

2008-09-10

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 161

WEDNESDAY, 26 MAY 2010

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, 31 May 2010—and moved—That the report be adopted.

Question—put and passed.

3 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr Price presented the following document:

Public Works—Parliamentary Standing Committee—Report—Proposed fit-out of new premises for the Australian Taxation Office at 735 Collins St, Melbourne (1st report of 2010).

Ordered to be made a Parliamentary Paper.

Mr Price, by leave, made a statement in connection with the report.

4 POSTPONEMENT OF NOTICES

Ordered—That notices Nos 1 and 2, government business, be postponed until a later hour this day.

5 CHILD SUPPORT AND FAMILY ASSISTANCE LEGISLATION AMENDMENT (BUDGET AND OTHER MEASURES) BILL 2010

Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to amend the law relating to child support and family assistance, and for other 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 (Mr Andrews), and the resumption of the debate made an order of the day for the next sitting.

6 PAID PARENTAL LEAVE (CONSEQUENTIAL AMENDMENTS) BILL 2010

Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to make amendments consequential on the enactment of the *Paid Parental Leave Act 2010*, 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 (Mr Andrews), and the resumption of the debate, by leave, made an order of the day for a later hour this day.

7 AUTONOMOUS SANCTIONS BILL 2010

Mr S. F. Smith (Minister for Foreign Affairs), pursuant to notice, presented a Bill for an Act to make provision relating to sanctions to facilitate the conduct of Australia's external affairs, and for related purposes.

Document

Mr S. F. Smith presented an explanatory memorandum to the bill.

Bill read a first time.

Mr S. F. Smith moved—That the bill be now read a second time.

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

8 EXPORT MARKET DEVELOPMENT GRANTS AMENDMENT BILL 2010

Mr S. F. Smith (Minister for Foreign Affairs), pursuant to notice, presented a Bill for an Act to amend the *Export Market Development Grants Act 1997*, and for related purposes.

Document

Mr S. F. Smith presented an explanatory memorandum to the bill.

Bill read a first time.

Mr S. F. Smith moved—That the bill be now read a second time.

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

9 FARM HOUSEHOLD SUPPORT AMENDMENT (ANCILLARY BENEFITS) BILL 2010

Mr A. S. Burke (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to deal with things done in connection with the Farm Family Support Scheme, 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 (Mr Andrews), and the resumption of the debate made an order of the day for the next sitting.

10 FISHERIES LEGISLATION AMENDMENT BILL (NO. 2) 2010

Mr A. S. Burke (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to amend various Acts relating to fisheries, 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 (Mr Andrews), and the resumption of the debate made an order of the day for the next sitting.

11 PRIMARY INDUSTRIES (EXCISE) LEVIES AMENDMENT BILL 2010

Mr A. S. Burke (Minister for Agriculture, Fisheries and Forestry) presented a Bill for an Act to amend the law relating to primary industry levies, 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.

12 TAX LAWS AMENDMENT (2010 GST ADMINISTRATION MEASURES NO. 3) BILL 2010

Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law) presented a Bill for an Act to amend legislation relating to indirect tax, 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.

13 TAX LAWS AMENDMENT (2010 MEASURES NO. 3) BILL 2010

Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law) presented a Bill for an Act to amend the law relating to taxation and superannuation, 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.

14 SUPERANNUATION INDUSTRY (SUPERVISION) 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 *Superannuation Industry (Supervision) Act 1993*, 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.

15 FINANCIAL SECTOR LEGISLATION AMENDMENT (PRUDENTIAL REFINEMENTS AND OTHER MEASURES) BILL 2010

Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law), pursuant to notice, presented a Bill for an Act to amend the law relating to banking, insurance and superannuation, 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 Gash), and the resumption of the debate made an order of the day for the next sitting.

16 CORPORATIONS AMENDMENT (CORPORATE REPORTING REFORM) BILL 2010

Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law) presented a Bill for an Act to amend the law in relation to corporations, 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.

17 VETERANS' AFFAIRS LEGISLATION AMENDMENT (2010 BUDGET MEASURES) BILL 2010

Mr Griffin (Minister for Veterans' Affairs) for Mr Combet (Minister for Defence Materiel and Science), pursuant to notice, presented a Bill for an Act to amend the law relating to veterans' affairs, 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.

18 FAMILY ASSISTANCE LEGISLATION AMENDMENT (CHILD CARE BUDGET MEASURES) BILL 2010

Ms K. M. Ellis (Minister for Early Childhood Education, Childcare and Youth), pursuant to notice, presented a Bill for an Act to amend the law relating to family assistance, and for related purposes.

Document

Ms K. M. Ellis presented an explanatory memorandum to the bill.

Bill read a first time.

