

2010-11

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 70

WEDNESDAY, 21 SEPTEMBER 2011

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. 217, 20 September 2011, from the Senate was reported informing the House that in accordance with the *Public Works Committee Act 1969*, Senator Boyce had been appointed a member of the Parliamentary Standing Committee on Public Works.

3 **SOCIAL SECURITY AMENDMENT (STUDENT INCOME SUPPORT REFORMS) BILL 2011**

Mr Garrett (Minister for School Education, Early Childhood and Youth), pursuant to notice, presented a Bill for an Act to amend the *Social Security Act 1991*, 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 (Ms Gambaro), and the resumption of the debate made an order of the day for the next sitting.

4 **HIGHER EDUCATION SUPPORT AMENDMENT BILL (NO. 2) 2011**

Mr Garrett (Minister for School Education, Early Childhood 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 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 (Ms Gambaro), and the resumption of the debate made an order of the day for the next sitting.

5 **MIGRATION LEGISLATION AMENDMENT (OFFSHORE PROCESSING AND OTHER MEASURES) BILL 2011**

Mr Bowen (Minister for Immigration and Citizenship), pursuant to notice, presented a Bill for an Act to amend the law relating to migration, 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 (Mr Morrison), and the resumption of the debate made an order of the day for the next sitting.

6 OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT (SIGNIFICANT INCIDENT DIRECTIONS) BILL 2011

Mr Crean (Minister for Regional Australia, Regional Development and Local Government), pursuant to notice, presented a Bill for an Act to amend the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*, and for other purposes.

Document

Mr Crean presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

7 CONSUMER CREDIT AND CORPORATIONS LEGISLATION AMENDMENT (ENHANCEMENTS) BILL 2011

Mr Shorten (Minister for Financial Services and Superannuation), pursuant to notice, presented a Bill for an Act to amend the law relating to consumer credit and corporations, 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 (Ms Gambaro), and the resumption of the debate made an order of the day for the next sitting.

8 TAX LAWS AMENDMENT (2011 MEASURES NO. 7) BILL 2011

Mr Shorten (Minister for Financial Services and Superannuation) presented a Bill for an Act to amend the law relating to taxation, and for other 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 (Mrs Mirabella), and the resumption of the debate made an order of the day for the next sitting.

9 ANTI-DUMPING SYSTEM—MINISTERIAL STATEMENT

Mr O'Connor (Minister for Home Affairs), by leave, made a ministerial statement on streamlining Australia's anti-dumping system and presented the following document:

Streamlining Australia's anti-dumping system—Statement by the Minister for Home Affairs, the Hon Brendan O'Connor MP, 21 September 2011.

Suspension of standing and sessional orders—Time for speech

Mr O'Connor, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mrs Mirabella speaking for a period not exceeding 10 minutes.

Question—put and passed.

Mrs Mirabella addressed the House.

10 CLEAN ENERGY BILL 2011

CLEAN ENERGY (CONSEQUENTIAL AMENDMENTS) BILL 2011
CLEAN ENERGY (INCOME TAX RATES AMENDMENTS) BILL 2011
CLEAN ENERGY (HOUSEHOLD ASSISTANCE AMENDMENTS) BILL 2011
CLEAN ENERGY (TAX LAWS AMENDMENTS) BILL 2011
CLEAN ENERGY (FUEL TAX LEGISLATION AMENDMENT) BILL 2011
CLEAN ENERGY (CUSTOMS TARIFF AMENDMENT) BILL 2011
CLEAN ENERGY (EXCISE TARIFF LEGISLATION AMENDMENT) BILL 2011
OZONE PROTECTION AND SYNTHETIC GREENHOUSE GAS (IMPORT LEVY) AMENDMENT BILL 2011
OZONE PROTECTION AND SYNTHETIC GREENHOUSE GAS (MANUFACTURE LEVY) AMENDMENT BILL 2011
CLEAN ENERGY (UNIT SHORTFALL CHARGE—GENERAL) BILL 2011
CLEAN ENERGY (UNIT ISSUE CHARGE—AUCTIONS) BILL 2011
CLEAN ENERGY (UNIT ISSUE CHARGE—FIXED CHARGE) BILL 2011
CLEAN ENERGY (INTERNATIONAL UNIT SURRENDER CHARGE) BILL 2011
CLEAN ENERGY (CHARGES—CUSTOMS) BILL 2011
CLEAN ENERGY (CHARGES—EXCISE) BILL 2011
CLEAN ENERGY REGULATOR BILL 2011
CLIMATE CHANGE AUTHORITY BILL 2011
STEEL TRANSFORMATION PLAN BILL 2011

In accordance with the resolution agreed to on 13 September 2011 (*see item No. 41, page 887*)—

The order of the day having been read for the resumption of the debate on the question—That the bills be now read a second time—

Debate resumed.

Mr Murphy addressing the House—

It being 1.45 p.m., the debate was interrupted in accordance with standing order 43, Mr Murphy was granted leave to continue his speech when the debate is resumed, and the resumption of the debate made an order of the day for a later hour this day.

11 MEMBERS' STATEMENTS

Members' statements were made.

12 DEATH OF FORMER MEMBER (THE HONOURABLE DAVID FRANCIS JULL)—CONDOLENCE MOTION—REPORT FROM MAIN COMMITTEE

The Speaker reported that the order of the day relating to the Prime Minister's motion of condolence in connection with the death of the Honourable David Francis Jull had been debated in the Main Committee and returned to the House, and presented a certified copy of the motion.

All Members present having risen, in silence—

Question—passed.

13 QUESTIONS

Questions without notice were asked.

14 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Migration Act 1958—

Section 91Y—Protection visa processing taking more than 90 days—Report for the period 1 March to 30 June 2011.

