

2010

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 11

THURSDAY, 28 OCTOBER 2010

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

2 MESSAGE FROM THE SENATE

Message No. 19, 27 October 2010, from the Senate was reported informing the House that Senator Fierravanti-Wells had been discharged from attendance on the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity, and Senator Macdonald had been appointed a member of the committee.

3 PRIVILEGES AND MEMBERS' INTERESTS COMMITTEE—DOCUMENTS—STATEMENT BY MEMBER

Ms A. E. Burke (Chair) presented the following documents:

Privileges and Members' Interests Committee—

Register of Members' Interests for the 43rd Parliament—Statement of registrable interests—Volumes 1 to 4, 25 October 2010.

Notifications of alterations of interests received during the period 24 June 2010 to the dissolution of the House on 19 July 2010.

Ms A. E. Burke, by leave, made a statement in connection with the documents.

4 PUBLICATIONS COMMITTEE—REPORT

Mr Hayes (Chair) presented the following document:

PUBLICATIONS COMMITTEE REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered documents presented to Parliament since 24 June 2010, recommends that the following be made Parliamentary Papers:

Aboriginal Hostels Limited—Report for 2009-10.

Aboriginal Land Commissioner—Report for 2009-10.

Administrative Appeals Tribunal—Report for 2009-10.

Administrative Review Council—Report for 2009-10.

Aged Care Commissioner—Report for 2009-10.

Attorney-General's Department—Report for 2009-10.

Australia Council—Report for 2009-10.

Australian Bureau of Statistics—Report for 2009-10.

Australian Commission for Law Enforcement Integrity—Report for 2009-10.

Australian Communications and Media Authority—Report for 2009-10, incorporating an errata.

Australian Federal Police—Report for 2009-10.

Australian Film Television and Radio School—Report for 2009-10.

Australian Government Solicitor—Report for 2009-10.

- Australian Human Rights Commission—Report No. 42—Mr KL v State of NSW (Department of Education).
- Australian Industrial Relations Commission and Australian Industrial Registry—Report for the period 1 July to 31 December 2009.
- Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2009-10.
- Australian Institute of Family Studies—Report for 2009-10.
- Australian Institute of Health and Welfare—Report for 2009-10.
- Australian Institute of Marine Science—Report for 2009-10.
- Australian Law Reform Commission—Report No. 113—Report for 2009-10.
- Australian Maritime Safety Authority—Report for 2009-10.
- Australian Organ and Tissue Donation and Transplantation Authority—Report for 2009-10.
- Australian Postal Corporation (Australia Post)—Report for 2009-10.
- Australian Radiation Protection and Nuclear Safety Agency—Report for 2009-10.
- Australian Reward Investment Alliance—Commonwealth Superannuation Scheme, Public Sector Superannuation Scheme and Public Sector Superannuation Accumulation Plan—Report for 2009-10.
- Australian Safeguards and Non-Proliferation Office—Report for 2009-10.
- Australian Security Intelligence Organisation—Report for 2009-10.
- Australian Statistics Advisory Council—Report for 2009-10.
- Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2009-10.
- Australian Transport Safety Bureau—Report for 2009-10.
- Australian War Memorial—Report for 2009-10.
- Australian Wine and Brandy Corporation—Report for 2009-10.
- Bureau of Meteorology—Report for 2009-10.
- Centrelink—
Report for 2009-10.
Report for 2009-10—Corrections.
- Classification Board and Classification Review Board—Report for 2009-10.
- Commissioner for Superannuation—Report for 2009-10.
- Commissioner of Taxation—Report for 2009-10.
- Commonwealth Grants Commission—Report for 2009-10.
- Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2009-10.
- Crimes Act 1914*—Controlled operations—Report for 2009-10.
- CrimTrac Agency—Report for 2009-10.
- Defence Force Discipline Act 1982*—Judge Advocate General—Report for 2009.
- Defence Force Retirement and Death Benefits Authority—Report for 2009-10.
- Department of Agriculture, Fisheries and Forestry—Report for 2009-10.
- Department of Broadband, Communications and the Digital Economy—Report for 2009-10.
- Department of Climate Change and Energy Efficiency—Report for 2009-10.
- Department of Finance and Deregulation—Report for 2009-10.
- Department of Foreign Affairs and Trade—Reports for 2009-10—
Volume 1—Department of Foreign Affairs and Trade.
Volume 2—Australian Agency for International Development (AusAID).
- Department of Human Services—Report, incorporating reports of the Child Support Agency and CRS Australia for 2009-10.
- Department of Infrastructure, Transport, Regional Development and Local Government—Report for 2009-10.
- Department of Innovation, Industry, Science and Research—Report for 2009-10.
- Department of Parliamentary Services—Report for 2009-10.

