

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**HOUSE OF REPRESENTATIVES**

**VOTES AND PROCEEDINGS**

No. 68

WEDNESDAY, 3 DECEMBER 2008

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

**2 AVIATION LEGISLATION AMENDMENT (2008 MEASURES NO. 2) BILL 2008**

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government), pursuant to notice, presented a Bill for an Act to amend legislation relating to aviation, and for related purposes.

*Document*

Mr Albanese presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**3 EMPLOYMENT AND WORKPLACE RELATIONS AMENDMENT BILL 2008**

Mr O'Connor (Minister for Employment Participation), for Ms Gillard (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the law relating to compensation and social security, and for other purposes.

*Document*

Mr O'Connor presented an explanatory memorandum to the bill.

Bill read a first time.

Mr O'Connor moved—That the bill be now read a second time.

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

**4 DEFENCE LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2008**

Mr Fitzgibbon (Minister for Defence), pursuant to notice, presented a Bill for an Act to amend legislation relating to defence, and for related purposes.

*Document*

Mr Fitzgibbon presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**5 DISABILITY DISCRIMINATION AND OTHER HUMAN RIGHTS LEGISLATION AMENDMENT BILL 2008**

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Disability Discrimination Act 1992* and other laws relating to human rights, and for related purposes.

*Document*

Mr McClelland presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**6 FEDERAL COURT OF AUSTRALIA AMENDMENT (CRIMINAL JURISDICTION) BILL 2008**

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to make provision for the exercise of certain criminal jurisdiction by the Federal Court of Australia, and for other purposes.

*Document*

Mr McClelland presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**7 FEDERAL JUSTICE SYSTEM AMENDMENT (EFFICIENCY MEASURES) BILL (NO. 1) 2008**

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to amend various Acts relating to law and justice, and for related purposes.

*Document*

Mr McClelland presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**8 FOREIGN EVIDENCE AMENDMENT BILL 2008**

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Foreign Evidence Act 1994*, and for related purposes.

*Document*

Mr McClelland presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**9 TELECOMMUNICATIONS INTERCEPTION LEGISLATION AMENDMENT BILL (NO. 2) 2008**

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the law relating to surveillance and the interception of telecommunications, and for related purposes.

*Document*

Mr McClelland presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**10 URANIUM ROYALTY (NORTHERN TERRITORY) BILL 2008**

Mr M. J. Ferguson (Minister for Resources and Energy), pursuant to notice, presented a Bill for an Act to impose a royalty on uranium, and certain other designated substances, recovered in the Northern Territory, and for other purposes.

*Document*

Mr M. J. Ferguson presented an explanatory memorandum to the bill.

Bill read a first time.

Mr M. J. Ferguson 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.

**11 LAW AND JUSTICE LEGISLATION AMENDMENT (IDENTITY CRIMES AND OTHER MEASURES) BILL 2008**

Mr Debus (Minister for Home Affairs), pursuant to notice, presented a Bill for an Act to amend various Acts relating to law and justice, 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.

**12 CUSTOMS AMENDMENT (ENHANCED BORDER CONTROLS AND OTHER MEASURES) BILL 2008**

Mr Debus (Minister for Home Affairs), pursuant to notice, presented a Bill for an Act to amend the law relating to customs, 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.

**13 TAX LAWS AMENDMENT (2008 MEASURES NO. 6) BILL 2008**

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

*Document*

Mr Bowen presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**14 TRADE PRACTICES AMENDMENT (CARTEL CONDUCT AND OTHER MEASURES) BILL 2008**

Mr Bowen (Minister for Competition Policy and Consumer Affairs), pursuant to notice, presented a Bill for an Act to amend the *Trade Practices Act 1974*, and for other purposes.

*Document*

Mr Bowen presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Bowen 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.

**15 AUSTRALIAN WAR MEMORIAL EASTERN PRECINCT DEVELOPMENT AND NATIONAL SERVICE MEMORIAL, CANBERRA, ACT—APPROVAL OF WORK**

Dr Kelly (Parliamentary Secretary for Defence Support), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the

following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Australian War Memorial Eastern Precinct Development and National Service Memorial, Canberra, ACT.

