

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 46

MONDAY, 22 SEPTEMBER 2008

1 The House met, at 12 noon, pursuant to adjournment. The Speaker (Mr Jenkins) took the Chair, and read Prayers.

2 **MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILL**

A message from Her Excellency the Governor-General was announced informing the House that Her Excellency, in the name of Her Majesty, had assented to the following bill:

15 September 2008—Message No. 80—Migration Legislation Amendment (No. 1) 2008.

3 **MESSAGE FROM THE SENATE**

Message No. 117, 18 September 2008, from the Senate was reported returning the International Tax Agreements Amendment Bill (No. 1) 2008 without amendment.

4 **PRIVATE MEMBERS' MOTIONS—PRESENTED BY SPEAKER**

The Speaker presented copies of the terms of the following private Members' motions:

Dr Jensen—Age pension (*see item No. 3, Minutes of Proceedings of the Main Committee*).

Ms Rea—Human trafficking (*see item No. 4, Minutes of Proceedings of the Main Committee*).

Mr Scott—Credit card limits (*see item No. 5, Minutes of Proceedings of the Main Committee*).

In accordance with standing order 41(h) the motions were made orders of the day and referred to the Main Committee.

5 **SAFE WORK AUSTRALIA 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.

6 **SHADOW MINISTRY—DOCUMENT**

Mr Turnbull (Leader of the Opposition) presented the following document:

Shadow Ministry, 22 September 2008.

7 **QUESTIONS**

Questions without notice being asked—

*Member directed to leave*

At 3.11 p.m. the Member for Paterson (Mr Baldwin) 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.

Questions without notice continued.

**8 DOCUMENT**

The following document was presented:

*Export Market Development Grants Act 1997—Review of the Export Market Development Grants Scheme—1 September 2008.*

**9 GLOBAL ECONOMIC TURBULENCE—MINISTERIAL STATEMENT**

Mr Swan (Treasurer), by leave, made a ministerial statement relating to global economic turbulence.

*Suspension of standing and sessional orders—Time for speech*

Mr Swan, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Ms J. Bishop (Deputy Leader of the Opposition) speaking for a period not exceeding eighteen minutes.

Question—put and passed.

Ms J. Bishop addressed the House.

**10 EXPORT POLICIES AND PROGRAMS—MINISTERIAL STATEMENT**

Mr Crean (Minister for Trade), by leave, made a ministerial statement relating to the Mortimer Review on export policies and programs.

*Suspension of standing and sessional orders—Time for speech*

Mr Crean, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Macfarlane speaking for a period not exceeding twenty-three and a half minutes.

Question—put and passed.

Mr Macfarlane addressed the House.

**11 SAFE WORK AUSTRALIA 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. 78, 9 September 2008, from Her 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 O'Connor (Minister for Employment Participation), the bill was read a third time.

**12 SAFE WORK AUSTRALIA (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) 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—

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

Leave granted for third reading to be moved immediately.

On the motion of Mr O'Connor (Minister for Employment Participation), the bill was read a third time.

**13 SAME-SEX RELATIONSHIPS (EQUAL TREATMENT IN COMMONWEALTH LAWS—GENERAL LAW REFORM) 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 by Ms Ley 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) affirms its commitment to the central importance of the institution of marriage to Australian society;

- (2) nevertheless recognises that partners in same-sex relationships ought not to be discriminated against on the basis of their sexuality, and ought to be treated on a similar basis to partners in heterosexual de facto relationships;
- (3) recognises the right of children who live in same-sex households not to be discriminated against; and
- (4) notes that the Opposition has referred the bill to the Senate Legal and Constitutional Affairs Committee for reporting by September 30 with a view to ensuring that, in removing discrimination against people in same-sex relationships:
  - (a) the centrality of marriage is not devalued, whether by the use of inappropriate statutory language or otherwise;
  - (b) there is no unintended recognition of same sex marriage, including through amendments to the *Migration Act 1961*;
  - (c) the rights and status of children are properly protected; and
  - (d) the rights and status of people in interdependent relationships other than same-sex relationships are recognised and properly protected”.

Debate continued.

Mr Neumann addressing the House—

It being 8.30 p.m., the debate was interrupted in accordance with standing order 34, Mr Neumann was granted leave to continue his speech when the debate is resumed, and the resumption of the debate made an order of the day for the next sitting.

**14 PETITIONS—STANDING COMMITTEE—PRESENTATION OF PETITIONS AND MINISTERS’ RESPONSES—STATEMENT BY MEMBER**

Mrs Irwin (Chair) presented petitions and Ministers’ responses to petitions previously presented to the House.

Mrs Irwin made a statement in connection with the petitions.

**15 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS**

Mr Butler (Chair) presented the following document:

Public Works—Parliamentary Standing Committee—Update report: The Christmas Island immigration detention centre project (7th report of 2008).

Ordered to be made a Parliamentary Paper.

Statements in connection with the report were made.

**16 THE DEVELOPMENT OF NORTHERN AUSTRALIA**

Mr Tuckey, pursuant to notice, moved—That the House recognises the energy, water and agricultural potential of the far north of Australia, and in particular the Kimberley region, and urges the Parliament to give priority to the development of northern Australia.

Debate ensued.

