

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 116

WEDNESDAY, 9 SEPTEMBER 2009

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

2 WHIPS REPORT

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

Whips report—Report relating to committee and delegation reports and private Members' business on Monday, 14 September 2009—

and moved—That the report be adopted.

Question—put and passed.

3 BILL REFERRED TO MAIN COMMITTEE

Mr Price (Chief Government Whip), by leave, moved—That the Foreign States Immunities Amendment Bill 2009 be referred to the Main Committee for further consideration.

Question—put and passed.

4 HIGHER EDUCATION LEGISLATION AMENDMENT (STUDENT SERVICES AND AMENITIES) BILL 2009

Mr Marles (Parliamentary Secretary for Innovation and Industry) for Ms K. M. Ellis (Minister for Early Childhood Education, Childcare and Youth), pursuant to notice, presented a Bill for an Act to amend legislation relating to higher education, and for related purposes.

Document

Mr Marles presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

5 HIGHER EDUCATION SUPPORT AMENDMENT (VET FEE-HELP AND TERTIARY ADMISSION CENTRES) BILL 2009

Mr Marles (Parliamentary Secretary for Innovation and Industry) for Ms K. M. Ellis (Minister for Early Childhood Education, Childcare and Youth), pursuant to notice, presented a Bill for an Act to amend the *Higher Education Support Act 2003*, and for related purposes.

Document

Mr Marles presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

6 MIGRATION AMENDMENT (COMPLEMENTARY PROTECTION) BILL 2009

Mr L. D. T. Ferguson (Parliamentary Secretary for Multicultural Affairs and Settlement Services), pursuant to notice, presented a Bill for an Act to amend the *Migration Act 1958*, and for related purposes.

Document

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

Bill read a first time.

Mr L. D. T. Ferguson moved—That the bill be now read a second time.

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

7 TREATIES—JOINT STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr K. J. Thomson (Chair) presented the following document:

Treaties—Joint Standing Committee—Report 104: Treaties tabled on 20 August 2009—Report, September 2009.

Ordered to be made a Parliamentary Paper.

Mr K. J. Thomson, by leave, made a statement in connection with the report.

8 AVIATION TRANSPORT SECURITY AMENDMENT (2009 MEASURES NO. 1) 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 third reading to be moved immediately.

On the motion of Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government), the bill was read a third time.

9 CORPORATIONS AMENDMENT (IMPROVING ACCOUNTABILITY ON TERMINATION PAYMENTS) 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 by Mr Pearce 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) recognises the widespread concern in the community that termination benefits provided to some corporate executives and office holders have been excessive;
- (2) supports the introduction of more stringent requirements that payments in excess of reasonable levels should be subject to shareholder approval;
- (3) acknowledges that in its present form the Government’s proposal is neither a practical nor an effective solution and that, if persisted with, it is likely to cause artificial and inappropriate alternative arrangements to be made, thus defeating the whole purpose of reform in this area; and
- (4) calls on the Government to support the practical and effective amendments proposed by the coalition”.

Debate continued.

Mr Dreyfus addressing the House—

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

10 QUESTIONS

Questions without notice were asked.

11 DOCUMENT

Mr Albanese during a question to the Speaker, presented the following document:

Petitions—Copy of a letter from Bruce Scott, Federal Member for Maranoa to Mrs N Golden, 25 August, 2009—Forwarded to Mr Albanese by Mr Harold Golden, 31 August 2009.

12 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

Mr S. F. Smith (Minister for Foreign Affairs) presented the following documents:

Communications—House of Representatives Standing Committee—Report—Phoning home: Inquiry into international mobile roaming—Government response and statement.

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

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

13 DOHA ROUND NEGOTIATIONS—MINISTERIAL STATEMENT

Mr Crean (Minister for Trade), by leave, made a ministerial statement relating to the injection of momentum into the Doha Round negotiations resulting from the meeting of trade ministers in New Delhi, India.

