

2008-09-10

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 154

WEDNESDAY, 17 MARCH 2010

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

2 POSTPONEMENT OF NOTICE

Ordered—That notice No. 1, government business, be postponed until a later hour this day.

3 BILL REFERRED TO MAIN COMMITTEE

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

Question—put and passed.

4 CARER RECOGNITION BILL 2010

Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to provide for the recognition of carers, and for related purposes.

Document

Ms Macklin presented an explanatory memorandum to the bill.

Bill read a first time.

Ms Macklin moved—That the bill be now read a second time.

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

5 AGRICULTURAL AND VETERINARY CHEMICALS CODE AMENDMENT BILL 2010

Mr A. S. Burke (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to amend the *Agricultural and Veterinary Chemicals Code Act 1994*, and for related purposes.

Document

Mr A. S. Burke presented an explanatory memorandum to the bill.

Bill read a first time.

Mr A. S. Burke moved—That the bill be now read a second time.

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

6 INSURANCE CONTRACTS AMENDMENT BILL 2010

Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law), pursuant to notice, presented a Bill for an Act to amend the *Insurance Contracts Act 1984*, 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 (Mrs Gash), and the resumption of the debate made an order of the day for the next sitting.

7 TAX LAWS AMENDMENT (TRANSFER OF PROVISIONS) BILL 2010

Mr Griffin (Minister for Veterans' Affairs) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

Document

Mr Griffin presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

8 TAX LAWS AMENDMENT (2010 MEASURES NO. 2) BILL 2010

Mr Griffin (Minister for Veterans' Affairs) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

Document

Mr Griffin presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

9 TERRITORIES LAW REFORM BILL 2010

Mr O'Connor (Minister for Home Affairs), pursuant to notice, presented a Bill for an Act to amend the law relating to Norfolk Island, Christmas Island and the Cocos (Keeling) Islands, 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 (Mrs Gash), and the resumption of the debate made an order of the day for the next sitting.

10 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before Notice No. 10, government business, be postponed until a later hour this day.

11 TRADE PRACTICES AMENDMENT (AUSTRALIAN CONSUMER LAW) BILL (NO. 2) 2010

Dr Emerson (Minister for Competition Policy and Consumer Affairs), pursuant to notice, presented a Bill for an Act to amend the *Trade Practices Act 1974* and the *Australian Securities and Investments Commission Act 2001*, and for other purposes.

Document

Dr Emerson presented an explanatory memorandum to the bill.

Bill read a first time.

Dr Emerson moved—That the bill be now read a second time.

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

12 MINISTERS OF STATE AMENDMENT BILL 2010

Dr Kelly (Parliamentary Secretary for Defence Support), for Mr Tanner (Minister for Finance and Deregulation), pursuant to notice, presented a Bill for an Act to amend the *Ministers of State Act 1952*, and for related purposes.

Document

Dr Kelly presented an explanatory memorandum to the bill.

Bill read a first time.

Dr Kelly moved—That the bill be now read a second time.

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

13 DEFENCE LEGISLATION AMENDMENT BILL (NO. 1) 2010

Dr Kelly (Parliamentary Secretary for Defence Support), pursuant to notice, presented a Bill for an Act to amend the law relating to defence, and for related purposes.

Document

Dr Kelly presented an explanatory memorandum to the bill.

Bill read a first time.

Dr Kelly moved—That the bill be now read a second time.

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

14 IMMIGRATION (EDUCATION) AMENDMENT BILL 2010

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 *Immigration (Education) Act 1971*, 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 Billson), and the resumption of the debate made an order of the day for the next sitting.

15 THERAPEUTIC GOODS AMENDMENT (2010 MEASURES NO. 1) BILL 2010

Mr Butler (Parliamentary Secretary for Health), pursuant to notice, presented a Bill for an Act to amend the *Therapeutic Goods Act 1989*, and for related purposes.

Document

Mr Butler presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Butler 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.

