

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 3

THURSDAY, 14 FEBRUARY 2008

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

2 **SUSPENSION OF STANDING ORDERS MOVED**

Mr Turnbull moved—That so much of the standing orders be suspended as would prevent the Treasurer being censured for misleading this House by stating in Question Time yesterday that he “cannot confirm” the appointment of Mr Bracks to head a major review of the car industry or that his own department had recommended that the Productivity Commission be appointed to conduct the inquiry in circumstances when:

- (a) he was fully aware of that appointment;
- (b) he had, in fact, attended a meeting of the Strategic Budget Committee of Cabinet on 30 January 2008 when the appointment was agreed; and
- (c) he had received and disregarded Treasury advice that the review should instead be conducted by the Productivity Commission.

Closure of Member

Mr Albanese (Leader of the House) moved—That the Member be no longer heard.

Question—put.

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

AYES, 78

Mr Adams	Mrs Elliot	Dr Kelly	Mr Ripoll
Mr Albanese	Ms A. L. Ellis	Mr Kerr	Ms Rishworth
Mr Bevis	Ms K. M. Ellis	Ms King	Ms Roxon
Mr Bidgood	Dr Emerson	Ms Livermore	Ms Saffin
Ms Bird	Mr L. D. T. Ferguson	Mr McClelland	Mr Shorten
Mr Bowen	Mr M. J. Ferguson	Ms McKew	Mr Sidebottom
Mr Bradbury	Mr Fitzgibbon	Ms Macklin	Mr S. F. Smith
Ms A. E. Burke	Mr Garrett	Mr McMullan	Mr Snowden
Mr A. S. Burke	Mr Georganas	Mr Marles	Mr Sullivan
Mr Butler	Ms George	Mr Melham	Mr Swan
Mr Champion	Mr Gibbons	Mr Murphy	Mr Symon
Mr Cheeseman	Ms Gillard	Ms Neal	Mr Tanner
Mr Clare	Mr Gray	Mr Neumann	Mr C. R. Thomson
Ms Collins	Ms Grierson	Ms Owens	Mr K. J. Thomson
Mr Combet	Mr Griffin	Ms Parke	Mr Trevor
Mr Crean	Mr Hale	Mr Perrett	Mr Turnour
Mr Danby	Ms Hall*	Ms Plibersek	Ms Vamvakinou
Ms D’Ath	Mr Hayes*	Mr Price	Mr Zappia
Mr Debus	Mrs Irwin	Mr Raguse	
Mr Dreyfus	Ms Jackson	Ms Rea	

NOES, 63

Mr Abbott	Mr Georgiou	Mr McGauran	Mr Scott
Mr Andrews	Mr Haase	Ms Marino	Mr Secker
Fran Bailey	Mr Hartsuyker	Mrs Markus	Mr Simpkins
Mr Baldwin	Mr A. G. Hawke	Mrs May	Mr Slipper
Mr Billson	Mr D. P. M. Hawker	Mrs Mirabella	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr Hockey	Mr Morrison	Mr Somlyay
Ms J. Bishop	Mrs Hull*	Mrs Moylan	Dr Southcott
Mr Broadbent	Mr Hunt	Dr Nelson	Dr Stone
Mr Ciobo	Mr Irons	Mr Neville	Mr Truss
Mr Cobb	Dr Jensen	Mr Pearce	Mr Tuckey
Mr Costello	Mr Johnson*	Mr Pyne	Mr Turnbull
Mr Coulton	Mr Keenan	Mr Ramsey	Mrs D. S. Vale
Mr Dutton	Mr Laming	Mr Randall	Dr Washer
Mr Farmer	Ms Ley	Mr Robb	Mr Windsor
Mr Forrest	Mr Lindsay	Mr Robert	Mr Wood
Mrs Gash	Mr Macfarlane	Mr Ruddock	

* Tellers

And so it was resolved in the affirmative.

Ms J. Bishop (Deputy Leader of the Opposition) (seconder) addressing the House—

Closure of Member

Mr McClelland (Attorney-General) moved—That the Member be no longer heard.

Question—put.