Question—put and passed.

**16 FIT-OUT FOR THE AUSTRALIAN FEDERAL POLICE OF THE EDMUND BARTON BUILDING, BARTON, ACT—APPROVAL OF WORK**

Dr Kelly (Parliamentary Secretary for Defence Support), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Fit-out for the Australian Federal Police of the Edmund Barton Building, Barton, ACT.

Question—put and passed.

**17 PROPOSED AUSTRALIAN SKA PATHFINDER RADIO TELESCOPE IN GERALDTON-GRENOUGH AND IN MURCHISON SHIRE, WA—APPROVAL OF WORK**

Dr Kelly (Parliamentary Secretary for Defence Support), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Australian SKA Pathfinder radio telescope in Geraldton-Greenough and in Murchison Shire, WA.

Question—put and passed.

**18 PUCKAPUNYAL REDEVELOPMENT, VICTORIA—APPROVAL OF WORK**

Dr Kelly (Parliamentary Secretary for Defence Support), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Puckapunyal redevelopment, Victoria.

Question—put and passed.

**19 DEATH OF LIEUTENANT MICHAEL KENNETH HOUSDAN FUSSELL—CONDOLENCE MOTION—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the order of the day relating to the Prime Minister's motion of condolence in connection with the death of Lieutenant Michael Kenneth Housdan Fussell had been debated in the Main Committee and returned to the House, and presented a certified copy of the motion. All Members present having risen, in silence—

Question—passed.

**20 INTELLIGENCE AND SECURITY—PARLIAMENTARY JOINT COMMITTEE**

The House was informed that the Speaker had received advice from Mr Rudd (Prime Minister) nominating a Member to be a member of the Parliamentary Joint Committee on Intelligence and Security.

Mr M. J. Ferguson (Minister for Resources and Energy), by leave, moved—That, in accordance with the provisions of the *Intelligence Services Act 2001*, Mrs Hull be appointed a member of the Parliamentary Joint Committee on Intelligence and Security.

Question—put and passed.

**21 MIGRATION LEGISLATION AMENDMENT (WORKER PROTECTION) BILL 2008**

The order of the day having been read for the second reading—Mr L. D. T. Ferguson (Parliamentary Secretary for Multicultural Affairs and Settlement Services) moved—That the bill be now read a second time.

*Document*

Mr L. D. T. Ferguson presented an explanatory memorandum to the bill.

Debate ensued.

Debate adjourned (Dr Emerson—Minister for Small Business, Independent Contractors and the Service Economy), and the resumption of the debate made an order of the day for a later hour this day.

## 22 MESSAGE FROM THE SENATE—SCHOOLS ASSISTANCE BILL 2008

Message No. 187, 2 December 2008, from the Senate was reported returning the Schools Assistance Bill 2008 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Ms Gillard (Minister for Education), amendments Nos 1 to 3 and 5 to 9 were agreed to, after debate.

Ms Gillard moved—That amendment No. 4 be disagreed to.

Debate ensued.

### *Closure*

Ms Gillard moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 71

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

## NOES, 51

Mr Andrews	Mr Hartsuyker	Mr Macfarlane	Mr Ruddock
Mr Baldwin	Mr A. G. Hawke	Ms Marino	Mr Scott
Mr Billson	Mr D. P. M. Hawker	Mrs Markus	Mr Secker
Ms J. I. Bishop	Mr Hockey	Mrs May	Mr Simpkins
Mr Briggs	Mrs Hull*	Mrs Mirabella ( <i>proxy</i> )	Mr Somlyay
Mr Broadbent	Mr Hunt	Mr Morrison	Dr Southcott
Mr Chester	Mr Irons	Dr Nelson	Dr Stone
Mr Coulton	Dr Jensen	Mr Pearce	Mr Truss
Mr Dutton	Mr Johnson*	Mr Pyne	Mr Tuckey
Mr Farmer	Mr Keenan	Mr Ramsey	Mrs Vale
Mr Forrest	Mr Laming	Mr Randall	Dr Washer
Mr Georgiou	Ms Ley	Mr Robb	Mr Wood
Mr Haase	Mr Lindsay	Mr Robert	

\* Tellers

*Pairs*

Mr McMullan	Mrs Gash
Ms Vamvakinou	Mr A. D. H. Smith
Mr S. F. Smith	Mr Costello
Ms Jackson	Mrs Moylan

And so it was resolved in the affirmative.