16 ANTI-PEOPLE SMUGGLING AND OTHER MEASURES BILL 2010

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 McClelland (Attorney-General), the bill was read a third time.

17 THERAPEUTIC GOODS AMENDMENT (2009 MEASURES NO. 3) 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.

Document

Mr Butler (Parliamentary Secretary for Health) presented a correction to the explanatory memorandum to the bill.

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

Message from the Governor-General

Message No. 305, 23 November 2009, 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 Butler, the bill was read a third time.

18 MESSAGE FROM THE GOVERNOR-GENERAL—SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (INCOME SUPPORT FOR STUDENTS) BILL 2009 [NO. 2]

Message No. 308, 23 February 2010, from Her Excellency the Governor-General was announced recommending an appropriation for the purpose of amendments of a Bill for an Act to amend the law relating to social security, veterans' affairs and higher education, and for related purposes.

19 MESSAGE FROM THE SENATE—SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (INCOME SUPPORT FOR STUDENTS) BILL 2009 [NO. 2]

Message No. 415, 17 March 2010, from the Senate was reported returning the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009 [No. 2] with requests for amendments.

Ordered—That the amendments requested by the Senate be considered immediately.

Ms Gillard (Minister for Education) moved—That the requested amendments be made.

Debate ensued.

Mr Pyne addressing the House—

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

20 QUESTIONS

Questions without notice being asked—

Mr Rudd (Prime Minister) answering a question—

Closure of Member moved

Mr Pyne moved—That the Member be no longer heard.

Question—put.

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

AYES, 60

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

NOES, 83

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

* Tellers

And so it was negatived.

Questions without notice continuing—

Member directed to leave

At 3.34 p.m. the Member for Kalgoorlie (Mr Haase) 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.

21 DOCUMENT—MOTION TO TAKE NOTE OF DOCUMENT

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

Legal and Constitutional Affairs—House of Representatives Standing Committee—Whistleblower protection: A comprehensive scheme for the Commonwealth Public Sector—Government response.

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

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

22 PARLIAMENTARY ZONE—VEHICLE STORAGE FACILITY NEAR THE PARLIAMENT HOUSE LOADING DOCK—APPROVAL OF PROPOSAL

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government), by leave, 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 15 March 2010, namely: A vehicle storage facility near the Parliament House Loading Dock.

Question—put and passed.

23 SRI LANKA—MINISTERIAL STATEMENT

Mr S. F. Smith (Minister for Foreign Affairs), by leave, made a ministerial statement relating to Sri Lanka.

Suspension of standing and sessional orders—Time for speech

Mr S. F. Smith, 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 in reply to the ministerial statement for a period not exceeding 18 minutes.

Question—put and passed.

Ms J. Bishop addressed the House.

24 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AGRICULTURE

The House was informed that Mr Windsor had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The future of agriculture in Australia”.

The proposed discussion having received the necessary support—

Mr Windsor addressed the House.

Discussion ensued.

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

25 SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (INCOME SUPPORT FOR STUDENTS) BILL 2009 [NO. 2]—SENATE’S REQUESTS

The order of the day having been read for the resumption of debate on the question—That the requested amendments be made—

Debate ensued.

Question—put and passed.

26 MESSAGE FROM THE SENATE—TRADE PRACTICES AMENDMENT (AUSTRALIAN CONSUMER LAW) BILL 2009

Message No. 414, 17 March 2010, from the Senate was reported returning the Trade Practices Amendment (Australian Consumer Law) Bill 2009 with amendments.

Ordered—That the amendments be considered immediately.

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

27 AUSTRALIAN RESEARCH COUNCIL AMENDMENT BILL 2010—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the bill had been fully considered by the Main Committee, a Governor-General’s message recommending an appropriation had been reported, and the bill had been 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.

28 THERAPEUTIC GOODS (CHARGES) 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.

Message from the Governor-General

Message No. 306, 23 November 2009, 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 Gray (Parliamentary Secretary for Western and Northern Australia), the bill was read a third time.