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

**17 NATIONAL POLICE REMEMBRANCE DAY**

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

- (1) recognises and acknowledges the significant contribution that officers across all Australian policing jurisdictions make to our local communities as we approach National Police Remembrance Day on 29 September 2008;
- (2) remembers and comes together to commemorate the ultimate sacrifices made by all police officers who have been killed in the course of their duties;
- (3) honours the courage, commitment and memory of the many fine men and women who lost their lives in the execution of their official duty each made in serving our community;
- (4) pays tribute to the families and friends of those fallen police officers for the support they unreservedly provided during the career of their respective loved ones;

- (5) encourages all Australians as a sign of respect to those who have fallen, to attend a ceremony or wear or display the traditional blue and white chequerboard ribbon, officially recognised as the symbol of Remembrance Day; and
- (6) supports and thanks all serving police of Australia for their invaluable dedication and commitment to make a difference, defend our way of life and safeguard the peace.

Debate ensued.

Mr Zappia addressing the House—

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## 18 ADJOURNMENT

It being 9.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 10 p.m.—The Speaker adjourned the House until 2 p.m. tomorrow.

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## DOCUMENTS

The following documents were deemed to have been presented on 22 September 2008:

Civil Aviation Act—

Civil Aviation Regulations—Instruments—2008 Nos CASA 440, CASA 496, [F2008L03295], [F2008L03489].

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

AD/EC 135—No. 20 [F2008L03494].

AD/PA-32—No. 12—Cancellation [F2008L03263].

Part 39-107—AD/PARA—No. 19 [F2008L03487].

Customs Act—Orders—

Tariff Concession—2008 No. 0707321 [F2008L03237].

Tariff Concession Revocation—2008 No. 67 [F2008L03215].

Defence Force Discipline Act—Rules—Select Legislative Instrument—2008 No. 197 [F2008L03491].

Fisheries Management Act—Eastern Tuna and Billfish Fishery Management Plan 2005—Direction—  
2008 No. 2 [F2008L03481].

Health Insurance Act—Determinations under—

section 3—2008 No. HIB 15 [F2008L03502].

section 3C—2008 Home-based sleep studies [F2008L03459].

Judiciary Act—Direction—2008 Legal services Amendment (No. 2) [F2008L03486].

Lands Acquisition Act—Statements under—

section 40—September 2008.

section 125—September 2008.

Migration Act—Regulations—Select Legislative Instrument—2008 No. 189 [F2008L03476].

*Migration Legislation Amendment Act (No. 1) 2008*—Proclamation under subsection 2 (1) fixing  
19 September 2008 as the day on which item 5, subitem 6 (3) and item 7 of Schedule 4 to the Act  
commence [F2008L03482].

Parliament Act—Parliamentary Zone—Proposals, together with supporting documentation, for National  
Portrait Gallery forecourt sculpture.

Remuneration Tribunal Act—Remuneration Tribunal—Determination—2008 No. 18 [F2008L03461].

Social Security (Administration) Act—Determination—2008 Declared relevant Northern Territory  
areas—Various (No. 30) [F2008L03507].

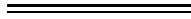
Telecommunications (Consumer Protection and Service Standards) Act—Determination—2008  
Emergency call service—Revocation [F2008L03497].

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Abbott, Mr Andrews, Fran Bailey, Mr Bevis, Ms K. M. Ellis, Mrs Gash\*, Mr Laming, Mrs Mirabella\*, Mr S. F. Smith and Mr Truss.

\* On leave



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

2008

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

No. 46

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

MONDAY, 22 SEPTEMBER 2008

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1 The Main Committee met at 6.39 p.m.

**2 MEMBERS' STATEMENTS**

Members' statements were made.

**3 AGE PENSION**

The order of the day having been read for the resumption of the debate on the motion of Dr Jensen—That the House encourages the Government to lift the amount that a person in receipt of an Age Pension can earn from productive employment to an amount equivalent to the senior Australian's tax offset before applying a penalty that reduces their Age Pension payment (*see item No. 4, Votes and Proceedings*)—

Debate resumed.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

**4 HUMAN TRAFFICKING**

The order of the day having been read for the resumption of the debate on the motion of Ms Rea—That the House:

- (1) notes that:
  - (a) the insidious act of human trafficking is the second largest criminal activity in the world, and certainly the fastest growing; and
  - (b) the Australian Government is committed to a “whole of government” approach to tackling human trafficking;
- (2) recognises that the Australian Government, through its Asia Regional Trafficking in Persons aid project and contribution to UNICEF's work, continues to play an active role in strengthening the key institutions responsible for identifying and addressing human trafficking;
- (3) acknowledges the role of the Non Government Organisations (NGOs), their unique expertise and the assistance they provide to trafficked persons;
- (4) recognises that the Australian Government continues to work with AusAID, NGOs and foreign governments to ensure that the crime of human trafficking is continually brought to light, and that all Members and Senators continue to raise awareness of this international human rights violation; and
- (5) applauds the Government's establishment of a National Round Table on people trafficking as a measure to involve all interested stakeholders in the fight against this despicable crime (*see item No. 4, Votes and Proceedings*)—

Debate resumed.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

**5 CREDIT CARD LIMITS**

The order of the day having been read for the resumption of the debate on the motion of Mr Scott—That the House:

- (1) calls on the Federal Government to amend finance legislation so as to prevent credit providers from sending unsolicited letters offering an increased credit limit to credit card holders; and
- (2) notes the amended legislation would stipulate that for a credit card limit to be increased, the card holder must make the first approach to the credit provider (*see item No. 4, Votes and Proceedings*)—

Debate resumed.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

**6 GRIEVANCE DEBATE**

Pursuant to the provisions of standing order 192B, the order of the day having been read for the resumption of the debate on the question—That grievances be noted—

Debate ensued.

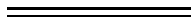
The time allotted for the debate having expired—

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

**7 ADJOURNMENT**

On the motion of Mr C. R. Thomson, the Main Committee adjourned at 9.31 p.m.

The Deputy Speaker fixed 4 p.m. tomorrow for the next meeting of the Main Committee.



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