And the question—That amendment No. 4 be disagreed to—being accordingly put—  
The House divided (the Deputy Speaker, Mr Slipper, in the Chair)—

## AYES, 71

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

## NOES, 51

Mr Andrews	Mr Hartsuyker	Mr Macfarlane	Mr Ruddock
Mr Baldwin	Mr A. G. Hawke	Ms Marino	Mr Scott
Mr Billson	Mr D. P. M. Hawker	Mrs Markus	Mr Secker
Ms J. I. Bishop	Mr Hockey	Mrs May	Mr Simpkins
Mr Briggs	Mrs Hull*	Mrs Mirabella ( <i>proxy</i> )	Mr Somlyay
Mr Broadbent	Mr Hunt	Mr Morrison	Dr Southcott
Mr Chester	Mr Irons	Dr Nelson	Dr Stone
Mr Coulton	Dr Jensen	Mr Pearce	Mr Truss
Mr Dutton	Mr Johnson*	Mr Pyne	Mr Tuckey
Mr Farmer	Mr Keenan	Mr Ramsey	Mrs Vale
Mr Forrest	Mr Laming	Mr Randall	Dr Washer
Mr Georgiou	Ms Ley	Mr Robb	Mr Wood
Mr Haase	Mr Lindsay	Mr Robert	

\* Tellers

*Pairs*

Mr McMullan	Mrs Gash
Ms Vamvakinou	Mr A. D. H. Smith
Mr S. F. Smith	Mr Costello
Ms Jackson	Mrs Moylan

And so it was resolved in the affirmative.

Ms Gillard presented reasons, which were circulated, and are as follows:

*Reasons of the House of Representatives for disagreeing to Senate amendment No. 4*

Clause 22, page 25 (lines 3 to 11), omit the clause.

This amendment passed by the Senate strips the National Curriculum clause from the bill. The National Curriculum is essential to ensure that all Australian school students receive a world class education, and to provide consistency to the 80,000 students who move to new schools interstate each year.

Section 22 of the Schools Assistance Bill requires as a condition of funding, the implementation of National Curriculum in all non-government schools by 31 January 2012. Omitting the clause would be inconsistent with the requirements of the National Education Agreement agreed to by all States and Territories through the Council of Australian Governments.

The National Curriculum will detail the content and achievement standards that all young Australians should have access to, regardless of their socio-economic background or the location of the school. Beyond the requirements of the content and achievement standards, there will continue to be flexibility for innovation and creativity for the development and delivery of curriculum, including Steiner and Montessori pedagogies, at the local level in schools.

The National Curriculum is being developed with the non-government school sector.

The House believes that a world class curriculum is not an optional extra. Australia's school students deserve the best possible standards.

The House believes in transparency for parents and the community and that a national curriculum is a basic part of setting the right expectations of schooling for everyone.

The House believes that a national curriculum is essential for proper accountability about standards of achievement in our schools.

Accordingly, the House of Representatives does not accept this amendment.

Ms Gillard moved—That the reasons be adopted.

Question—put—

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

## AYES, 72

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

## NOES, 51

Mr Andrews	Mr Hartsuyker	Mr Macfarlane	Mr Ruddock
Mr Baldwin	Mr A. G. Hawke	Ms Marino	Mr Scott
Mr Billson	Mr D. P. M. Hawker	Mrs Markus	Mr Secker
Ms J. I. Bishop	Mr Hockey	Mrs May	Mr Simpkins
Mr Briggs	Mrs Hull*	Mrs Mirabella ( <i>proxy</i> )	Mr Somlyay
Mr Broadbent	Mr Hunt	Mr Morrison	Dr Southcott
Mr Chester	Mr Irons	Dr Nelson	Dr Stone
Mr Coulton	Dr Jensen	Mr Pearce	Mr Truss
Mr Dutton	Mr Johnson*	Mr Pyne	Mr Tuckey
Mr Farmer	Mr Keenan	Mr Ramsey	Mrs Vale
Mr Forrest	Mr Laming	Mr Randall	Dr Washer
Mr Georgiou	Ms Ley	Mr Robb	Mr Wood
Mr Haase	Mr Lindsay	Mr Robert	

\* Tellers

*Pairs*

Mr McMullan	Mrs Gash
Ms Vamvakinou	Mr A. D. H. Smith
Mr S. F. Smith	Mr Costello
Ms Jackson	Mrs Moylan

And so it was resolved in the affirmative.