Department of the Prime Minister and Cabinet—Report for 2009-10.
Department of the Treasury—Report for 2009-10.
Director of National Parks—Report for 2009-10.
Export Finance and Insurance Corporation—Report for 2009-10.
Fair Work Australia—Report for 2009-10.
Family Court of Australia—Report for 2009-10.
Family Law Council—Report for 2009-10.
Federal Court of Australia—Report for 2009-10.
Federal Magistrates Court of Australia—Report for 2009-10.
Gene Technology Regulator—Report for 2009-10.
High Court of Australia—Report for 2009-10.
Indigenous Land Corporation—Report for 2009-10.
Inspector-General of Intelligence and Security—Report for 2009-10.
Inspector-General of Taxation—Report for 2009-10.
Medibank Private—Report for 2009-10.
Medicare Australia—
Report for 2009-10.
Report for 2009-10—Correction.
Military Superannuation and Benefits Board of Trustees—Report for 2009-10.
National Blood Authority—Report for 2009-10.
National Film and Sound Archive—Report for 2009-10.
National Gallery of Australia—Report for 2009-10.
National Industrial Chemicals Notification and Assessment Scheme—Report for 2009-10.
National Library of Australia—Report for 2009-10.
National Museum of Australia—Report for 2009-10.
National Native Title Tribunal—Report for 2009-10.
National Transport Commission—Report for 2009-10.
National Water Commission—Report for 2009-10.
Native Title Act 1993—Native title representative bodies—Central Land Council—Report for 2009-10.
Office of Parliamentary Counsel—Report for 2009-10.
Office of the Official Secretary to the Governor-General—Report for 2009-10.
Parliamentary Service Commissioner—Report for 2009-10.
Privacy Act 1988—Report on the operation of the Act for 2009-10.
Renewable Energy Regulator—Financial report for 2009-10.
Repatriation Medical Authority—Report for 2009-10.
Rural Industries Research and Development Corporation—Report for 2009-10.
Safety, Rehabilitation and Compensation Commission and Comcare—Reports for 2009-10.
Screen Australia—Report for 2009-10.
Seafarers Safety, Rehabilitation and Compensation Authority—Report for 2009-10.
Tax Practitioners Board—Report for the period 1 March to 30 June 2010.
Tourism Australia—Report for 2009-10.
Veterans' Review Board—Report for 2009-10.
Wet Tropics Management Authority—Report and State of the Wet Tropics Report for 2009-10.
Witness Protection Act 1994—Report on the operation of the National Witness Protection Program for 2009-10.

Wreck Bay Aboriginal Community Council—Report for 2009-10.

CHRIS HAYES

Chair

28 October 2010

On the motion of Mr Hayes, by leave, the report was agreed to.

5 INTERNATIONAL FINANCIAL INSTITUTIONS LEGISLATION AMENDMENT BILL 2010

Mr Shorten (Assistant Treasurer), pursuant to notice, presented a Bill for an Act to amend the law relating to some international financial institutions, and for related purposes.

Document

Mr Shorten presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

6 SUSPENSION OF STANDING AND SESSIONAL ORDERS—PRIVATE MEMBERS' BUSINESS

Mr Albanese (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent orders of the day Nos 6, 8, 3, 1 and 5, private Members' business, being called on immediately in that order.

Question—put and passed.

7 EVIDENCE AMENDMENT (JOURNALISTS' PRIVILEGE) 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—

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Wilkie, by leave, the bill was read a third time.

8 COMMISSION OF INQUIRY INTO THE BUILDING THE EDUCATION REVOLUTION PROGRAM 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—

Question—put and negatived.

9 CRITERIA FOR INDEPENDENT YOUTH ALLOWANCE

The order of the day having been read for the resumption of the debate on the motion of Ms Marino—That this House:

(1) require the Government:

(a) urgently to introduce legislation to reinstate the former workplace participation criteria for independent youth allowance, to apply to students whose family home is located in inner regional areas as defined by the Australian Bureau of Statistics instrument Australian Standard Geographical Classification; and

(b) to appropriate funds necessary to meet the additional cost of expanding the criteria for participation, with the funds to come from the Education Investment Fund; and

(2) send a message to the Senate acquainting it of this resolution and requesting its concurrence.

Question—That the motion be agreed to—put.

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

AYES, 74

Mr Abbott	Mr Forrest	Mr Macfarlane	Mr Secker*
Mr Alexander	Mr Frydenberg	Ms Marino	Mr Simpkins
Mr K. J. Andrews	Ms Gambaro	Mrs Markus	Mr Slipper
Mrs K. L. Andrews	Mrs Gash	Mr Matheson	Mr A. D. H. Smith
Mr Baldwin	Mrs Griggs	Mrs Mirabella	Mr Somlyay
Mr Billson	Mr Haase	Mr Morrison	Dr Southcott
Mrs B. K. Bishop	Mr Hartsuyker	Mr Neville	Dr Stone
Ms J. I. Bishop	Mr A. G. Hawke	Mr Oakeshott	Mr Tehan
Mr Briggs	Mr Hockey	Mr O'Dowd	Mr Truss
Mr Buchholz	Mr Hunt	Ms O'Dwyer	Mr Tudge
Mr Chester	Mr Irons	Mrs Prentice	Mr Turnbull
Mr Christensen	Dr Jensen	Mr Pyne	Mr van Manen
Mr Ciobo	Mr E. T. Jones	Mr Ramsey	Mr Vasta
Mr Cobb	Mr Katter	Mr Randall	Dr Washer
Mr Coulton*	Mr Keenan	Mr Robb	Mr Wilkie
Mr Crook	Mr C. Kelly	Mr Robert	Mr Windsor
Mr Dutton	Mr Laming	Wyatt Roy	Mr Wyatt
Mr Entsch	Ms Ley	Mr Ruddock	
Mr Fletcher	Mr McCormack	Mr Scott	