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

AYES, 79

Mr Adams	Mrs Elliot	Dr Kelly	Ms Rea
Mr Albanese	Ms A. L. Ellis	Mr Kerr	Mr Ripoll
Mr Bevis	Ms K. M. Ellis	Ms King	Ms Rishworth
Mr Bidgood	Dr Emerson	Ms Livermore	Ms Roxon
Ms Bird	Mr L. D. T. Ferguson	Mr McClelland	Ms Saffin
Mr Bowen	Mr M. J. Ferguson	Ms McKew	Mr Shorten
Mr Bradbury	Mr Fitzgibbon	Ms Macklin	Mr Sidebottom
Ms A. E. Burke	Mr Garrett	Mr McMullan	Mr S. F. Smith
Mr A. S. Burke	Mr Georganas	Mr Marles	Mr Snowdon
Mr Butler	Ms George	Mr Melham	Mr Sullivan
Mr Champion	Mr Gibbons	Mr Murphy	Mr Swan
Mr Cheeseman	Ms Gillard	Ms Neal	Mr Symon
Mr Clare	Mr Gray	Mr Neumann	Mr Tanner
Ms Collins	Ms Grierson	Mr B. P. O'Connor	Mr C. R. Thomson
Mr Combet	Mr Griffin	Ms Owens	Mr K. J. Thomson
Mr Crean	Mr Hale	Ms Parke	Mr Trevor
Mr Danby	Ms Hall*	Mr Perrett	Mr Turnour
Mrs D'Ath	Mr Hayes*	Ms Plibersek	Ms Vamvakinou
Mr Debus	Mrs Irwin	Mr Price	Mr Zappia
Mr Dreyfus	Ms Jackson	Mr Raguse	

NOES, 63

Mr Abbott	Mr Georgiou	Mr McGauran	Mr Scott
Mr Andrews	Mr Haase	Ms Marino	Mr Secker
Fran Bailey	Mr Hartsuyker	Mrs Markus	Mr Simpkins
Mr Baldwin	Mr A. G. Hawke	Mrs May	Mr Slipper
Mr Billson	Mr D. P. M. Hawker	Mrs Mirabella	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr Hockey	Mr Morrison	Mr Somlyay
Ms J. Bishop	Mrs Hull*	Mrs Moylan	Dr Southcott
Mr Broadbent	Mr Hunt	Dr Nelson	Dr Stone
Mr Ciobo	Mr Irons	Mr Neville	Mr Truss
Mr Cobb	Dr Jensen	Mr Pearce	Mr Tuckey
Mr Costello	Mr Johnson*	Mr Pyne	Mr Turnbull
Mr Coulton	Mr Keenan	Mr Ramsey	Mrs D. S. Vale
Mr Dutton	Mr Laming	Mr Randall	Dr Washer
Mr Farmer	Ms Ley	Mr Robb	Mr Windsor
Mr Forrest	Mr Lindsay	Mr Robert	Mr Wood
Mrs Gash	Mr Macfarlane	Mr Ruddock	

* Tellers

And so it was resolved in the affirmative.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put.

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

AYES, 62

Mr Abbott	Mr Georgiou	Mr McGauran	Mr Scott
Mr Andrews	Mr Haase	Ms Marino	Mr Secker
Fran Bailey	Mr Hartsuyker	Mrs Markus	Mr Simpkins
Mr Baldwin	Mr A. G. Hawke	Mrs May	Mr Slipper
Mr Billson	Mr D. P. M. Hawker	Mrs Mirabella	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr Hockey	Mr Morrison	Mr Somlyay
Ms J. Bishop	Mrs Hull*	Mrs Moylan	Dr Southcott
Mr Broadbent	Mr Hunt	Dr Nelson	Dr Stone
Mr Ciobo	Mr Irons	Mr Neville	Mr Truss
Mr Cobb	Dr Jensen	Mr Pearce	Mr Tuckey
Mr Costello	Mr Johnson*	Mr Pyne	Mr Turnbull
Mr Coulton	Mr Keenan	Mr Ramsey	Mrs D. S. Vale
Mr Dutton	Mr Laming	Mr Randall	Dr Washer
Mr Farmer	Ms Ley	Mr Robb	Mr Wood
Mr Forrest	Mr Lindsay	Mr Robert	
Mrs Gash	Mr Macfarlane	Mr Ruddock	

NOES, 80

Mr Adams	Mr Dreyfus	Ms Jackson	Mr Raguse
Mr Albanese	Mrs Elliot	Dr Kelly	Ms Rea
Mr Bevis	Ms A. L. Ellis	Mr Kerr	Mr Ripoll
Mr Bidgood	Ms K. M. Ellis	Ms King	Ms Rishworth
Ms Bird	Dr Emerson	Ms Livermore	Ms Roxon
Mr Bowen	Mr L. D. T. Ferguson	Mr McClelland	Ms Saffin
Mr Bradbury	Mr M. J. Ferguson	Ms McKew	Mr Shorten
Ms A. E. Burke	Mr Fitzgibbon	Ms Macklin	Mr Sidebottom
Mr A. S. Burke	Mr Garrett	Mr McMullan	Mr S. F. Smith
Mr Butler	Mr Georganas	Mr Marles	Mr Snowdon
Ms Campbell	Ms George	Mr Melham	Mr Sullivan
Mr Champion	Mr Gibbons	Mr Murphy	Mr Swan
Mr Cheeseman	Ms Gillard	Ms Neal	Mr Symon
Mr Clare	Mr Gray	Mr Neumann	Mr Tanner
Ms Collins	Ms Grierson	Mr B. P. O'Connor	Mr C. R. Thomson
Mr Combet	Mr Griffin	Ms Owens	Mr K. J. Thomson
Mr Crean	Mr Hale	Ms Parke	Mr Trevor
Mr Danby	Ms Hall*	Mr Perrett	Mr Turnour
Mrs D'Ath	Mr Hayes*	Ms Plibersek	Ms Vamvakinou
Mr Debus	Mrs Irwin	Mr Price	Mr Zappia