29 INDEPENDENT NATIONAL SECURITY LEGISLATION MONITOR BILL 2010

The order of the day having been read for the second reading—

Document

Mr McClelland (Attorney-General) presented a revised explanatory memorandum to the bill.

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

Debate ensued.

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

30 MESSAGE FROM THE GOVERNOR-GENERAL—SOCIAL SECURITY AND FAMILY ASSISTANCE LEGISLATION AMENDMENT (WEEKLY PAYMENTS) BILL 2010

Message No. 309, 11 March 2010, from Her Excellency the Governor-General was announced recommending an appropriation for the purpose of amendments of a Bill for an Act to amend the social security law and family assistance law, and for related purposes.

31 MESSAGE FROM THE SENATE—SOCIAL SECURITY AND FAMILY ASSISTANCE LEGISLATION AMENDMENT (WEEKLY PAYMENTS) BILL 2010

Message No. 418, 17 March 2010, from the Senate was reported returning the Social Security and Family Assistance Legislation Amendment (Weekly Payments) Bill 2010 with requests for amendments.

Ordered—That the amendments requested by the Senate be considered immediately.

On the motion of Ms Plibersek (Minister for Housing), the requested amendments were made.

32 INDEPENDENT NATIONAL SECURITY LEGISLATION MONITOR BILL 2010

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 Dreyfus addressing the House—

33 ADJOURNMENT

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

Debate ensuing—

Document

Mr Robert, by leave, presented the following document:

List of 2010 student leaders from various schools in the Fadden electorate [29].

Debate continued.

Question—put and passed.

And then the House, at 7.59 p.m., adjourned until 9 a.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 17 March 2010:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal—2010 No. 2.

Customs Act—Order—Tariff Concession—2010 No. 0924092 [F2010L00376].

Federal Court of Australia Act—Rules of Court—Select Legislative Instrument—2010 No. 47 [F2010L00655].

Financial Sector (Collection of Data) Act—Determination of reporting standards under section 13—2010 No. 1 [F2010L00672].

Fisheries Management Act—Northern Prawn Fishery Management Plan 1995—Directions—2010 Nos NPF 133, NPF 134, NPF 135, NPF 136, NPF 137, NPF 138, NPF 139 [F2010L00658], [F2010L00660], [F2010L00661], [F2010L00662], [F2010L00663], [F2010L00664], [F2010L00665].

Insurance Act—Determination—2010 Prudential standard (No. 1) [F2010L00673].

Migration Act—Regulations—Select Legislative Instrument—2010 No. 38 [F2010L00638].

Renewable Energy (Electricity) Act—Regulations—Select Legislative Instrument—2010 No. 46 [F2010L00654].

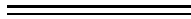
Taxation Administration Act—Rulings—

2006—GSTR Nos 7 (Addendum), 8 (Addendum).

2009—GSTR Nos 1 (Addendum), 2 (Addendum).

2010—PR No. 4.

Water Act—Accreditation of amendment of transitional water resource plan—River Murray Prescribed Watercourse Water Allocation Plan [F2010L00626].

**ATTENDANCE**

All Members attended (at some time during the sitting) except Fran Bailey, Mr Forrest, Mr Robb and Mr Schultz.



B. C. WRIGHT
Clerk of the House of Representatives

2008-09-10

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 154

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 17 MARCH 2010

1 The Main Committee met at 9.30 a.m.

2 **MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements were made.

3 **AUSTRALIAN RESEARCH COUNCIL AMENDMENT BILL 2010**

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. 304, 3 February 2010, from Her Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

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 **PRIMARY INDUSTRIES AND RESOURCES—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 Adams—That the House take note of the document (*presented on 15 March 2010*), viz.—

Primary Industries and Resources—Standing Committee—Farming the future: The role of government in assisting Australian farmers to adapt to the impacts of climate change—Report, March 2010—

Debate resumed.

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

5 **ADJOURNMENT**

On the motion of Mr Debus, the Main Committee adjourned at 1.02 p.m.

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

DAVID ELDER
Clerk of the Main Committee