NOES, 70

Mr Adams	Mr Dreyfus	Dr M. J. Kelly	Ms Rishworth
Mr Albanese	Mrs Elliot	Ms King	Ms Rowland
Mr Bandt	Ms Ellis	Dr Leigh	Ms Roxon
Ms Bird	Dr Emerson	Ms Livermore	Mr Rudd
Mr Bowen	Mr L. D. T. Ferguson	Mr Lyons	Ms Saffin
Ms Brodtmann	Mr M. J. Ferguson	Mr McClelland	Mr Shorten
Ms A. E. Burke	Mr Fitzgibbon	Ms Macklin	Mr Sidebottom
Mr A. S. Burke	Mr Garrett	Mr Marles	Mr S. F. Smith
Mr Butler	Mr Georganas	Mr Melham	Ms Smyth
Mr Byrne	Mr Gibbons	Mr Mitchell	Mr Snowdon
Mr Champion	Ms Gillard	Mr Murphy	Mr Swan
Mr Cheeseman	Mr Gray	Mr Neumann	Mr Symon
Mr Clare	Ms Grierson	Mr O'Connor	Mr C. R. Thomson
Ms Collins	Mr Griffin	Ms O'Neill	Mr K. J. Thomson
Mr Combat	Ms Hall*	Ms Owens	Ms Vamvakinou
Mr Crean	Mr Hayes*	Ms Parke	Mr Zappia
Mr Danby	Mr Husic	Mr Perrett	
Mrs D'Ath	Mr S. P. Jones	Mr Ripoll	

* Tellers

Pairs

Ms Plibersek	Mr Broadbent
Mr Bradbury	Mrs Moylan

And so it was resolved in the affirmative.

10 AUSTRALIA'S FUTURE TAX SYSTEM REVIEW

The order of the day having been read for the resumption of the debate on the motion of Mr Hockey—
That this House:

(1) notes that:

- (a) Australia's Future Tax System Review (the "Henry Review") made a large number of recommendations in relation to the system of taxation;
- (b) the Government implemented very few of the recommendations;

- (c) the Government has so far not released any of the Treasury modelling or other relevant information and advice underlying the recommendations; and
- (d) release of that information would be in the best interests of the community by facilitating a fully informed public debate about the way forward for taxation reform;
- (2) orders the Government to release within five working days from the date of this motion, all of the relevant modelling, costings, working papers and supporting information underlying the “Henry Review”;
- (3) requires that, from the date of this motion, no existing papers, emails or other information relating to the “Henry Review” may be destroyed; and
- (4) requires the Secretary of the Treasury to warrant to the House that all relevant documentation underlying the “Henry Review” has been released.

Question—That the motion be agreed to—put.

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

AYES, 72

Mr Abbott	Mr Fletcher	Ms Ley	Mr Ruddock
Mr Alexander	Mr Forrest	Mr McCormack	Mr Schultz
Mr K. J. Andrews	Mr Frydenberg	Mr Macfarlane	Mr Scott
Mrs K. L. Andrews	Ms Gambaro	Ms Marino	Mr Secker*
Mr Baldwin	Mrs Gash	Mrs Markus	Mr Simpkins
Mr Billson	Mrs Griggs	Mr Matheson	Mr Slipper
Mrs B. K. Bishop	Mr Haase	Mrs Mirabella	Mr A. D. H. Smith
Ms J. I. Bishop	Mr Hartsuyker	Mr Morrison	Mr Somlyay
Mr Briggs	Mr A. G. Hawke	Mr Neville	Dr Southcott
Mr Buchholz	Mr Hockey	Mr O’Dowd	Dr Stone
Mr Chester	Mr Hunt	Ms O’Dwyer	Mr Tehan
Mr Christensen	Mr Irons	Mrs Prentice	Mr Truss
Mr Ciobo	Dr Jensen	Mr Pyne	Mr Tudge
Mr Cobb	Mr E. T. Jones	Mr Ramsey	Mr Turnbull
Mr Coulton*	Mr Katter	Mr Randall	Mr van Manen
Mr Crook	Mr Keenan	Mr Robb	Mr Vasta
Mr Dutton	Mr C. Kelly	Mr Robert	Dr Washer
Mr Entsch	Mr Laming	Wyatt Roy	Mr Wyatt

