

2008

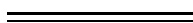
THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 17

WEDNESDAY, 14 MAY 2008



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

**2 SOCIAL SECURITY AND VETERANS' ENTITLEMENTS LEGISLATION AMENDMENT (ONE-OFF PAYMENTS AND OTHER BUDGET MEASURES) 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 and veterans' entitlements, and for other 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 (Mrs B. K. Bishop), and the resumption of the debate made an order of the day for a later hour this day.

**3 TAX LAWS AMENDMENT (2008 MEASURES NO. 2) BILL 2008**

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.

*Message from the Governor-General*

Message No. 25, 8 May 2008, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of amendments to the bill.

*Consideration in detail*

Bill, by leave, taken as a whole.

*Document*

Mr Bowen (Assistant Treasurer) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Bowen, by leave, Government amendments (1) to (6) were made together, after debate.

Bill, as amended, agreed to.

Consideration in detail concluded.

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

**4 HIGHER EDUCATION SUPPORT AMENDMENT (REMOVAL OF THE HIGHER EDUCATION WORKPLACE RELATIONS REQUIREMENTS AND NATIONAL GOVERNANCE PROTOCOLS REQUIREMENTS AND OTHER MATTERS) BILL 2008**

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.

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.

## 5 QUESTIONS

Questions without notice being asked—

*Member directed to leave*

At 2.42 p.m. the Member for Mayo (Mr Downer) 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.

## 6 DOCUMENTS

The following documents were presented:

Department of the Prime Minister and Cabinet—Lobbying code of conduct 2008.

*Migration Act 1958—*

Section 91Y—Protection visa processing taking more than 90 days—Reports for the period—1 November 2007 to 29 February 2008.

Section 440A—Conduct of Refugee Review Tribunal (RRT) reviews not completed within 90 days—Reports for the period—1 November 2007 to 29 February 2008.

Section 486O—Assessment of detention arrangements—

Government response to the Commonwealth Ombudsman's statements—Personal identifiers 366/08 to 412/08.

Reports by the Commonwealth Ombudsman—Personal identifiers 366/08 to 412/08.

Ministerial statement—Lobbying code of conduct and register of lobbyists—Senator Faulkner, Special Minister of State and Cabinet Secretary—13 May 2008.

*Telecommunications (Interception and Access) Act 1979—*Report on the operation of the Act for 2006-07—Corrigendum.

Treaties—

*Bilateral—*

*Text, together with national interest analysis—*

Protocol amending the agreement between the Government of Australia and the Government of the Republic of South Africa for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income of income of 1999, done at Pretoria on 31 March 2008.

Treaty between the Government of Australia and the Government of the United States of America concerning defense trade cooperation, done at Sydney on 5 September 2007.

*Text, together with national interest analysis and regulation impact statement—*Agreement between the Government of Australia and the Government of the Russian Federation on cooperation in the use of nuclear energy for peaceful purposes, done at Canberra on 7 September 2007.

*Multilateral—*

*Explanatory statement—*2008 No. 1—Amendment, adopted at London in July 2007, to the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code).

*Text, together with national interest analysis and annexure—*International Tropical Timber Agreement—Geneva, 27 January 2006.

## 7 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—COST OF LIVING

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 failure of the Government to act decisively to set out clear economic strategy which addresses the cost of living pressures on Australian families".

The proposed discussion having received the necessary support—

Mr Turnbull addressed the House.

Discussion ensued.

*Member directed to leave*

At 3.52 p.m. the Member for North Sydney (Mr Hockey) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Discussion continued.

The time allotted under standing order 1 having expired, the discussion was interrupted.

#### 8 WHIPS' REPORT

Mr Price (Chief Government Whip) presented the following document:

Whips' report—Report relating to private Members' business on Monday, 26 May 2008—  
and moved—That the report be adopted.

Question—put and passed.

#### 9 BILL REFERRED TO MAIN COMMITTEE

Mr Price (Chief Government Whip), by leave, moved—That the Export Market Development Grants Amendment Bill 2008 be referred to the Main Committee for further consideration.

Question—put and passed.

#### 10 SUSPENSION OF STANDING ORDER 31

Mr Snowdon (Minister for Defence Science and Personnel), for Mr Albanese (Leader of the House), pursuant to notice, moved—That standing order 31 (automatic adjournment of the House) be suspended for the sitting on Thursday, 15 May 2008 and at that sitting, after the Leader of the Opposition completes his reply to the Budget speech, the House automatically stand adjourned until 12 noon on Monday, 26 May 2008, unless the Speaker or, in the event of the Speaker being unavailable, the Deputy Speaker, fixes an alternative day or hour of meeting.

Question—put and passed.

#### 11 MESSAGE FROM THE SENATE—TELECOMMUNICATIONS (INTERCEPTION AND ACCESS) AMENDMENT BILL 2008

Message No. 27, 14 May 2008, from the Senate was reported returning the Telecommunications (Interception and Access) Amendment Bill 2008 with amendments.

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

#### 12 SOCIAL SECURITY AND VETERANS' ENTITLEMENTS LEGISLATION AMENDMENT (ONE-OFF PAYMENTS AND OTHER BUDGET MEASURES) BILL 2008

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.

*Message from the Governor-General*

Message No. 26, 13 May 2008, 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 Shorten (Parliamentary Secretary for Disabilities and Children's Services), the bill was read a third time.