**23 MIGRATION LEGISLATION AMENDMENT (WORKER PROTECTION) 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 a later hour this day.

**24 BILL REFERRED TO MAIN COMMITTEE**

Mr Price (Chief Government Whip), by leave, moved—That the Migration Legislation Amendment (Worker Protection) Bill 2008 be referred to the Main Committee for further consideration.

Question—put and passed.

**25 MAIN COMMITTEE—HOUR OF NEXT MEETING**

The Deputy Speaker reported that an alternative time for the next meeting of the Main Committee had been fixed at 4 p.m. today, unless an alternative day or hour is fixed.

**26 MESSAGE FROM THE SENATE**

Message No. 186, 2 December 2008, from the Senate was reported returning the Education Legislation Amendment Bill 2008 without amendment.

**27 FAIR WORK 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 Haase addressing the House—

It being 2 p.m., the debate was interrupted in accordance with standing order 97, Mr Haase 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 a later hour this day.

**28 DEATH OF FORMER MEMBER (THE HONOURABLE FRANCIS (FRANK) DANIEL CREAN)**

Mr Rudd (Prime Minister) referred to the death of the Honourable Francis (Frank) Daniel Crean, and moved—That the House record its deep regret at the death on 2 December 2008, of the Honourable Frank Crean, former Federal Treasurer and Deputy Prime Minister of the Commonwealth of Australia, and place on record its appreciation of his long public service and tender its profound sympathy to his family in their bereavement.

Mr Turnbull (Leader of the Opposition) having seconded the motion, Mr Jenkins (Speaker) having addressed the House in support thereof, and all Members present having risen, in silence—

Debate adjourned, Mr Albanese (Leader of the House), and the resumption of the debate made an order of the day for a later hour this day.

**29 MATTER REFERRED TO MAIN COMMITTEE**

Mr Albanese (Leader of the House), by leave, moved—That the resumption of debate on the Prime Minister's motion of condolence in connection with the death of the Honourable Francis (Frank) Daniel Crean (*see item No. 28*) be referred to the Main Committee.

Question—put and passed.

**30 QUESTIONS**

Questions without notice being asked—

*Document*

Ms Gillard (Minister for Education) presented the following document:

Schools Assistance Bill 2008—Letter to all schools and schools communities—Ms Gillard, 3 December 2008.

Questions without notice continuing—

*Member directed to leave*

At 3.38 p.m. the Member for Dickson (Mr Dutton) was directed, under standing order 94, to leave the Chamber for one hour for raising a frivolous point of order, and he accordingly left the Chamber.

Questions without notice continued.

**31 AUSTRALIAN NATIONAL AUDIT OFFICE—REPORT OF INDEPENDENT AUDITOR ON PERFORMANCE AUDIT**

The Speaker, in accordance with the *Auditor-General Act 1997*, presented the following document:

Australian National Audit Office—Report of the Independent Auditor—Human resource management performance audit, December 2008.

Ordered to be made a Parliamentary Paper.

**32 DOCUMENTS**

The following documents were presented:

Anglo-Australian Telescope Board—Report for 2007-08.

ASC Pty Ltd—Report for 2007-08.

COAG Reform Fund Bill 2008—Supplementary explanatory memorandum.

Remuneration Tribunal—Report for 2007-08.

Treaty—*Multilateral—Text, together with national interest analysis*—Optional Protocol to the United Nations Convention on the Rights of Persons with Disabilities—New York, 13 December 2006.