Section 440A—Conduct of Refugee Review Tribunal (RRT) reviews not completed within 90 days—Report for the period 1 March to 30 June 2011.

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.

15 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMIC CHALLENGE

The House was informed that Mr Hockey had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure of the Government to confront Australia's immediate economic challenges".

The proposed discussion having received the necessary support—

Mr Hockey addressed the House.

Discussion ensued.

Discussion concluded.

16 TAX REFORM—MINISTERIAL STATEMENT

Mr Swan (Treasurer), by leave, made a ministerial statement on tax reform and our patchwork economy and presented the following document:

Tax reform and our patchwork economy—Statement by the Deputy Prime Minister and Treasurer, the Hon Wayne Swan MP, 21 September 2011.

Suspension of standing and sessional orders—Time for speech

Mr Swan, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Hockey speaking for a period not exceeding 15½ minutes.

Question—put and passed.

Mr Hockey addressed the House.

17 POSTPONEMENT OF BUSINESS

Ordered—That business intervening before notice No. 6, government business, be postponed until a later hour this day.

18 SUSPENSION OF STANDING AND SESSIONAL ORDERS—CHANGES TO TIME AND ORDER OF BUSINESS

Mr Albanese (Leader of the House), pursuant to notice, moved—That so much of the standing and sessional orders be suspended as would prevent:

- (1) the time and order of business for Tuesday, 11 October 2011 being as follows:
 - (a) the House shall meet at 9 a.m.;
 - (b) Government business shall have priority from 9 a.m. until 2 p.m.; and
 - (c) during the period from 9 a.m. until 2 p.m. any division on a question called for in the House, other than on a motion moved by a Minister during this period, shall stand deferred until the conclusion of the discussion of a matter of public importance; and
- (2) any variation to this arrangement to be made only by a motion moved by a Minister.

Debate ensued.

Mr Fitzgibbon (Chief Government Whip) addressing the House—

19 ADJOURNMENT

It being 7 p.m.—The question was proposed—That the House do now adjourn.

Debate ensuing—

Documents

Mr Keenan, by leave, presented the following documents:

Asylum seekers—

Missing asylum seeker boats—Letter from Michael Keenan MP to the Hon Brendan O'Connor MP, Minister for Home Affairs, 16 September 2011.

Offshore asylum seeker management—Senator Cash to Immigration and Citizenship Portfolio—Question taken on notice, Budget Estimates, 23 May 2011.

Extract from article—*Sydney Morning Herald*, 5 July 2011.

Senate Standing Committee on Legal and Constitutional Affairs, Senator Ronaldson to the Australian Customs and Border Protection Service—Question taken on notice, Budget Estimates, 26 May 2011.

Relatives fear 97 refugees have died at sea—Natalie O'Brien, www.theage.com.au, accessed 14 September 2011.

Government knew asylum boat was in danger—Tom Allard and Yuko Narushima, www.smh.com.au, accessed 14 September 2011.

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 21 September 2011:

Banking Act—Exemption—2011 No. 3 [F2011L01926].

Banking Act, Insurance Act and Life Insurance Act—Determinations—2011 Prudential standards (Nos 1, 2, 3, 4) [F2011L01920], [F2011L01921], [F2011L01923], [F2011L01925].

Civil Aviation Act—

Civil Aviation Regulations—Direction—2011 No. CASA 405 [F2011L01916].

Civil Aviation Safety Regulations—Exemptions—2011 Nos CASA EX104, CASA EX106 [F2011L01915], [F2011L01917].

Insurance Act—Determination—2011 Prudential standard (No. 1) [F2011L01918].

Private Health Insurance Act—Rules—2011—

Benefit requirements—Amendment (No. 8) [F2011L01924].

Complying product—Amendment (No. 4A) [F2011L01919].

Radiocommunications (Receiver Licence Tax) Act—Determination—2011 Amendment (No. 2) [F2011L01927].

Radiocommunications (Transmitter Licence Tax) Act—Determination—2011 Amendment (No. 2) [F2011L01928].

Taxation Administration Act—Rulings—2011—CR—

No. 73 (Withdrawal).

Nos 81, 82.

Telecommunications (Consumer Protection and Service Standards) Act—Determination—2011 National Relay Service (Participating persons) (No. 1) [F2011L01922].

ATTENDANCE

All Members attended (at some time during the sitting) except *Mr Ciobo, Mr Dutton, Mr M. J. Ferguson, Mrs Moylan, Ms Roxon, Mr Rudd, Mr Symon and *Mr K. J. Thomson.

* On leave

B. C. WRIGHT
Clerk of the House of Representatives

2010-11

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 70

MAIN COMMITTEE**MINUTES OF PROCEEDINGS**

WEDNESDAY, 21 SEPTEMBER 2011

1 The Main Committee met at 9.30 a.m.

2 **MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements were made.

3 **DEATH OF FORMER MEMBER (THE HONOURABLE DAVID FRANCIS JULL)—CONDOLENCE MOTION MOVED BY THE PRIME MINISTER**

The order of the day having been read for the resumption of the debate on the motion of Ms Gillard (Prime Minister)—That the House express its deep regret at the death on 13 September 2011 of the Honourable David Francis Jull, a Member of this House for the Divisions of Bowman and Fadden from 1975 to 2007 and Minister for Administrative Services, and place on record its appreciation of his long and meritorious public service, and tender its profound sympathy to his family in their bereavement—

Debate resumed.

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

Mr S. P. Jones moved—That further proceedings be conducted in the House.

Question—put and passed.

4 **CADEL EVANS—STATEMENTS**

By indulgence, further statements were made.

5 **SAM STOSUR—STATEMENTS**

By indulgence, further statements were made.

6 **ADJOURNMENT**

On the motion of Mr S. P. Jones, the Main Committee adjourned at 1.01 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