NOES, 73

Mr Adams	Mrs Elliot	Dr Leigh	Ms Roxon
Mr Albanese	Ms Ellis	Ms Livermore	Mr Rudd
Mr Bandt	Dr Emerson	Mr Lyons	Ms Saffin
Ms Bird	Mr L. D. T. Ferguson	Mr McClelland	Mr Shorten
Mr Bowen	Mr M. J. Ferguson	Ms Macklin	Mr Sidebottom
Ms Brodtmann	Mr Fitzgibbon	Mr Marles	Mr S. F. Smith
Ms A. E. Burke	Mr Garrett	Mr Melham	Ms Smyth
Mr A. S. Burke	Mr Georganas	Mr Mitchell	Mr Snowdon
Mr Butler	Mr Gibbons	Mr Murphy	Mr Swan
Mr Byrne	Ms Gillard	Mr Neumann	Mr Symon
Mr Champion	Mr Gray	Mr Oakeshott	Mr C. R. Thomson
Mr Cheeseman	Ms Grierson	Mr O’Connor	Mr K. J. Thomson
Mr Clare	Mr Griffin	Ms O’Neill	Ms Vamvakinou
Ms Collins	Ms Hall*	Ms Owens	Mr Wilkie
Mr Combet	Mr Hayes*	Ms Parke	Mr Windsor
Mr Crean	Mr Husic	Mr Perrett	Mr Zappia
Mr Danby	Mr S. P. Jones	Mr Ripoll	
Mrs D’Ath	Dr M. J. Kelly	Ms Rishworth	
Mr Dreyfus	Ms King	Ms Rowland	

* Tellers

Pairs

Ms Plibersek Mr Broadbent
Mr Bradbury Mrs Moylan

And so it was negatived.

11 AFGHAN ASYLUM SEEKERS

The order of the day having been read for the resumption of the debate on the motion of Mr Morrison—
That this House:

- (1) notes that:
 - (a) the Convention Relating to the Status of Refugees (Refugees Convention) states that ‘contracting States shall apply the provisions of this Convention to refugees without discrimination as to race, religion or country of origin’;
 - (b) the Government suspended the processing of asylum seeker applications from Afghanistan on 9 April 2010; and
 - (c) there are more than 5,000 persons currently being detained by the Department of Immigration and Citizenship on the mainland and Christmas Island; and
- (2) calls for the:
 - (a) immediate lifting of the discriminatory suspension of processing of claims by Afghan asylum seekers;
 - (b) immediate processing of asylum claims of all Afghans held in detention; and
 - (c) Minister for Immigration and Citizenship to provide subclass 449 safe haven visas to successful refugees, to accommodate potential changes in refugee status resulting from changed conditions in the country of origin.

—*And on the amendment moved thereto by Mr Morrison, viz.*—That the motion be amended to read—
That this house:

- (1) notes that:
 - (a) the Convention Relating to the Status of Refugees (Refugees Convention) states that ‘contracting States shall apply the provisions of this Convention to refugees without discrimination as to race, religion or country of origin’;
 - (b) the Government suspended the processing of asylum seeker applications from Afghanistan on 9 April 2010; and
 - (c) there are more than 5,000 persons currently being detained by the Department of Immigration and Citizenship on the mainland and Christmas Island;
- (2) condemns the Rudd Gillard Government for their imposition of a discriminatory freeze of the assessment of asylum applications for persons from Afghanistan arriving in Australia; and
- (3) calls for the introduction of proven policies proposed by the Coalition to address unprecedented irregular maritime arrivals to Australia, including:
 - (a) the application of temporary visas for all persons who have arrived illegally in Australia;
 - (b) the reopening of a third country processing centre in Nauru for irregular maritime arrivals to Australia;
 - (c) being prepared to turn around boats where the circumstances permit;
 - (d) streamline the appeals process by removing the panel system and replace with a review by a single case officer as practiced by the UNHCR;
 - (e) presuming against refugee status determination for persons who are reasonably believed to have destroyed or discarded their identity documentation; and
 - (f) return unsuccessful claimants for refugee status to their country of origin.

Question—That the amendment be agreed to—put.

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

AYES, 72

Mr Abbott	Mr Fletcher	Ms Ley	Mr Ruddock
Mr Alexander	Mr Forrest	Mr McCormack	Mr Schultz
Mr K. J. Andrews	Mr Frydenberg	Mr Macfarlane	Mr Scott
Mrs K. L. Andrews	Ms Gambaro	Ms Marino	Mr Secker*
Mr Baldwin	Mrs Gash	Mrs Markus	Mr Simpkins
Mr Billson	Mrs Griggs	Mr Matheson	Mr Slipper
Mrs B. K. Bishop	Mr Haase	Mrs Mirabella	Mr A. D. H. Smith
Ms J. I. Bishop	Mr Hartsuyker	Mr Morrison	Mr Somlyay
Mr Briggs	Mr A. G. Hawke	Mr Neville	Dr Southcott
Mr Buchholz	Mr Hockey	Mr O'Dowd	Dr Stone
Mr Chester	Mr Hunt	Ms O'Dwyer	Mr Tehan
Mr Christensen	Mr Irons	Mrs Prentice	Mr Truss
Mr Ciobo	Dr Jensen	Mr Pyne	Mr Tudge
Mr Cobb	Mr E. T. Jones	Mr Ramsey	Mr Turnbull
Mr Coulton*	Mr Katter	Mr Randall	Mr van Manen
Mr Crook	Mr Keenan	Mr Robb	Mr Vasta
Mr Dutton	Mr C. Kelly	Mr Robert	Dr Washer
Mr Entsch	Mr Laming	Wyatt Roy	Mr Wyatt