**33 DOCUMENT—MOTION TO TAKE NOTE OF DOCUMENT**

Mr Albanese (Leader of the House) moved—That the House take note of the following document:

COAG Reform Fund Bill 2008—Supplementary explanatory memorandum.

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

**34 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—GOVERNMENT PERFORMANCE**

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 dismal performance of the Government during its first year in office”.

The proposed discussion having received the necessary support—

Mr Turnbull addressed the House.

Discussion ensued.

Discussion concluded.

**35 FAIR WORK 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 for Defence Support), and the resumption of the debate made an order of the day for a later hour this day.

**36 UNIVERSAL DECLARATION OF HUMAN RIGHTS—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the order of the day relating to motion on the Universal Declaration of Human Rights by the Prime Minister had been debated in the Main Committee and returned to the House (see item No. 8, *Minutes of Proceedings of the Main Committee*), and presented a certified copy of the motion.

Question—That the motion be agreed to—put and passed.

**37 MIGRATION LEGISLATION AMENDMENT (WORKER PROTECTION) BILL 2008—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Dr Kelly (Parliamentary Secretary for Defence Support), by leave, the bill was read a third time.

**38 FAIR WORK 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.

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*Document*

Mr Hockey, by leave, presented the following document:

Man makes fire threat outside Parliament—Article from the *Herald Sun*, 3 December 2008.

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Debate continued.

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**39 ADJOURNMENT**

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

*Petition*

Mr Wood presented the following petition approved by the Standing Committee on Petitions:

Photovoltaic solar rebate scheme—375 petitioners.

Debate continued.

The House continuing to sit until 8 p.m.—The Deputy Speaker adjourned the House until 9 a.m. tomorrow.

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**DOCUMENTS**

The following documents were deemed to have been presented on 3 December 2008:

A New Tax System (Luxury Car Tax) Act—Regulations—Select Legislative Instrument—2008 No. 239 [F2008L04529].

Acts Interpretation Act—Statement relating to extension of time for presentation of periodic report—National Rural Advisory Council—Report for 2006-07.

Broadcasting Services Act—Variations—2008 Licence area plans for—Charters Towers Radio [F2008L04436].

Colac Radio [F2008L04435].

Townsville Radio [F2008L04437].

Civil Aviation Act—

Civil Aviation Safety Regulations—Airworthiness Directives under—Part 39-105—AD/BELL 412—No. 2—Amendment (No. 1)—Cancellation [F2008L04391].

AD/BN-2—

No. 22—Cancellation [F2008L04392].

No. 26—Cancellation [F2008L04393].

No. 37—Cancellation [F2008L04394].

AD/DO 228—No. 1—Cancellation [F2008L04399].

AD/ERJ-170—Nos 19, 20 [F2008L04405], [F2008L04406].

Regulations—Select Legislative Instruments—2008—No. 238 [F2008L04445]

Customs Act—Regulations—Select Legislative Instruments—2008 Nos 225, 226 [F2008L04419], [F2008L04423].

Excise Act—Regulations—Select Legislative Instrument—2008 No. 240 [F2008L04517].

Federal Court of Australia Act—Regulations—Select Legislative Instrument—2008 No. 244 [F2008L04528].

Fisheries Management Act—Heard Island and McDonald Islands Fishery Management Plan 2002—Determination—2008/2009 No. HIMIF TAC D7 [F2008L04441].

Hazardous Waste (Regulation of Exports and Imports) Act—Regulations—Select Legislative Instrument—2008 No. 231 [F2008L04513].

Health Insurance Act—Regulations—Select Legislative Instrument—2008 No. 235 [F2008L04262].

International Organisations (Privileges and Immunities) Act—Regulations—Select Legislative Instrument—2008 No. 233 [F2008L04489].

Migration Act—

Regulations—Select Legislative Instrument—2008 No. 237 [F2008L04492].

Statement under section 91D—2008 Prescription of the People’s Republic of China as a safe third country.

*Migration Amendment (Notification Review) Act 2008*—Proclamation under subsection 2 (1) fixing 5 December 2008 as the day on which items 1 and 2 of Schedule 1 to the Act commence [F2008L04521].

