

2010-11

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 76

TUESDAY, 1 NOVEMBER 2011

1 The House met at 1.30 p.m. The Speaker (Mr Jenkins) took the Chair, made an acknowledgement of country and read Prayers.

2 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—ORDER OF BUSINESS FOR THIS SITTING**

Mr Albanese (Leader of the House), by leave, moved—That unless otherwise ordered, so much of the standing and sessional orders be suspended as would prevent Question Time commencing immediately and being followed by:

- (1) presentation of documents;
- (2) the discussion of a matter of public importance;
- (3) Ministerial statements; and
- (4) Government business until 9.30 p.m.

Question—put and passed.

3 **QUESTIONS**

Questions without notice being asked—

Member directed to leave

At 1.35 p.m. the Member for Cook (Mr Morrison) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and he accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 1.53 p.m. the Member for Mayo (Mr Briggs) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and he accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 2.14 p.m. the Member for Herbert (Mr E. T. Jones) was directed, under standing order 94, to leave the Chamber for one hour for interjecting after a warning had been given from the Chair, and he accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 2.24 p.m. the Member for Fadden (Mr Robert) was directed, under standing order 94, to leave the Chamber for one hour for interjecting, and he accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 2.25 p.m. the Member for Higgins (Ms O'Dwyer) was directed, under standing order 94, to leave the Chamber for one hour for interjecting after a warning had been given from the Chair, and she accordingly left the Chamber.

Questions without notice continued.

4 DOCUMENTS

The following documents were presented:

Aboriginal Hostels Limited—Report for 2010-11.

Australian Human Rights Commission—Report for 2010-11.

Crimes Act 1914—Authorisations for the acquisition and use of assumed identities—Report for 2010-11—Australian Customs and Border Protection Service.

Royal Australian Mint—Report for 2010-11.

Surveillance Devices Act 2004—Report on the operation of the Act for 2010-11, including a corrigendum.

Telecommunications (Interception and Access) Act 1979—Report on the operation of the Act for 2010-11, including a corrigendum.

War Crimes Act 1945—Report on the operation of the Act for 2010-11.

Suspension of sitting

At 2.56 p.m., the Speaker left the Chair.

Resumption of sitting

At 3.30 p.m., the Speaker resumed the Chair.

5 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—QANTAS

The House was informed that both Mr Truss (Leader of The Nationals) and Mr Husic had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 46, the Speaker had given priority to the matter proposed by Mr Truss, namely, “The failure of the Government to act to avoid the grounding of the Qantas fleet”.

The proposed discussion having received the necessary support—

Mr Truss addressed the House.

Discussion ensued.

Discussion concluded.

6 BILLS REFERRED TO MAIN COMMITTEE

Mr Fitzgibbon (Chief Government Whip), by leave, moved—That the following bills be referred to the Main Committee for further consideration:

Personal Property Securities Amendment (Registration Commencement) 2011; and

Classification (Publications, Films and Computer Games) Amendment (Online Games) 2011.

Question—put and passed.

7 LEAVE OF ABSENCE TO MEMBER

Mr Fitzgibbon (Chief Government Whip) moved—That leave of absence for the remainder of the current period of sittings be given to Mr K. J. Thomson on the ground of parliamentary business overseas.

Question—put and passed.

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

Ms Bird presented the following document:

Treaties—Joint Standing Committee—Report 121: Treaty tabled on 16 August 2011—Report, incorporating a dissenting report, October 2011.

In accordance with standing order 39(f) the report was made a Parliamentary Paper.

Ms Bird, by leave, made a statement in connection with the report.

9 EDUCATION AND EMPLOYMENT—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Ms Rishworth (Chair) presented the following documents:

Education and Employment—Standing Committee—Advisory report on bills referred 22 September 2011—Report, October 2011.

Evidence received by the committee.

Minutes of proceedings.

In accordance with standing order 39(f) the report was made a Parliamentary Paper.

Ms Rishworth and Mr Ramsey, by leave, made statements in connection with the report.

10 TERRITORIES SELF-GOVERNMENT LEGISLATION AMENDMENT (DISALLOWANCE AND AMENDMENT OF LAWS) BILL 2011

The order of the day having been read for the further consideration of the bill—

Question—That the bill be now read a second time—put and passed—bill read a second time.

Consideration in detail

Bill, by leave, taken as a whole.

