

2008-09

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 109

THURSDAY, 13 AUGUST 2009

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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 PARLIAMENTARY ZONE—PARLIAMENT DRIVE ONE WAY ROAD UPGRADE—APPROVAL OF PROPOSAL**

Mr Albanese (Leader of the House), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 11 August 2009, namely: Parliament Drive one way road upgrade.

Question—put and passed.

**3 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—VILLAWOOD IMMIGRATION DETENTION FACILITY, SYDNEY, NSW**

Dr Kelly (Parliamentary Secretary for Defence Support), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Villawood Immigration Detention Facility, Sydney, New South Wales.

Question—put and passed.

**4 ASIAN DEVELOPMENT BANK (ADDITIONAL SUBSCRIPTION) BILL 2009**

Mr Swan (Treasurer), pursuant to notice, presented a Bill for an Act relating to the subscription by Australia for additional shares in the capital stock of the Asian Development Bank, 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 (Mr Coulton), and the resumption of the debate made an order of the day for the next sitting.

**5 BUILDING AND CONSTRUCTION INDUSTRY IMPROVEMENT AMENDMENT (TRANSITION TO FAIR WORK) BILL 2009**

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.

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

AYES, 80

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

NOES, 58

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

\* Tellers

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

Leave granted for third reading to be moved immediately.

On the motion of Ms Gillard (Minister for Employment and Workplace Relations), the bill was read a third time.

**6 JAKARTA BOMBINGS—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 Jakarta bombings 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.

**7 PRIVATE BENJAMIN RANAUDO—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 Private Benjamin Ranaudo 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.

**8 ROAD TRANSPORT REFORM (DANGEROUS GOODS) REPEAL BILL 2009—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 Mr Butler (Parliamentary Secretary for Health), by leave, the bill was read a third time.

**9 JOINT STANDING COMMITTEE ON ELECTORAL MATTERS—REPORT ON THE CONDUCT OF THE 2007 FEDERAL ELECTION AND MATTERS RELATED THERETO—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the order of the day relating to the motion to take note of the report of the Joint Standing Committee on Electoral Matters on the conduct of the 2007 federal election and matters related thereto had been debated in the Main Committee and returned to the House.

Ordered—That resumption of the debate be made an order of the day for a later hour this day.

**10 HIGHER EDUCATION SUPPORT AMENDMENT (2009 BUDGET MEASURES) BILL 2009**

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 Cheeseman addressing the House—

It being 2 p.m., the debate was interrupted in accordance with standing order 97, Mr Cheeseman 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.

**11 MINISTERIAL ARRANGEMENTS**

Mr Rudd (Prime Minister) informed the House that, during the absence overseas of Mr Crean (Minister for Trade), Mr M. J. Ferguson (Minister for Resources and Energy) would answer questions on his behalf.

**12 FLYING OFFICER MICHAEL HERBERT AND PILOT OFFICER ROBERT CARVER—STATEMENTS**

Mr Rudd (Prime Minister), by indulgence, made a statement regarding the location of the remains of the last two members of the Australian Defence Force missing from the Vietnam conflict—Flying Officer Michael Herbert and Pilot Officer Robert Carver.

Mr Turnbull (Leader of the Opposition), by indulgence, also made a statement on the matter.

**13 MATTER REFERRED TO MAIN COMMITTEE**

Mr Albanese (Leader of the House), by leave, moved—That further statements by indulgence on the location of the remains of the last two members of the Australian Defence Force missing from the Vietnam conflict, Flying Officer Michael Herbert and Pilot Officer Robert Carver, be referred to the Main Committee.

Question—put and passed.

**14 QUESTIONS**

Questions without notice were asked.

**15 DOCUMENT**

Ms Gillard (Deputy Prime Minister), responding to a personal explanation, presented the following document:

Recent funding announcements—Newsletter from the Honourable Peter Slipper MP, Federal Member for Fisher.

**16 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS**

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

Corporations and Securities—Joint Statutory Committee—Aspects of the regulation of proprietary companies—Government response.

Ministerial statement—Afghanistan—Senator the Hon John Faulkner, Minister for Defence—12 August 2009.

Sydney Airport Demand Management Act—Direction—2009—Minister's direction to the slot manager—No. 1.