National Rental Affordability Scheme Act—Regulations—Select Legislative Instrument—2008 No. 232 [F2008L04484].

Petroleum Excise (Prices) Act—Regulations—Select Legislative Instrument—2008 No. 241 [F2008L04518].

Primary Industries (Excise) Levies Act—Regulations—Select Legislative Instrument—2008 No. 223 [F2008L04034].

Primary Industries Levies and Charges Collection Act—Regulations—Select Legislative Instrument—2008 No. 224 [F2008L04490].

Radiocommunications Act—Determination—2008 Foreign space objects—Amendment (No. 2) [F2008L04440].

Telecommunications (Consumer Protection and Service Standards) Act—Determinations—2008 Universal service subsidies—

2008-09 Contestable areas (No. 1) [F2008L04449].

2008-09 Default area (No. 1) [F2008L04448].

Trade Practices Act—Regulations—Select Legislative Instrument—2008 No. 242 [F2008L04523].

Water Act—Regulations—Select Legislative Instrument—2008 No. 229 [F2008L04439].

Workplace Relations Act—Regulations—Select Legislative Instrument—2008 No. 243 [F2008L04525].

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#### ATTENDANCE

All Members attended (at some time during the sitting) except Mr Ciobo, Mr Costello, Mr Crean, Mrs Gash\*, Ms Jackson, Mr McMullan, Mrs Moylan, Mr Oakeshott\*, Mr A. D. H. Smith, Mr S. F. Smith and Ms Vamvakinou.

\* On leave

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

2008

## HOUSE OF REPRESENTATIVES

### SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 68

## MAIN COMMITTEE

### MINUTES OF PROCEEDINGS

WEDNESDAY, 3 DECEMBER 2008

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1 The Main Committee met at 9.30 a.m.

#### 2 MEMBERS' CONSTITUENCY STATEMENTS

Members' constituency statements were made.

#### 3 CORPORATIONS AND FINANCIAL SERVICES—PARLIAMENTARY JOINT 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 Ripoll—That the House take note of the document (*presented on 1 December 2008*), *viz.*—

Corporations and Financial Services—Parliamentary Joint Committee—Opportunity not opportunism: Improving conduct in Australian franchising—Report, December 2008—

Debate resumed.

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

#### 4 INDUSTRY, 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 Fran Bailey—That the House take note of the document (*presented on 1 December 2008*), *viz.*—

Industry, Science and Innovation—Standing Committee—Building Australia's research capacity—Final report, December 2008—

Debate resumed.

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

#### 5 UNIVERSAL DECLARATION OF HUMAN RIGHTS

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

- (1) notes that 10 December 2008 is the 60th anniversary of the adoption by the United Nations General Assembly of the Universal Declaration of Human Rights;
- (2) recalls that the adoption of the Declaration was a response to the suffering of those who had experienced human rights violations, especially the 'barbarous acts' perpetrated during World War II;
- (3) recognises that whilst significant progress has been made in promoting and protecting human rights since the Declaration was adopted, human rights violations have continued to occur;
- (4) acknowledges the valuable contribution of Australians who played a role in the development and adoption of this important instrument of international law and who, since then, have contributed to its implementation; and

(5) affirms the principles in the Universal Declaration of Human Rights and emphasises its commitment to those principles—

Debate resumed.

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

#### 6 ADJOURNMENT

On the motion of Ms George, the Main Committee adjourned at 12.15 p.m.

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

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7 The Deputy Speaker having subsequently fixed 4 p.m. today as the time for the next meeting of the Main Committee, the Main Committee met at 4 p.m.

#### 8 UNIVERSAL DECLARATION OF HUMAN RIGHTS

The order of the day having been read for the resumption of the debate on the motion of Mr Rudd (Prime Minister) (*see item No. 5, page 787*)—

Mr Hayes moved that further proceedings be conducted in the House.

Question—put and passed.

#### 9 MIGRATION LEGISLATION AMENDMENT (WORKER PROTECTION) 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.

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.

#### 10 ADJOURNMENT

On the motion of Mr L. D. T. Ferguson (Parliamentary Secretary for Multicultural Affairs and Settlement Services), the Main Committee adjourned at 5.59 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