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 Truss (Leader of the Nationals) speaking in reply to the ministerial statement for a period not exceeding 26 minutes.

Question—put and passed.

Mr Truss addressed the House.

14 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—REFORM AGENDA

The House was informed that Mr Abbott had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s failure to pursue a reform agenda”.

The proposed discussion having received the necessary support—

Mr Abbott addressed the House.

Discussion ensued.

Discussion concluded.

15 ACCESS TO JUSTICE (CIVIL LITIGATION REFORMS) AMENDMENT 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 Gray (Parliamentary Secretary for Western and Northern Australia), by leave, the bill was read a third time.

16 OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE LEGISLATION AMENDMENT BILL 2009—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the bill had been fully considered by the Main Committee and agreed to with amendments (*see item No. 4, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the bill together with a schedule of amendments.

Amendments made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Mr Gray (Parliamentary Secretary for Western and Northern Australia), by leave, the bill was read a third time.

17 OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (SAFETY LEVIES) AMENDMENT 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 Gray (Parliamentary Secretary for Western and Northern Australia), by leave, the bill was read a third time.

18 NATIONAL HEALTH SECURITY AMENDMENT 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 Gray (Parliamentary Secretary for Western and Northern Australia), by leave, the bill was read a third time.

19 MESSAGE FROM THE SENATE

Message No. 317, 9 September 2009, from the Senate was reported returning the International Monetary Agreements Amendment Bill 2009 without amendment.

20 MESSAGE FROM THE SENATE—THERAPEUTIC GOODS AMENDMENT (2009 MEASURES NO. 2) BILL 2009

Message No. 318, 9 September 2009, from the Senate was reported returning the Therapeutic Goods Amendment (2009 Measures No. 2) Bill 2009 with an amendment.

Ordered—That the amendment be considered immediately.

On the motion of Mr Gray (Parliamentary Secretary for Western and Northern Australia), the amendment was agreed to.

21 CORPORATIONS AMENDMENT (IMPROVING ACCOUNTABILITY ON TERMINATION PAYMENTS) 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—*And on the amendment moved thereto by Mr Pearce (see item No. 9, page 1292)*—

Debate resumed.

Amendment negatived.

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

Consideration in detail

Bill, by leave, taken as a whole.

Mr Pearce, 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, Mrs Vale, in the Chair)—

AYES, 55

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

NOES, 75

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

* Tellers

And so it was negatived.

Pairs

Ms Campbell	Mr Irons
Mr Garrett	Mr Schultz
Ms Hall	Fran Bailey

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law), by leave, the bill was read a third time.

22 MESSAGE FROM THE SENATE

Message No. 319, 9 September 2009, from the Senate was reported returning the Uranium Royalty (Northern Territory) Bill 2008 without amendment.

23 TELECOMMUNICATIONS LEGISLATION AMENDMENT (NATIONAL BROADBAND NETWORK MEASURES—NETWORK INFORMATION) 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 having been resumed by Mr Billson—

24 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 9 September 2009:

Airports Act—Regulations—Select Legislative Instrument—2009 No. 231 [F2009L03476].

Broadcasting Services Act—2009—

Standards—

Broadcasting services (Australian content)—Variation (No. 1) [F2009L03394].

Children's television [F2009L03416].

Variations—Licence area plans for—

Bendigo Radio [F2009L03342].

Rockhampton-Gladstone Radio [F2009L03343].

Spencer Gulf North Radio [F2009L03340].

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

AD/A330—No. 106 [F2009L03405].

AD/BAe 146—No. 137—Amendment (No. 1) [F2009L03480].

AD/BEECH 56—No. 1—Amendment (No. 2)—Cancellation [F2009L03382].

AD/BN-2—

No. 21—Amendment (No. 1)—Cancellation [F2009L03381].

No. 85—Amendment (No. 1) [F2009L03380].

