) to (8) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

18 TAX LAWS AMENDMENT (2007 MEASURES NO. 4) 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 Bowen 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:

- (1) expresses concern that Offshore Banking Units are not included in Schedule 1 of this bill;
- (2) notes the concern of the Australian Bakers Association that this omission will weaken Australia’s attractiveness as a financial centre; and
- (3) condemns the Government for failing to embrace policies which will promote Australia as a financial services hub such as a flat and final 15% withholding tax rate and the introduction of a managed funds tax regime”.

Debate continued.

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.

Mr Bowen moved the Opposition amendment.

Amendment negatived.

Bill agreed to.

Consideration in detail concluded.

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

19 TAXATION (TRUSTEE BENEFICIARY NON-DISCLOSURE TAX) BILL (NO. 1) 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—

Question—put and passed—bill read a second time.

Leave granted for third reading to be moved immediately.

On the motion of Mr Pearce (Parliamentary Secretary to the Treasurer), the bill was read a third time.

20 TAXATION (TRUSTEE BENEFICIARY NON-DISCLOSURE TAX) BILL (NO. 2) 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—

Question—put and passed—bill read a second time.

Leave granted for third reading to be moved immediately.

On the motion of Mr Pearce (Parliamentary Secretary to the Treasurer), the bill was read a third time.

21 JUDGES’ PENSIONS AMENDMENT 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 Ms Roxon 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 Opposition believes that the bill fails to give equal treatment to all judges by not treating judges in same-sex de facto relationships in the same way as heterosexual judges and their spouses or de facto spouses, and calls on the Government to amend the bill in order to give judges in same-sex relationships equal treatment”.

Debate continued.

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

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

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

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Mr Albanese	Mr L. D. T. Ferguson	Ms King	Mr Quick
Ms Bird	Mr M. J. Ferguson	Ms Livermore	Mr Ripoll
Mr Bowen	Mr Fitzgibbon	Mr McClelland	Ms Roxon
Ms A. E. Burke	Mr Garrett	Ms Macklin	Mr Sawford
Mr A. S. Burke	Mr Georganas	Mr McMullan	Mr Sercombe
Mr Byrne	Ms George	Mr Melham	Mr Snowdon
Ms Corcoran	Ms Gillard	Mr Murphy	Mr Tanner
Mr Crean	Ms Grierson	Mr B. P. O'Connor	Mr K. J. Thomson
Mr Danby*	Mr Hatton	Mr G. M. O'Connor	Ms Vamvakinou
Mrs Elliot	Mr Hayes	Ms Owens	Mr Wilkie
Ms K. M. Ellis	Mrs Irwin	Ms Plibersek	
Mr Emerson	Mr Kerr	Mr Price*	

* 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. 329, 20 June 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 Ruddock (Attorney-General), the bill was read a third time.

22 AUSTRALIAN TECHNICAL COLLEGES (FLEXIBILITY IN ACHIEVING AUSTRALIA'S SKILLS NEEDS) AMENDMENT BILL (NO. 2) 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 S. F. Smith, 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 recognises that the Government has failed to act to address the skills needs of the Australian economy by:

- (1) its continued failure over 11 long years in office to ensure Australians get the training they need for a skilled job and to meet the skills needs of the economy;
- (2) slashing funding to the existing TAFE system, with Commonwealth revenues in vocational education decreasing by 13 per cent from 1997 to 2000 and only increasing by one per cent from 2000 to 2004;
- (3) failing to make the necessary investments in existing vocational education and training infrastructure to create opportunities for young Australians to access high quality vocational education and training in all our secondary schools and in the TAFE system;
- (4) creating an expensive, inefficient, and duplicative network of stand alone Australian Technical Colleges, without cooperation or consultation with the States within the existing Vocational Education and Training framework;
- (5) appropriating more than half a billion dollars for 28 Colleges that will produce 10,000 graduates by 2010 when by the Government's own estimates there will be a shortage of 200,000 skilled workers over the next five years;
- (6) failing to provide opportunities for young people interested in pursuing vocational education and trades training who do not live near the 28 Australian Technical Colleges; and
- (7) not recognising that a broad approach covering all of Australia's 2650 secondary schools and the 1.2 million students in Years 9, 10, 11 and 12 is needed to meet Australia's future skills needs”—

Debate resumed.

Mr M. J. Ferguson addressing the House—

23 ADJOURNMENT

It being 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 12.30 p.m. tomorrow, in accordance with the resolution agreed to this sitting.

DOCUMENTS

The following documents were deemed to have been presented on 13 August 2007:

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—2007—

11 (6) July [F2007L02447], [FL2007L02448], [FL2007L02449], [FL2007L02455], [FL2007L02456], [FL2007L02464].

20 July [F2007L02463].

Currency Act—Determination—2007 Currency (Royal Australian Mint) (No. 5) [F2007L02472].

Defence Act—Determinations under section 58B—2007 Nos 49, 50, 51, 52.

Radiocommunications Act—Determination—2007 Radiocommunications (Domestic digital television receiver - characteristic) [F2007L02467].

Taxation Administration Act—Rulings—2007—

Nos CR 73, CR 74, CR 75, CR 76.

Nos PR 35 (Withdrawal), PR 49 (Withdrawal), PR 74.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Adams, Mr Andren, Mr Forrest, Ms Gambaro, Mr Griffin, Ms Hoare, Mr Katter, Dr Lawrence and Mr McGauran.

I. C. HARRIS

Clerk of the House of Representatives

2004-05-06-07

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 186

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

MONDAY, 13 AUGUST 2007

1 The Main Committee met at 4 p.m.

2 SCIENCE AND INNOVATION—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 Georgiou—
That the House take note of the document (*presented on 13 August 2007*), *viz.*—

Science and Innovation—Standing Committee—Between a rock and a hard place: The science of
geosequestration—Report, August 2007—

Debate resumed.

Mr Georgiou, by leave, addressed the Main Committee without closing the debate.

Debate adjourned (Mr Neville), 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 13 August 2007*), *viz.*—

Economics, Finance and Public Administration—Standing Committee—Australian manufacturing:
today and tomorrow—Report, August 2007—

Debate resumed.

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

**4 TRANSPORT AND REGIONAL SERVICES—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 Neville—
That the House take note of the document (*presented on 13 August 2007*), *viz.*—

Transport and Regional Services—Standing Committee—The great freight task: Is Australia's transport
network up to the challenge?—Report, August 2007—

Debate resumed.

Mr Neville, by leave, addressed the Main Committee without closing the debate.

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

5 ADJOURNMENT

On the motion of Mr Neville, the Main Committee adjourned at 6.02 p.m.

The Deputy Speaker fixed 9.30 a.m. on Wednesday, 15 August 2007 for the next meeting of the Main Committee.



B. C. WRIGHT
Clerk of the Main Committee