NOES, 73

Mr Adams	Mrs Elliot	Dr Leigh	Ms Roxon
Mr Albanese	Ms Ellis	Ms Livermore	Mr Rudd
Mr Bandt	Dr Emerson	Mr Lyons	Ms Saffin
Ms Bird	Mr L. D. T. Ferguson	Mr McClelland	Mr Shorten
Mr Bowen	Mr M. J. Ferguson	Ms Macklin	Mr Sidebottom
Ms Brodtmann	Mr Fitzgibbon	Mr Marles	Mr S. F. Smith
Ms A. E. Burke	Mr Garrett	Mr Melham	Ms Smyth
Mr A. S. Burke	Mr Georganas	Mr Mitchell	Mr Snowdon
Mr Butler	Mr Gibbons	Mr Murphy	Mr Swan
Mr Byrne	Ms Gillard	Mr Neumann	Mr Symon
Mr Champion	Mr Gray	Mr Oakeshott	Mr C. R. Thomson
Mr Cheeseman	Ms Grierson	Mr O'Connor	Mr K. J. Thomson
Mr Clare	Mr Griffin	Ms O'Neill	Ms Vamvakinou
Ms Collins	Ms Hall*	Ms Owens	Mr Wilkie
Mr Combet	Mr Hayes*	Ms Parke	Mr Windsor
Mr Crean	Mr Husic	Mr Perrett	Mr Zappia
Mr Danby	Mr S. P. Jones	Mr Ripoll	
Mrs D'Ath	Dr M. J. Kelly	Ms Rishworth	
Mr Dreyfus	Ms King	Ms Rowland	

* Tellers

Pairs

Ms Plibersek	Mr Broadbent
Mr Bradbury	Mrs Moylan

And so it was negatived.

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

12 PARLIAMENTARY ZONE—NEW ACCESS ROAD FROM KINGS AVENUE TO THE NATIONAL ARCHIVES OF AUSTRALIA—APPROVAL OF PROPOSAL

Mr Combet (Minister for Climate Change and Energy Efficiency) for Mr Crean (Minister for Regional Australia, Regional Development and Local Government), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approve the following proposal for work in the Parliamentary Zone which was presented to the House on 25 October 2010, namely: New access road from Kings Avenue to the National Archives of Australia.

Question—put and passed.

13 PARLIAMENTARY ZONE—INSTALLATION OF FIVE NEW OUTDOOR EXHIBITS WITHIN THE PARLIAMENTARY ZONE ADJACENT TO THE QUESTACON BUILDING AND TO MAKE PERMANENT SEVEN EXISTING TEMPORARY OUTDOOR EXHIBITS—APPROVAL OF PROPOSAL

Mr Combet (Minister for Climate Change and Energy Efficiency) for Mr Crean (Minister for Regional Australia, Regional Development and Local Government), pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the House approve the following proposal for work in the Parliamentary Zone which was presented to the House on 25 October 2010, namely: Installation of five new outdoor exhibits within the Parliamentary Zone adjacent to the Questacon building and to make permanent seven existing temporary outdoor exhibits.

Question—put and passed.

14 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—INTEGRATED FIT-OUT OF NEW LEASED PREMISES FOR THE AUSTRALIAN TAXATION OFFICE AT 12 TO 26 FRANKLIN STREET, ADELAIDE, SOUTH AUSTRALIA

Mr Gray (Special Minister of State), 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: Integrated fit-out of new leased premises for the Australian Taxation Office at 12 to 26 Franklin Street, Adelaide, South Australia.

Question—put and passed.

15 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—PROPOSED FIT-OUT OF NEW LEASED PREMISES FOR THE ATTORNEY-GENERAL'S DEPARTMENT AT 4 NATIONAL CIRCUIT, BARTON, AUSTRALIAN CAPITAL TERRITORY

Mr Gray (Special Minister of State), 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: Proposed fit-out of new leased premises for the Attorney-General's Department at 4 National Circuit, Barton, Australian Capital Territory.

Question—put and passed.

16 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—HMAS PENGUIN AND PITTWATER ANNEXE REDEVELOPMENT, MOSMAN AND CLAREVILLE, NEW SOUTH WALES

Mr Gray (Special Minister of State), 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: HMAS Penguin and Pittwater Annexe redevelopment, Mosman and Clareville, New South Wales.

Question—put and passed.

17 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—PROPOSED DEVELOPMENT AND CONSTRUCTION OF HOUSING FOR THE DEPARTMENT OF DEFENCE AT LARGS NORTH (BAYRIVER), PORT ADELAIDE, SOUTH AUSTRALIA

Mr Gray (Special Minister of State), 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: Proposed development and construction of housing for the Department of Defence at Largs North (Bayriver), Port Adelaide, South Australia.

Question—put and passed.

18 SEX AND AGE DISCRIMINATION LEGISLATION 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr McClelland (Attorney-General), the bill was read a third time.

19 POSTPONEMENT OF ORDER OF THE DAY

Ordered—That order of the day No. 2, government business, be postponed until a later hour this day.