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

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

**17 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—HEALTH SYSTEM**

The House was informed that Mr Dutton had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to fix the health system”.

The proposed discussion having received the necessary support—

Mr Dutton addressed the House.

Discussion ensued.

Ms Roxon addressing the House—

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**18 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 5 p.m., adjourned until 12 noon Monday, 17 August 2009.

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**DOCUMENTS**

The following documents were deemed to have been presented on 13 August 2009:

Defence Act—Determinations under Section 58B—2009—Nos 46, 47, 48, 49, 50.

Remuneration Tribunal Act—Remuneration Tribunal—Determination—2009—No. 9 [F2009L03118] Replacement.

Taxation Administration Act—Rulings—2009—

CR—No. 41.

SMSFPR—No. 1.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Andrews, Mrs May, Mr C. R. Thomson and Mr Windsor.

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**I. C. HARRIS**

Clerk of the House of Representatives

2008-09

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**  
**No. 109**  
**MAIN COMMITTEE**  
**MINUTES OF PROCEEDINGS**  
**THURSDAY, 13 AUGUST 2009**

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1 The Main Committee met at 9.30 a.m.

**2 MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements were made.

**3 JAKARTA BOMBING—CONDOLENCE MOTION MOVED BY THE PRIME MINISTER**

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 record its deep regret at the deaths in Jakarta on 17 July 2009 of Mr Nathan Verity of Western Australia, Mr Garth McEvoy of Victoria and Mr Craig Senger of the Australian Capital Territory, and tender its profound sympathy to their families and friends in their bereavement—

As a mark of respect to the memory of the deceased all Members present stood, in silence.

Ms Hall moved that further proceedings be conducted in the House.

Question—put and passed.

**4 DEATH OF PRIVATE BENJAMIN RANAUDO—CONDOLENCE MOTION MOVED BY THE PRIME MINISTER**

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 record its deep regret at the death on 18 July 2009, of Private Benjamin Ranaudo while serving with the second Mentoring and Reconstruction Task Force in Afghanistan, and place on record its appreciation of his service to the country, and tender its profound sympathy to his family and friends in their bereavement—

As a mark of respect to the memory of the deceased all Members present stood, in silence.

Ms Hall moved that further proceedings be conducted in the House.

Question—put and passed.

**5 ROAD TRANSPORT REFORM (DANGEROUS GOODS) REPEAL BILL 2009**

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.

**6 ELECTORAL MATTERS—JOINT 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 Mr Melham—That the House take note of the document (*presented on 22 June 2009*), *viz.*—

Electoral Matters—Joint Standing Committee—Report on the conduct of the 2007 federal election and matters related thereto—Report, June 2009—

Debate resumed.

Ms Hall moved that further proceedings be conducted in the House.

**7 60TH ANNIVERSARY OF THE FOUR GENEVA CONVENTIONS OF 1949**

The order of the day having been read for the resumption of the debate on the motion of Mr McClelland (Attorney-General)—That the House:

- (1) notes the sixtieth anniversary of the Four Geneva Conventions of 1949;
- (2) congratulates the International Red Cross and Red Crescent Movement for continuously fostering the principles of international humanitarian law to limit human suffering in times of armed conflict and to prevent atrocities, especially against civilian populations, the wounded, and prisoner of war;
- (3) recalls Australia's ratification of the Conventions and of the two Additional Protocols of 1977;
- (4) affirms all parliamentary measures taken in support of such ratification;
- (5) encourages the fullest implementation of the Conventions and Additional Protocols by the military forces and civilian organisations of all States;
- (6) encourages ratification by all nations of the Conventions and Additional Protocols; and
- (7) recognises the extraordinary contribution made by many individual Australians, including Australian Red Cross members, volunteers and staff, in carrying out the humanitarian ideals expressed in the Conventions and Additional Protocols—

Debate resumed.

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*Suspension of meeting*

At 12.28 p.m., a division having been called in the House, the proceedings were suspended.

*Resumption of meeting*

At 12.41 p.m., the proceedings were resumed.

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

**8 ADJOURNMENT**

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

Debate ensued.

Question—put and passed.

At 1.02 p.m., the Deputy Speaker adjourned the Main Committee until 6.40 p.m. on Monday, 17 August 2009.

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