Mr Keenan, by leave, moved Opposition amendments (1) and (2) together.

Debate continued.

Question—That the amendments be agreed to—put.

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

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

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

* Tellers

Pairs

Ms Gillard	Mr Abbott
Mr K. J. Thomson	Mr Ciobo
Mr C. R. Thomson	Dr Southcott
Dr M. J. Kelly	Dr Jensen
Mr S. F. Smith	Mr Somlyay

And so it was negatived.

Bill agreed to.

Consideration in detail concluded.

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

11 AUSTRALIAN RENEWABLE ENERGY AGENCY BILL 2011

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 McClelland—Attorney-General), and the resumption of the debate made an order of the day for a later hour this day.

12 DETERRING PEOPLE SMUGGLING BILL 2011

Mr O'Connor (Minister for Justice), by leave, presented a Bill for an Act to clarify the law relating to people smuggling, and for related 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, by leave, ensued.

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

Leave granted for third reading to be moved immediately.

On the motion of Mr O'Connor, the bill was read a third time.

13 AUSTRALIAN RENEWABLE ENERGY AGENCY BILL 2011

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 Bradbury—Parliamentary Secretary to the Treasurer), and the resumption of the debate made an order of the day for the next sitting.

14 BILLS REFERRED TO MAIN COMMITTEE

Mr Bradbury (Parliamentary Secretary to the Treasurer), by leave, moved—That the following bills be referred to the Main Committee for further consideration:

Australian Renewable Energy Agency 2011; and

Australian Renewable Energy Agency (Consequential Amendments and Transitional Provisions) 2011.

Question—put and passed.

15 NATIONAL HEALTH REFORM AMENDMENT (INDEPENDENT HOSPITAL PRICING AUTHORITY) BILL 2011

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 S. P. Jones addressing the House—

16 ADJOURNMENT

It being 9.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 10.30 p.m.—The Speaker adjourned the House until 9 a.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 1 November 2011:

Acts Interpretation Act—Statement relating to extension of time for presentation of periodic report—Services Trust Funds—Report for 2010-11.

Anti-Money Laundering and Counter-Terrorism Financing Act—Rules—2011 Amendment (No. 7) [F2011L02155].

Australian Prudential Regulation Authority Act—Determination under section 57—2011 Confidentiality (No. 19) [F2011L02146].

Civil Aviation Act—

Civil Aviation Regulations—Direction—2011 No. CASA 438 [F2011L02156].

Civil Aviation Regulations and Civil Aviation Safety Regulations—Instrument—2011 No. CASA 444 [F2011L02157].

Civil Aviation Safety Regulations—

Airworthiness Directives under Part 39.001(1)—Revocation—2011 No. CASA ADCX 23 [F2011L02148].

Exemption—2011 No. CASA EX116 [F2011L02149].

Corporations Act—

ASIC Class Order—2011 No. 842 [F2011L02152].

ASIC Market Integrity Rules—2011—

ASX Market—Amendment (No. 3) [F2011L02145].

Chi-X Australia Market—Amendment (Nos 1, 2) [F2011L02153], [F2011L02150].

Competition in exchange Markets—Class rule waiver, No. 11/1103 [F2011L02151].

Customs Act—Orders—Tariff Concession—2011 No. 1054832 [F2011L02136].

Environment Protection and Biodiversity Conservation Act—Instruments under section 303DC—2011—
20 October [F2011L02159].

26 October [F2011L02158].

Fisheries Management Act—Southern and Eastern Scalefish and Shark Fishery Management Plan 2003—
Directions—2011 Closures (Nos 1, 2) [F2011L02147], [F2011L02154].

Temporary Order—2011 No. 3 [F2011L02144].

Veterans' Entitlements Act and Military Rehabilitation and Compensation Act—Instruments under section
196B—2011 Nos 120, 121, 122, 123, 124, 125, 126 [F2011L02137], [F2011L02138], [F2011L02139],
[F2011L02140], [F2011L02141], [F2011L02142], [F2011L02143].



ATTENDANCE

All Members attended (at some time during the sitting) except Mr Ciobo, Mr Katter, Dr M. J. Kelly,
Mr S. F. Smith, Dr Southcott, Mr C. R. Thomson and *Mr K. J. Thomson.

* On leave



B. C. WRIGHT

Clerk of the House of Representatives