Ms K. M. Ellis 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.

19 MIGRATION AMENDMENT (VISA CAPPING) 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 *Migration Act 1958*, and for other 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 Robert), and the resumption of the debate made an order of the day for the next sitting.

20 OZONE PROTECTION AND SYNTHETIC GREENHOUSE GAS MANAGEMENT AMENDMENT BILL 2010

Mr Garrett (Minister for Environment Protection, Heritage and the Arts), pursuant to notice, presented a Bill for an Act to amend the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*, and for related purposes.

Document

Mr Garrett presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

21 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE

The House was informed that the Chief Opposition Whip had nominated Mr Keenan to be a member of the Joint Standing Committee on the National Capital and External Territories in place of Mr Johnson.

Mr McMullan (Parliamentary Secretary for International Development Assistance), by leave, moved—That Mr Johnson be discharged from the Joint Standing Committee on the National Capital and External Territories and that, in his place, Mr Keenan be appointed a member of the committee.

Question—put and passed.

22 DEFENCE LEGISLATION AMENDMENT BILL (NO. 1) 2010—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 McMullan (Parliamentary Secretary for International Development Assistance), by leave, the bill was read a third time.

23 NATIONAL SECURITY LEGISLATION AMENDMENT BILL 2010—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 McMullan (Parliamentary Secretary for International Development Assistance), by leave, the bill was read a third time.

24 PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT BILL 2010—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 McMullan (Parliamentary Secretary for International Development Assistance), by leave, the bill was read a third time.

25 INTERSTATE ROAD TRANSPORT CHARGE AMENDMENT BILL 2010—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 McMullan (Parliamentary Secretary for International Development Assistance), by leave, the bill was read a third time.

26 RENEWABLE ENERGY (ELECTRICITY) 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.

Mr Hayes addressing the House—

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

27 MINISTERIAL ARRANGEMENTS

Mr Rudd (Prime Minister) informed the House that, during the absence overseas of Mr Crean (Minister for Trade), Mr S. F. Smith (Minister for Foreign Affairs) would answer questions on his behalf.

28 QUESTIONS

Questions without notice being asked—

Document

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

School funding—Table of schools—Trade Training Centre round two schools under threat from Opposition cuts.

Questions without notice continuing—

Mr Abbott (Leader of the Opposition) asked leave to move a motion of censure.

Objection being raised—leave not granted.

Suspension of standing and sessional orders moved

Mr Abbott moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Warringah moving immediately—That this House censures the Prime Minister and the Treasurer for grossly and falsely misrepresenting the economic basis for their so called Resource Super Profits Tax which is nothing more than a great big new tax on mining and puts at risk a vital part of our nation's prosperity, and in particular:

- (1) for claiming over the weekend, based on a draft academic paper by an American graduate student, that Australia's mining sector only pays 13 to 17 per cent company tax when in fact, overall tax payments exceed 27 per cent and the total tax paid, when royalties are included, is over 41 per cent;
- (2) when found out that the US paper was based on as few as four Australian mining companies (and later completely revised), for then trying to rely on a hastily released paper by three Treasury officials that was later exposed as using six year old data and came with the disclaimer that it wasn't "necessarily the views of the Australian Treasury"; and
- (3) for relying on the Treasurer's own Economic Note dated 9 May 2010 which bases this new tax on completely false graphs that have been relied upon by this Government, analysts, investors and the media as being true and correct.

Debate ensued.

The time allowed by standing order 1 for debate on the motion having expired—

Question—put.

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

AYES, 60

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

NOES, 77

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

* Tellers

And so it was negatived.

Questions without notice continued.

29 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following documents:

Auditor-General—Audit reports of 2009–2010—Performance audits—

No. 40—Application of the core APS values and code of conduct to Australian Government service providers.

No. 41—Effective cross-agency agreements.

Reports ordered to be made Parliamentary Papers.

30 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Local Government (Financial Assistance) Act 1995—Report on the operation of the Act for 2007–08.

National Road Safety Council—National Partnership Agreement to establish the Council, April 2009.

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

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

31 SUPERANNUATION SYSTEM—MINISTERIAL STATEMENT

Mr Bowen (Minister for Financial Services, Superannuation and Corporate Law), by leave, made a ministerial statement relating to a stronger and fairer superannuation system.

Suspension of standing and sessional orders—Time for speech

Mr Bowen, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Hartsuyker speaking in reply to the ministerial statement for a period not exceeding 15 minutes.

Question—put and passed.

Mr Hartsuyker addressed the House.

32 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—RESOURCE SUPER PROFITS TAX

The House was informed that Mr Billson had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The adverse impact on small business of the Government’s Resource Super Profits Tax”.