AD/BO 105—

No. 7—Amendment (No. 1)—Cancellation [F2009L03379].

No. 12—Cancellation [F2009L03378].

AD/CESSNA 310—

No. 32—Amendment (No. 3)—Cancellation [F2009L03377].

No. 35—Amendment (No. 1)—Cancellation [F2009L03376].

AD/CESSNA 320—No. 20—Cancellation [F2009L03375].

AD/CESSNA 337—

No. 17—Cancellation [F2009L03374].

No. 18—Cancellation [F2009L03373].

AD/F28—No. 92—Cancellation [F2009L03258].

Part 39-106—

AD/TPE 331—

No. 22—Cancellation [F2009L03417].

No. 38—Cancellation [F2009L03411].

No. 42—Amendment (No. 1)—Cancellation [F2009L03410].

No. 43—Amendment (No. 2)—Cancellation [F2009L03409].

No. 51—Amendment (No. 1)—Cancellation [F2009L03408].

No. 60—Cancellation [F2009L03407].

AD/TURMO—No. 3—Cancellation [F2009L03406].

Criminal Code Act—Regulations—Select Legislative Instruments—2009 Nos 212, 213, 214, 215 [F2009L03396], [F2009L03397], [F2009L03398], [F2009L03399].

Currency Act—Determination—2009 Royal Australian Mint (No. 6) [F2009L03468].

Customs Act—Orders—

Tariff Concession—2009 Nos 0803137, 0906539 [F2009L03386], [F2009L03280].

Tariff Concession Revocation—2009 Nos 39, 40 [F2009L03315], [F2009L03317].

Environment Protection and Biodiversity Conservation Act—Instrument under section 303DC—28 August 2009 [F2009L03461].

Export Control Act—Export Control (Orders) Regulations—Orders—2009 Livestock export (Merino)—Repeal [F2009L03462].

Federal Financial Relations Act—Determination under part 3—2009 National specific purpose payments (No. 1) [F2009L03324].

Higher Education Support Act—Higher education provider—Notice of approval—2009 No. 7 [F2009L03470].

Migration Act—Regulations—Select Legislative Instrument—2009 No. 230 [F2009L03389].

Remuneration Tribunal Act—Remuneration Tribunal Determination—2009 No. 12 [F2009L03478].

Renewable Energy (Electricity) Act—Regulations—Select Legislative Instruments—2009 Nos 221, 222 [F2009L03474], [F2009L03475].

Social Security (International Agreements) Act—Social Security (International Agreements) Amendment Regulations—Instrument—2009 Commencement (Agreement between Australia and Chile on social security) [F2009L03482].

ATTENDANCE

All Members attended (at some time during the sitting) except Fran Bailey, Ms Campbell, Mr Garrett, Ms Hall, Mr Irons, Mr Robb and Mr Schultz.

I. C. HARRIS

Clerk of the House of Representatives

2008-09

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 116

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 9 SEPTEMBER 2009

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' CONSTITUENCY STATEMENTS

Members' constituency statements were made.

3 ACCESS TO JUSTICE (CIVIL LITIGATION REFORMS) AMENDMENT 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.

4 OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE LEGISLATION AMENDMENT 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—That the bill be now read a second time—put and passed—bill read a second time.

Consideration in detail

Bill, by leave, taken as a whole.

Documents

Mr M. J. Ferguson (Minister for Resources and Energy) presented a supplementary explanatory memorandum and a further supplementary explanatory memorandum to the bill.

On the motion of Mr M. J. Ferguson, by leave, Government amendments (1) and (2) of sheet BE207, and (1) of sheet BE225 were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

Question—That the bill be reported to the House with amendments—put and passed.

5 OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (SAFETY LEVIES) AMENDMENT 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—

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 NATIONAL HEALTH SECURITY AMENDMENT 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.

7 ADJOURNMENT

On the motion of Mr Melham, the Main Committee adjourned at 12.55 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