20 RADIOCOMMUNICATIONS 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 (Ms Roxon—Minister for Health and Ageing), and the resumption of the debate made an order of the day for a later hour this day.

21 ADDRESS IN REPLY TO THE GOVERNOR-GENERAL'S SPEECH

The order of the day having been read for the resumption of the debate on the question—That the following Address in Reply to the speech of Her Excellency the Governor-General be agreed to:

May it please Your Excellency:

We, the House of Representatives of the Commonwealth of Australia, in Parliament assembled, express our loyalty to the Sovereign, and thank Your Excellency for the speech which you have been pleased to address to the Parliament—

Debate resumed.

Debate adjourned (Mr Albanese—Leader of the House), and the resumption of the debate made an order of the day for the next sitting.

22 RADIOCOMMUNICATIONS 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.

Leave granted for third reading to be moved immediately.

On the motion of Mr Albanese (Minister representing the Minister for Broadband, Communications and the Digital Economy), the bill was read a third time.

23 AUSTRALIAN CIVILIAN CORPS 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 Dr Kelly (Parliamentary Secretary for Agriculture, Fisheries and Forestry), by leave, the bill was read a third time.

24 SOCIAL SECURITY LEGISLATION AMENDMENT (CONNECTING PEOPLE WITH JOBS) 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 Dr Kelly (Parliamentary Secretary for Agriculture, Fisheries and Forestry), by leave, the bill was read a third time.

25 MESSAGE FROM THE SENATE—BILLS BE REFERRED TO THE JOINT SELECT COMMITTEE ON GAMBLING REFORM

Message No. 20, 28 October 2010, from the Senate was reported informing the House of the following resolution agreed to by the Senate: That the Poker Machine Harm Reduction Tax (Administration) Bill 2008 [2010] and the Poker Machine (Reduced Losses—Interim Measures) Bill 2010 be referred to the Joint Select Committee on Gambling Reform for inquiry and report in line with the terms of reference of the committee.

26 MEMBERS' STATEMENTS

Members' statements were made.

27 QUESTIONS

Questions without notice being asked—

Ms Gillard (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, 70

Mr Abbott	Mr Forrest	Mr Macfarlane	Mr Scott
Mr Alexander	Mr Frydenberg	Ms Marino	Mr Secker*
Mr K. J. Andrews	Ms Gambaro	Mrs Markus	Mr Simpkins
Mrs K. L. Andrews	Mrs Gash	Mr Matheson	Mr Slipper
Mr Baldwin	Mrs Griggs	Mrs Mirabella	Mr A. D. H. Smith
Mr Billson	Mr Haase	Mr Morrison	Mr Somlyay
Mrs B. K. Bishop	Mr Hartsuyker	Mr Neville	Dr Southcott
Ms J. I. Bishop	Mr A. G. Hawke	Mr O'Dowd	Dr Stone
Mr Briggs	Mr Hockey	Ms O'Dwyer	Mr Tehan
Mr Buchholz	Mr Hunt	Mrs Prentice	Mr Truss
Mr Chester	Mr Irons	Mr Pyne	Mr Tudge
Mr Christensen	Dr Jensen	Mr Ramsey	Mr Turnbull
Mr Ciobo	Mr E. T. Jones	Mr Randall	Mr van Manen
Mr Cobb	Mr Keenan	Mr Robb	Mr Vasta
Mr Coulton*	Mr C. Kelly	Mr Robert	Dr Washer
Mr Dutton	Mr Laming	Wyatt Roy	Mr Wyatt
Mr Entsch	Ms Ley	Mr Ruddock	
Mr Fletcher	Mr McCormack	Mr Schultz	

NOES, 75

Mr Adams	Mr Dreyfus	Dr M. J. Kelly	Ms Rishworth
Mr Albanese	Mrs Elliot	Ms King	Ms Rowland
Mr Bandt	Ms Ellis	Dr Leigh	Ms Roxon
Ms Bird	Dr Emerson	Ms Livermore	Mr Rudd
Mr Bowen	Mr L. D. T. Ferguson	Mr Lyons	Ms Saffin
Ms Brodtmann	Mr M. J. Ferguson	Mr McClelland	Mr Shorten
Ms A. E. Burke	Mr Fitzgibbon	Ms Macklin	Mr Sidebottom
Mr A. S. Burke	Mr Garrett	Mr Marles	Mr S. F. Smith
Mr Butler	Mr Georganas	Mr Melham	Ms Smyth
Mr Byrne	Mr Gibbons	Mr Mitchell	Mr Snowdon
Mr Champion	Ms Gillard	Mr Murphy	Mr Swan
Mr Cheeseman	Mr Gray	Mr Neumann	Mr Symon
Mr Clare	Ms Grierson	Mr Oakeshott	Mr C. R. Thomson
Ms Collins	Mr Griffin	Mr O'Connor	Mr K. J. Thomson
Mr Combet	Ms Hall*	Ms O'Neill	Ms Vamvakinou
Mr Crean	Mr Hayes*	Ms Owens	Mr Wilkie
Mr Crook	Mr Husic	Ms Parke	Mr Windsor
Mr Danby	Mr S. P. Jones	Mr Perrett	Mr Zappia
Mrs D'Ath	Mr Katter	Mr Ripoll	

* Tellers

Pairs

Ms Plibersek	Mr Broadbent
Mr Bradbury	Mrs Moylan

And so it was negatived.