The proposed discussion having received the necessary support—

Mr Billson addressed the House.

Discussion ensued.

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

33 RENEWABLE ENERGY (ELECTRICITY) 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.

Debate adjourned (Mr Price—Chief Government Whip), and the resumption of the debate made an order of the day for a later hour this day.

34 BILL REFERRED TO MAIN COMMITTEE

Mr Price (Chief Government Whip), by leave, moved—That the Parliamentary (Judicial Misbehaviour or Incapacity) Commission Bill 2010 be referred to the Main Committee for further consideration.

Question—put and passed.

35 RENEWABLE ENERGY (ELECTRICITY) 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.

36 ADJOURNMENT

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

Debate ensuing—

Document

Dr Stone, by leave, presented the following document:

National Schools Chaplaincy Program—(*Receipt of document as a petition subject to approval by the Standing Committee on Petitions*).

Debate continued.

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 26 May 2010:

Acts Interpretation Act—Order—2010 Substituted references—Section 19BA—Amendment (No. 1) [F2010L01322].

Australian Meat and Live-stock Industry Act—Order—2010 High quality beef export to the European Union—Amendment (No. 1) [F2010L01367].

Customs Act—

CEO Determination—2010 No. 1 [F2010L01436].

Instrument of approval—2010 No. CEO 1 [F2010L01434].

Orders—

Tariff Concession—

2009—Nos 0916018, 0924323, 0925642, 0938686 [F2010L01176], [F2010L01273], [F2010L01152], [F2010L01170].

2010—Nos 0934179, 0934807, 0937732, 0938986, 0939202, 0939310, 0939364, 0939596, 0940026, 0940172, 0940177, 0940179, 0940329, 0940525, 0940645, 0941083, 0941419, 0941429, 0942051, 0942062, 0943201, 0943202, 0943739, 0944268, 0944270, 0944650, 0944764 [F2010L01209], [F2010L01210], [F2010L01178], [F2010L01224], [F2010L01167], [F2010L01175], [F2010L01181], [F2010L01219], [F2010L01222], [F2010L01217], [F2010L01174], [F2010L01173], [F2010L01182], [F2010L01216], [F2010L01214], [F2010L01172], [F2010L01267], [F2010L01215], [F2010L01223], [F2010L01208], [F2010L01287], [F2010L01230], [F2010L01227], [F2010L01229], [F2010L01288], [F2010L01268], [F2010L01292].

Tariff Concession Revocation—2010—Nos 7, 10, 11, 12 [F2010L01241], [F2010L01245], [F2010L01246], [F2010L01248].

Regulations—Select Legislative Instrument—2010 No. 95 [F2010L01316].

Fisheries Management Act—Northern Prawn Fishery Management Plan 1995—Directions—2010 Nos 141, 142 [F2010L01363], [F2010L01364].

Food Standards Australia New Zealand Act—Variations to the Australia New Zealand Food Standards Code—2010 Amendment (No. 116) [F2010L01310].

National Consumer Credit Protection Act—Regulations—Select Legislative Instrument—2010 No. 105 [F2010L01369].

National Consumer Credit Protection (Transitional and Consequential Provisions) Act—Regulations—Select Legislative Instrument—2010 No. 107 [F2010L01371].

National Health Act—

Amendment declaration and amendment determination under section 85—2010 No. PB 44 [F2010L01373].

Amendment determinations under—

section 84AF—2010 No. PB 46 [F2010L01375].

section 98C—2010 No. PB 48 [F2010L01379].

Primary Industries (Excise) Levies Act—Regulations—Select Legislative Instrument—2010 No. 93 [F2010L01080].

Primary Industries Levies and Charges Collection Act—Regulations—Select Legislative Instrument—2010 No. 94 [F2010L01082].

Remuneration Tribunal Act—Remuneration Tribunal—Determination—2010 No. 6 [F2010L01372].

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Bevis, Ms Campbell, Mr Clare, Mr Crean, Mr Keenan, Mr Laming, *Mrs Mirabella and Mr Turnbull.

* On leave

B. C. WRIGHT
Clerk of the House of Representatives

2008-09-10

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 161

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 26 MAY 2010

1 The Main Committee met at 9.30 a.m.

2 **MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements were made.

3 **APPROPRIATION BILL (NO. 1) 2010-2011—BUDGET DEBATE**

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.

Suspension of meeting

At 1.01 p.m., the Deputy Speaker left the Chair.

Resumption of meeting

At 4.23 p.m., the Deputy Speaker resumed the Chair.

Debate continued.

Mr Broadbent was granted leave to continue his speech when the debate is resumed.

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

4 **ADJOURNMENT**

On the motion of Mr Dreyfus, the Main Committee adjourned at 7.32 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