

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 55

TUESDAY, 21 OCTOBER 2008



1 The House met, at 2 p.m., pursuant to adjournment. The Speaker (Mr Jenkins) took the Chair, and read Prayers.

2 QUESTIONS

Questions without notice were asked.

3 DOCUMENTS

The following documents were presented:

Anindilyakwa Land Council—Report for 2007-08.

Australian Film Commission—Report for 2007-08 (Final report).

Australian Law Reform Commission—Report No. 109 for 2007-08.

Australian Pesticides and Veterinary Medicines Authority—Report for 2007-08.

Department of Agriculture, Fisheries and Forestry—Report for 2007-08.

Film Australia Limited—Report for 2007-08 (Final report).

Film Finance Corporation Australia Limited—Report for 2007-08.

National Water Commission—Report for 2007-08.

Native Title Act 1993—Native title representative bodies—Report for 2007-08—Northern Land Council.

Sydney Harbour Federation Trust—Report for 2007-08.

Tiwi Land Council—Report for 2007-08.

4 AUSTRALIA'S RESALE ROYALTY RIGHT—MINISTERIAL STATEMENT

Mr Garrett (Minister for the Environment, Heritage and the Arts), by leave, made a ministerial statement relating to Australia's resale royalty right.

Suspension of standing and sessional orders—Time for speech

Mr Garrett, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Ciobo speaking for a period not exceeding thirteen and a half minutes.

Question—put and passed.

Mr Ciobo addressed the House.

5 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC DECISIONS

The House was informed that Mr Turnbull (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the Government to act in an economically responsible manner, by taking major economic decisions without regard to the recommendations of key financial regulators".

The proposed discussion having received the necessary support—

Mr Turnbull addressed the House.

Discussion ensued.

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

6 SOCIAL SECURITY LEGISLATION AMENDMENT (EMPLOYMENT SERVICES 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.

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

7 BILLS REFERRED TO MAIN COMMITTEE

Mr Price (Chief Government Whip), by leave, moved—That the following bills be referred to the Main Committee for further consideration:

Social Security Legislation Amendment (Employment Services Reform) 2008;

Archives Amendment 2008;

Broadcasting Legislation Amendment (Digital Radio) 2008;

Customs Amendment (Australia-Chile Free Trade Agreement Implementation) 2008; and

Customs Tariff Amendment (Australia-Chile Free Trade Agreement Implementation) 2008.

Question—put and passed.

8 EDUCATION LEGISLATION AMENDMENT 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. 92, 18 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 Ms Gillard (Minister for Education), the bill was read a third time.

9 SCHOOLS ASSISTANCE 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 Mr Pyne who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “while not declining to give the bill a second reading, the House:

- (1) reaffirms its commitment to providing genuine choice in education opportunities for parents and students through both government and non-government schooling;
- (2) notes that the Government committed to continuing the socio-economic status (SES) model of funding for non-government schools until 2012 and that, while this bill fulfils that commitment, it contains a hidden agenda evidenced by:
 - (a) granting greater power to the Minister to delay or end funding to non-government schools because of an audit qualified for non-financial reasons;
 - (b) requiring adherence to a national curriculum without flexibility that puts at risk the uniqueness of Steiner, Montessori, International Baccalaureate, University of Cambridge International Examinations and special needs schools; and
 - (c) forcing non-government schools to comply with a requirement to inform the Minister of every funding source to a school or an associated body that can be published—information which is both superfluous to the operation of the SES model, and is the Trojan Horse from which opponents of the SES model will head a campaign to remove it through the 2010 review; and
- (3) condemns the Government for ceasing funding for new non-government schools establishment grants, and urges the Government to reconsider this Budget decision to ensure that parents,

particularly in new communities, across Australia will be able to access choice in their children's education".

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

A division having been called for, in accordance with standing order 133 the division was deferred until 8 p.m.

Debate adjourned, and the resumption of the debate made an order of the day for a later hour this day.

10 INTERSTATE ROAD TRANSPORT CHARGE AMENDMENT BILL (NO. 2) 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, and the resumption of the debate made an order of the day for a later hour this day.

11 SCHOOLS ASSISTANCE BILL 2008—DEFERRED DIVISION

The order of the day having been read for the further consideration of the bill—

The following question, on which a division had been called for and deferred in accordance with standing order 133, was put, *viz.*—

Question—That the words proposed to be omitted stand part of the question (*see item No. 9, p. 640*)

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

AYES, 73

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

NOES, 55

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

* 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. 93, 18 September 2008, from Her 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 Pyne, by leave, moved Opposition amendments (1) to (3) together.

Debate continued.

Question—That the amendments be agreed to—put.

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

AYES, 57

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

NOES, 73

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

* Tellers

And so it was negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Ms Gillard (Minister for Education), the bill was read a third time.

12 ADJOURNMENT

It being past 8.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 9 p.m.—The Speaker adjourned the House until 9 a.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 21 October 2008:

Australian Research Council Act—Determinations—2008 Nos 58, 59, 60, 61.

Sydney Airport Curfew Act—Dispensation—2008 No. 11.

Taxation Administration Act—

Determinations—2008—TD Nos 35 (Withdrawal), 36 (Withdrawal).

Rulings—2008—

GSTR No. 3 (Addendum).

PR Nos 66, 67, 68, 69.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Bowen, Mr Cheeseman, Mr Cobb, Mr Danby, Mrs Gash*, Dr Kelly, Mr Slipper and Ms Vamvakinou.

* On leave

I. C. HARRIS

Clerk of the House of Representatives

2008

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 55

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

TUESDAY, 21 OCTOBER 2008

1 The Main Committee met at 4 p.m.

2 MEMBERS' CONSTITUENCY STATEMENTS

Members' constituency statements being made—

Petitions

Mr Hartsuyker presented the following petitions approved by the Standing Committee on Petitions:

Funding of Kempsey District Hospital (2)—2,961 and 1,461 petitioners.

Members' constituency statements continued.

3 NATIONAL RENTAL AFFORDABILITY SCHEME 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—*And on the amendment moved thereto by Mr Morrison, viz.*—That all words after “That” be omitted with a view to substituting the following words: “while not declining to give this bill a second reading, the House calls on the Government to make such amendments to the National Rental Affordability Scheme as would:

- (1) provide for incentives to be given on a sliding scale to take account of the different development and land costs in different locations;
- (2) provide for successful applicants to transfer their tax offsets on a once only basis to project financiers in return for a lower cost of funds, including providing such tax offsets to not for profit entities for this purpose;
- (3) require that State and Territory governments match the incentives provided by the Commonwealth under the Scheme;
- (4) extend project eligibility criteria to include conversions to affordable housing from existing residential stock, particularly where such projects involve substantial redevelopment to provide for specific needs groups such as aged or disabled accommodation;
- (5) extend the upper level income limits for tenant income eligibility criteria by 30 per cent in each band to ensure greater access for key workers and those seeking to save to buy their first homes;
- (6) provide ‘as of right’ eligibility for the Federal Government’s solar panel rebate and solar hot water rebate schemes; and
- (7) extend the establishment phase criteria that approximately 20 per cent of incentives be available for projects of not less than 20 dwellings, to the entire Scheme”—

Debate resumed.

Suspension of meeting

At 8.01 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of meeting

At 8.15 p.m., the proceedings were resumed.

Debate continued.

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

4 ADJOURNMENT

On the motion of Ms Grierson, the Main Committee adjourned at 8.23 p.m.

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

B. C. WRIGHT
Clerk of the Main Committee