Questions without notice continued.

28 SELECTION COMMITTEE—REPORT

The Speaker presented the following document:

Selection Committee—Report No. 5—Consideration of bills introduced between 25 October and 28 October 2010.

29 AUDITOR-GENERAL'S REPORTS

The Speaker presented the following documents:

Auditor-General—Audit reports of 2010–2011—Performance audits—

No. 13—Implementation and administration of the Civil Aviation Safety Authority's Safety Management System approach for Aircraft operators.

No. 14—Capitalisation of software: Australian Bureau of Statistics; Civil Aviation Safety Authority; IP Australia.

Reports ordered to be made Parliamentary Papers.

30 DOCUMENTS

The following documents were presented:

Aged Care Standards and Accreditation Agency Limited—Report for 2009-10.

Airservices Australia—Report for 2009-10.

Auditing and Assurance Standards Board—Report for 2009-10.

Australia Business Arts Foundation Ltd—Financial statements for 2009-10.

Australian Accounting Standards Board—Report for 2009-10.

Australian Broadcasting Corporation (ABC)—Report for 2009-10.

Australian Building and Construction Commissioner—Report for 2009-10.

Australian Carbon Trust Limited—Report for 2009-10.

Australian Centre for International Agricultural Research—Report for 2009-10.

Australian Competition and Consumer Commission—Report for 2009-10, incorporating report of the Australian Energy Regulator.

Australian Customs and Border Protection Service—Report for 2009-10.

Australian Hearing—Report for 2009-10.

Australian Human Rights Commission—Report for 2009-10.

Australian Industry Development Corporation—Report for 2009-10.

Australian Learning and Teaching Council—Report for 2009-10.

Australian National Maritime Museum—Report for 2009-10.

Australian Nuclear Science and Technology Organisation—Report for 2009-10.

Australian Pesticides and Veterinary Medicines Authority—Report for 2009-10.

Australian Research Council—
Report for 2009-10.
Strategic plan—2010-11 to 2012-13.

Australian Securities and Investments Commission—Report for 2009-10.

Australian Strategic Policy Institute—Report for 2009-10.

Australian Trade Commission (AUSTRADE)—Report for 2009-10.

Aviation Legislation Amendment (2008 Measures No. 2) Act 2009—Privacy and cockpit voice recorder information—Report of the Privacy Commissioner, June 2010.

Bankruptcy Act 1966—Report on the operation of the Act for 2009-10.

Commonwealth Director of Public Prosecutions—Report for 2009-10.

Data-matching program—Department of Veterans' Affairs—Report on progress for 2008 to 2010.

Defence Force Remuneration Tribunal—Report for 2009-10.

Defence Housing Australia—Report for 2009-10.

Department of Education, Employment and Workplace Relations—Report for 2009-10.

Department of Resources, Energy and Tourism—Report for 2009-10, including Geoscience Australia.

Fair Work Ombudsman—Report for 2009-10.

Financial Reporting Council—Report on auditor independence for 2009-10.

Great Barrier Reef Marine Park Authority—Report for 2009-10.

Health Workforce Australia—Report for 2009-10.

Indigenous Business Australia—Report for 2009-10.

Insolvency and Trustee Service Australia—Report for 2009-10.

National Archives of Australia and National Archives of Australia Advisory Council—Report for 2009-10.

National Australia Day Council—Report for 2009-10.

National Competition Council—Report for 2009-10.

National Offshore Petroleum Safety Authority—Report for 2009-10.

Old Parliament House—Report for 2009-10.

Private Health Insurance Ombudsman—Report for 2009-10.

Productivity Commission—Reports—
2009-10.

No. 51—Wheat export marketing arrangements, 1 July 2010.

Professional Services Review—Report for 2009-10.

Remuneration Tribunal—Report for 2009-10.

Repatriation Commission, Military Rehabilitation and Compensation Commission and the Department of Veterans' Affairs—Report for 2009-10.

Reserve Bank of Australia—Reports—2009-10.
 Equity and diversity—Report for 2009-10.
 Payments System Board—Report for 2009-10.
 Royal Australian Mint—Report for 2009-10.
 Royal Australian Navy Central Canteens Board—Report for 2009-10.
 Skills Australia—Report for 2009-10.
 Special Broadcasting Service Corporation (SBS)—Report for 2009-10.
 Takeovers Panel—Report for 2009-10.
 Torres Strait Regional Authority—Report for 2009-10.
 Treaties—*Bilateral—Text, together with national interest analysis*—Agreement between the Government of Australia and the Government of Japan concerning regional provision of supplies and services between the Australian Defence Force and the Self-Defense Forces of Japan, done at Tokyo on 19 May 2010.
 Workplace Authority—Report for 2009-10.