* Tellers

And so it was negatived.

3 SPEAKER'S PANEL

The following warrant nominating members of the Speaker's panel, pursuant to standing order 17, was presented:

HOUSE OF REPRESENTATIVES

Pursuant to the provisions of standing order 17, I nominate—

Dick Godfrey Harry Adams,
 Judith Eleanor Moylan,
 Patrick Damien Secker,
 Peter Sid Sidebottom,

to be members of the Speaker's panel to assist the Chair when requested to do so by the Speaker or Deputy Speaker.

Given under my hand on 14 February 2008.

HARRY JENKINS
 Speaker

4 SOCIAL SECURITY AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (ENHANCED ALLOWANCES) BILL 2008

Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to amend the law relating to social security, veterans' entitlements and military rehabilitation and compensation, and for related purposes.

Document

Ms Macklin presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

5 HIGHER EDUCATION SUPPORT AMENDMENT (VET FEE-HELP ASSISTANCE) BILL 2008

Ms Gillard (Minister for Education and Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the *Higher Education Support Act 2003*, and for related purposes.

Document

Ms Gillard presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

6 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) AMENDMENT (2008 MEASURES NO. 1) BILL 2008

Ms Gillard (Minister for Education and Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the *Indigenous Education (Targeted Assistance) Act 2000*, and for related purposes.

Document

Ms Gillard presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

7 TAX LAWS AMENDMENT (PERSONAL INCOME TAX REDUCTION) BILL 2008

Mr Swan (Treasurer) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

Document

Mr Swan presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

8 THERAPEUTIC GOODS AMENDMENT (POISONS STANDARD) BILL 2008

Ms Roxon (Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the *Therapeutic Goods Act 1989*, and for related purposes.

Document

Ms Roxon presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

9 CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT (ASSESSMENTS AND ADVERTISING) BILL 2008

Mr Debus (Minister for Home Affairs), pursuant to notice, presented a Bill for an Act to amend the *Classification (Publications, Films and Computer Games) Act 1995*, and for related purposes.

Document

Mr Debus presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

10 ADDRESS IN REPLY TO THE GOVERNOR-GENERAL'S SPEECH

The order of the day having been read for the resumption of the debate on the question—That the following Address in Reply to the speech of His Excellency the Governor-General be agreed to:

May it please Your Excellency:

We, the House of Representatives of the Commonwealth of Australia, in Parliament assembled, express our loyalty to the Sovereign, and thank Your Excellency for the speech which you have been pleased to address to the Parliament—

Debate resumed.

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.

11 QUESTIONS

Questions without notice being asked—

Document

Mr Swan (Treasurer) presented the following document:

Interest rates—The Reserve Bank's 20 warnings in the last three years.

Questions without notice continuing—

Member directed to leave

At 2.39 p.m. the Member for Flinders (Mr Hunt) 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 continued.

12 DOCUMENT

The Speaker presented the following document:

House of Representatives—Schedule showing the allocation of annual reports of departments, agencies, authorities and companies to general purpose standing committees and certain joint committees.

13 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 22 of 2007–2008—Performance audit—Administration of grants to the Australian Rail Track Corporation: Department of Infrastructure, Transport, Regional Development and Local Government.

Ordered to be made a Parliamentary Paper.

14 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

Mr Albanese (Leader of the House) presented the following documents:

Australian Radiation Protection and Nuclear Safety Agency—Quarterly reports of the Chief Executive Officer for period—

1 January to 31 March 2007.

1 April to 30 June 2007.

1 July to 30 September 2007.

and moved—That the House take note of the documents.

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

15 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC MANAGEMENT

The House was informed that Mr Turnbull had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's inconsistent and reckless approach to economic management".

The proposed discussion having received the necessary support—

Mr Turnbull addressed the House.

Discussion ensued.