#### 13 VETERANS' ENTITLEMENTS LEGISLATION AMENDMENT (2007 ELECTION COMMITMENTS) BILL 2008—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the bill had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported, and the bill had been agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Mr Snowdon (Minister for Defence Science and Personnel), by leave, the bill was read a third time.

14 **HIGHER EDUCATION SUPPORT AMENDMENT (REMOVAL OF THE HIGHER EDUCATION WORKPLACE RELATIONS REQUIREMENTS AND NATIONAL GOVERNANCE PROTOCOLS REQUIREMENTS AND OTHER MATTERS) BILL 2008**

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.

*Message from the Governor-General*

Message No. 27, 14 February 2008, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

*Consideration in detail*

Bill, by leave, taken as a whole.

Mr A. D. H. Smith, by leave, moved Opposition amendments (1) and (2) together.

Debate continued.

Question—That the amendments be agreed to—put.

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

AYES, 62

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

## NOES, 77

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

\* Tellers

And so it was negatived.

Question—That the bill be agreed to—put.

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

## AYES, 77

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

## NOES, 62

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

\* Tellers

And so it was resolved in the affirmative.

Consideration in detail concluded.

Leave granted for third reading to be moved immediately.

Ms Gillard (Minister for Education) moved—That the bill be now read a third time.

Question—put.

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

## AYES, 75

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

## NOES, 61

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

\* Tellers

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

**15 RESERVE BANK AMENDMENT (ENHANCED INDEPENDENCE) BILL 2008**

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 Neumann addressing the House—

**16 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 Speaker adjourned the House until 9 a.m. tomorrow.

**DOCUMENTS**

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

Australian Research Council Act—Determinations—2008 Nos 54, 55, 56.

Civil Aviation Act—

Civil Aviation Regulations—

Exemption—2008 No. CASA EX22 [F2008L01065].

Instructions—2008 No. CASA 214 [F2008L01063].

Civil Aviation Safety Regulations—Airworthiness Directives under—  
Part 39-105—

AD/A320—No. 163—Amendment (No. 1) [F2008L01371].

AD/BEECH 200—No. 75 [F2008L01388].

AD/BEECH 300—No. 22 [F2008L01389].

AD/BELL 205—No. 74 [F2008L01397].

AD/BELL 212—No. 69 [F2008L01398].

AD/BELL 412—No. 55 [F2008L01399].

AD/DO 328—No. 71 [F2008L01396].

Part 39-106—AD/SMA—No. 4 [F2008L01368].

Part 39-107—AD/TURBO—No. 2 [F2008L01387].

Customs Act—Orders—Tariff Concession—2008 Nos 0721804, 0721974, 0800533, 0800534, 0800551 [F2008L01299], [F2008L01302], [F2008L01305], [F2008L01306], [F2008L01307].

Datacasting Charge (Imposition) Act—Determination—2008 Amount—Amendment (No. 1) [F2008L01370].

Disability Services Act—

Approval—2008 Eligible services—FaHCSIA [F2008L01381].

Standards—2008 Eligibility—Targeted support services—FaHCSIA [F2008L01372].

Financial Management and Accountability Act—

Determinations—

Establishing a special account—2008 Nos 5, 6 [F2008L01374], [F2008L01375].

Varying and abolishing a special account—2008 No. 7 [F2008L01378].

Net appropriation agreement under section 31—Agreement—21 December 2007 [F2008L01318].

Higher Education Support Act—Higher education provider—Notices of approval—2008 Nos 4, 5 [F2008L01334], [F2008L01333].

National Health Act—

Amendment declaration and amendment determination under section 85—2008 No. PB 50 [F2008L01382].

Amendment determinations under—

section 84AF—2008 No. PB 52 [F2008L01384].

sections 85, 85A and 88—2008 No. PB 51 [F2008L01383].

section 85AB—2008 No. PB 58 [F2008L01392].

section 85B—2008 No. PB 53 [F2008L01385].

section 98C—2008 No. PB 54 [F2008L01386].

Amendment special arrangements under section 100—2008 Nos PB 55, 56 [F2008L01390], [F2008L01391].

Remuneration Tribunal Act—Remuneration Tribunal—Determination—2008 No. 4 [F2008L01340].

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#### ATTENDANCE

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

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



2008

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

No. 17

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

**WEDNESDAY, 14 MAY 2008**

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1 The Main Committee met at 9.30 a.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 VETERANS' ENTITLEMENTS LEGISLATION AMENDMENT (2007 ELECTION COMMITMENTS) BILL 2008**

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.

Debate adjourned (Dr Kelly—Parliamentary Secretary to the Minister for Defence), and the resumption of the debate made an order of the day for a later hour this day.

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*Suspension of meeting*

At 12.58 p.m., the Deputy Speaker left the Chair.

*Resumption of meeting*

At 3.59 p.m., the Deputy Speaker resumed the Chair.

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**4 VETERANS' ENTITLEMENTS LEGISLATION AMENDMENT (2007 ELECTION COMMITMENTS) BILL 2008**

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.

*Message from the Governor-General*

Message No. 24, 14 March 2008, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

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 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.

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*Suspension of meeting*

At 6.29 p.m., a division having been called in the House, the proceedings were suspended.

*Resumption of meeting*

At 6.57 p.m., the proceedings were resumed.

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Debate continued.

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

**6 ADJOURNMENT**

On the motion of Mr Dreyfus, the Main Committee adjourned at 7.25 p.m.

The Deputy Speaker fixed 9.30 a.m. tomorrow for the next meeting of the Main Committee.

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