31 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Australian Broadcasting Corporation (ABC)—Report for 2009-10.
 Australian Building and Construction Commissioner—Report for 2009-10.
 Australian Carbon Trust Limited—Report for 2009-10.
 Australian Competition and Consumer Commission—Report for 2009-10, incorporating report of the Australian Energy Regulator.
 Australian Customs and Border Protection Service—Report for 2009-10.
 Australian Learning and Teaching Council—Report for 2009-10.
 Australian Research Council—Report for 2009-10.
 Australian Securities and Investments Commission—Report for 2009-10.
 Australian Trade Commission (AUSTRADE)—Report for 2009-10.
 Commonwealth Director of Public Prosecutions—Report for 2009-10.
 Defence Force Remuneration Tribunal—Report for 2009-10.
 Department of Education, Employment and Workplace Relations—Report for 2009-10.
 Fair Work Ombudsman—Report for 2009-10.
 Financial Reporting Council—Report on auditor independence for 2009-10.
 Health Workforce Australia—Report for 2009-10.
 Insolvency and Trustee Service Australia—Report for 2009-10.
 National Competition Council—Report for 2009-10.
 Private Health Insurance Ombudsman—Report for 2009-10.
 Productivity Commission—Report for 2009-10.
 Remuneration Tribunal—Report for 2009-10.
 Repatriation Commission, Military Rehabilitation and Compensation Commission and the Department of Veterans' Affairs—Report for 2009-10.
 Reserve Bank of Australia—Reports—2009-10.
 Payments System Board—Report for 2009-10.
 Skills Australia—Report for 2009-10.
 Takeovers Panel—Report for 2009-10.
 Workplace Authority—Report for 2009-10.
 Debate adjourned (Mr Hartsuyker), and the resumption of each debate made an order of the day for the next sitting.

32 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC REFORM

The House was informed that Mr Abbott (Leader of the Opposition) had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s failure to deliver real economic reform”.

The proposed discussion having received the necessary support—

Mr Abbott addressed the House.

Discussion ensued.

33 ADJOURNMENT

It being 4.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 5 p.m.—The Speaker adjourned the House until 10 a.m. Monday, 15 November 2010.

DOCUMENTS

The following documents were deemed to have been presented on 28 October 2010:

Acts Interpretation Act—Statement relating to extension of time for presentation of periodic report—Department of Families, Housing, Community Services and Indigenous Affairs—Report for 2009-10.

Appropriation Act (No. 1) 2009-2010—Determination to reduce appropriations upon request—2010-11 No. 2 [F2010L02812].

Australian Prudential Regulation Authority Act—Determination under section 57—2010 Confidentiality No. 19 [F2010L02813].

Broadcasting Services Act—Variation—2010 Licence area plans for Bunbury radio (No. 1) [F2010L02810].

Civil Aviation Act—

Civil Aviation Regulations—

Exemptions—2010 Nos CASA EX85, CASA EX89 [F2010L02570], [F2010L02701].

Instrument—2010 No. CASA 366 [F2010L02802].

Civil Aviation Safety Regulations—Exemption—2010 No. CASA EX88 [F2010L02639].

Environment Protection and Biodiversity Conservation Act—Instruments under section 303DC—2010—28 September [2] [F2010L02715], [F2010L02716].

20 October [F2010L02811].

Financial Management and Accountability Act—Determination—Transfer of functions from Treasury to DSEWPaC—2010 No. 21 [F2010L02809].

Health Insurance Act—Determinations under section 3C—2010 Home-based sleep studies (Nos 1, 2) [F2010L02723], [F2010L02724].

Marriage Act—Determination—2010 Celebrancy qualifications or skills—Amendment (No. 1) [F2010L02807].

Migration Act—Migration Regulations—Instrument—2010 Access to movement records, No. IMMI 10/062 [F2010L02756].

Nation Building Program (National Land Transport) Act—Instrument—2010 Variation of the Nation Building Program Roads to Recovery list (No. 1) [F2010L02814].

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Bradbury and *Ms Plibersek.

* On leave



B. C. WRIGHT
Clerk of the House of Representatives

2010

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 11

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 28 OCTOBER 2010

1 A division having been called in the House, the Main Committee met at 9.44 a.m.

2 MEMBERS' CONSTITUENCY STATEMENTS

Members' constituency statements were made.

Documents

Ms Hall, by leave, presented the following documents:

Australian support for Millennium Development Goals—Birthday cards from members of the public to the Hon Stephen Smith.

3 AUSTRALIAN CIVILIAN CORPS 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 the question on the report to be put immediately.

Question—That the bill be reported to the House without amendment—put and passed.

4 SOCIAL SECURITY LEGISLATION AMENDMENT (CONNECTING PEOPLE WITH JOBS) 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 the question on the report to be put immediately.

Question—That the bill be reported to the House without amendment—put and passed.

5 AUSTRALIA'S COMMITMENT TO AFGHANISTAN—MINISTERIAL STATEMENT—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 S. F. Smith (Minister for Defence)—That the House take note of the document (*presented on 19 October 2010*), viz.: Australia's commitment to Afghanistan—Ministerial statement—

Debate resumed.

Debate adjourned, Mr Zappia was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

6 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

At 1.01 p.m., the Deputy Speaker adjourned the Main Committee until 10.30 a.m. on Monday, 15 November 2010.



DAVID ELDER
Clerk of the Main Committee