Mr Keenan addressing the House—

16 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the House, at 4.56 p.m., adjourned until 12 noon on Monday, 18 February 2008.

DOCUMENTS

The following documents were deemed to have been presented on 14 February 2008:

Aboriginal and Torres Strait Islander Act—

Declaration—2008 Torres Strait Regional Authority Section 142S [F2008L00357].

Rules—2008 Torres Strait Regional Authority Election Amendment [F2008L00371].

Civil Aviation Act—

Civil Aviation Regulations—Exemption—2008 No. CASA EX09 [F2008L00234].

Civil Aviation Safety Regulations—Airworthiness Directive under Part 39-107—AD/ELECT No. 50—Cancellation [F2008L00354].

Customs Act—Tariff Concession Orders—2008 Nos 0717248, 0717256, 0717301, 0717343, 0717418, 0717642, 0717666, 0717805, 0717854, 0718062, 0718128, 0718205, 0718207, 0718292, 0718340, 0718501, 0718310, 0718551, 0718673, 0718726, 0718828, 0718892, 0718893, 0718940, 0719054, 0719055, 0719089 [F2008L00303], [F2008L00302], [F2008L00301], [F2008L00318], [F2008L00298], [F2008L00317], [F2008L00274], [F2008L00295], [F2008L00275], [F2008L00276], [F2008L00277], [F2008L00291], [F2008L00334], [F2008L00332], [F2008L00320], [F2008L00322], [F2008L00278], [F2008L00330], [F2008L00321], [F2008L00279], [F2008L00343], [F2008L00344], [F2008L00345], [F2008L00346], [F2008L00347], [F2008L00348], [F2008L00349].

Environment Protection and Biodiversity Conservation Act—

Instruments under—

section 184—24 January 2008 [F2008L00287].

section 303CA—7 February 2008 [F2008L00342].

Management plan—Norfolk Island National Park and Norfolk Island Botanic Garden 2008-2018 [F2008L00329].

National Health Act—Amendment determination under section 85B—2008 No. PB 26 [F2008L00284].

Radiocommunications Act—Determinations—2008—

Foundation category 1 digital radio multiplex transmitter licence—Application fee [F2008L00319].

Foundation category 2 digital radio multiplex transmitter licence—Application fee [F2008L00316].

Telecommunications (Interception and Access) Act—Determination—2008 Interception Capability Plan (No. 1) [F2008L00331].

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Schultz.

I. C. HARRIS

Clerk of the House of Representatives

2008

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 3

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 14 FEBRUARY 2008

1 Due to a division having been called in the House, the Main Committee met at 9.32 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 APOLOGY TO AUSTRALIA'S INDIGENOUS PEOPLES

The order of the day having been read for the resumption of the debate on the motion of Mr Rudd (Prime Minister)—That—

Today we honour the Indigenous peoples of this land, the oldest continuing cultures in human history.

We reflect on their past mistreatment.

We reflect in particular on the mistreatment of those who were Stolen Generations—this blemished chapter in our nation's history.

The time has now come for the nation to turn a new page in Australia's history by righting the wrongs of the past and so moving forward with confidence to the future.

We apologise for the laws and policies of successive Parliaments and governments that have inflicted profound grief, suffering and loss on these our fellow Australians.

We apologise especially for the removal of Aboriginal and Torres Strait Islander children from their families, their communities and their country.

For the pain, suffering and hurt of these Stolen Generations, their descendants and for their families left behind, we say sorry.

To the mothers and the fathers, the brothers and the sisters, for the breaking up of families and communities, we say sorry.

And for the indignity and degradation thus inflicted on a proud people and a proud culture, we say sorry.

We the Parliament of Australia respectfully request that this apology be received in the spirit in which it is offered as part of the healing of the nation.

For the future we take heart; resolving that this new page in the history of our great continent can now be written.

We today take this first step by acknowledging the past and laying claim to a future that embraces all Australians.

A future where this Parliament resolves that the injustices of the past must never, never happen again.

A future where we harness the determination of all Australians, Indigenous and non-Indigenous, to close the gap that lies between us in life expectancy, educational achievement and economic opportunity.

A future where we embrace the possibility of new solutions to enduring problems where old approaches have failed.

A future based on mutual respect, mutual resolve and mutual responsibility.

A future where all Australians, whatever their origins, are truly equal partners, with equal opportunities and with an equal stake in shaping the next chapter in the history of this great county, Australia—

Debate ensued.

Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs), by leave, again addressed the Main Committee.

Debate continued.

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

4 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

At 12.59 p.m., the Deputy Speaker adjourned the Main Committee until 4 p.m. on Monday, 18 February 2008.



B. C. WRIGHT
Clerk of the Main Committee