

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 77

WEDNESDAY, 7 DECEMBER 2005



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

2 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—CONSIDERATION OF HIGHER EDUCATION SUPPORT AMENDMENT (ABOLITION OF COMPULSORY UP-FRONT STUDENT UNION FEES) BILL 2005**

Mr Abbott (Leader of the House), pursuant to notice, moved—That, in relation to proceedings on the Higher Education Support Amendment (Abolition of Compulsory Up-front Student Union Fees) Bill 2005, so much of the standing and sessional orders be suspended to enable:

- (1) at the conclusion of the second reading debate or at 12 noon on Wednesday 7 December 2005, whichever is the earlier, a Minister to be called to sum up the second reading debate and thereafter the immediate question before the House to be put without delay; the bill then to be taken as a whole during consideration in detail for a period not exceeding 60 minutes (at the end of this period the Government amendment as circulated shall be treated as if it has been moved); immediately after which the question then before the House to be put, then the putting without amendment or debate of any question necessary to complete the consideration of the bill; and
- (2) any variation to this arrangement to be made only by a Minister moving a motion without notice.

Ms Macklin rising to address the House—

Closure

Mr Abbott moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 80

Mr Abbott	Mrs Elson	Mrs D. M. Kelly	Mr Robb
Mr Anderson	Mr Entsch	Jackie Kelly	Mr Ruddock
Mr Andrews	Mr Farmer	Mr Laming	Mr Schultz
Fran Bailey	Mr Fawcett	Mrs Ley	Mr Scott
Mr Baird	Mr M. D. Ferguson	Mr Lindsay	Mr Secker
Mr Baker	Mr Forrest*	Mr Lloyd	Mr Slipper
Mr Baldwin	Ms Gambaro	Mr McArthur*	Mr A. D. H. Smith
Mr Barresi	Mrs Gash	Mr Macfarlane	Mr Somlyay
Mr Bartlett	Mr Georgiou	Mr McGauran	Mr C. P. Thompson
Mr Billson	Mr Haase	Mrs Markus	Mr Ticehurst
Mrs B. K. Bishop	Mr Hardgrave	Mrs May	Mr Tollner
Ms J. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Truss
Mr Broadbent	Mr Henry	Mr Nairn	Mr Tuckey
Mr Brough	Mr Hockey	Dr Nelson	Mr Turnbull
Mr Cadman	Mrs Hull	Mr Neville	Mr M. A. J. Vaile
Mr Causley	Mr Hunt	Ms Panopoulos	Mrs D. S. Vale
Mr Ciobo	Dr Jensen	Mr Pearce	Mr Vasta
Mr Costello	Mr Johnson	Mr Prosser	Mr Wakelin
Mrs Draper	Mr Jull	Mr Pyne	Dr Washer
Mr Dutton	Mr Keenan	Mr Richardson	Mr Wood

NOES, 60

Mr Adams	Mr Emerson	Mrs Irwin	Mr Price
Mr Andren	Mr L. D. T. Ferguson	Mr Jenkins	Mr Quick
Mr Beazley	Mr M. J. Ferguson	Mr Katter	Mr Ripoll
Mr Bevis	Mr Fitzgibbon	Ms C. King	Ms Roxon
Ms Bird	Mr Garrett	Dr Lawrence	Mr Rudd
Mr Bowen	Mr Georganas	Ms Livermore	Mr Sawford
Mr A. S. Burke	Ms George	Mr McClelland	Mr Sercombe
Mr Byrne	Mr Gibbons	Ms Macklin	Mr S. F. Smith
Ms Corcoran	Ms Gillard	Mr McMullan	Mr Snowdon
Mr Crean	Ms Grierson	Mr Melham	Mr Swan
Mr Danby*	Mr Griffin	Mr Murphy	Mr Tanner
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Mr K. J. Thomson
Mrs Elliot	Mr Hatton	Mr G. M. O'Connor	Ms Vamvakinou
Ms A. L. Ellis	Mr Hayes	Ms Owens	Mr Wilkie
Ms K. M. Ellis	Ms Hoare	Ms Plibersek	Mr Windsor

* Tellers

And so it was resolved in the affirmative.

And the question—That the motion for the suspension of standing and sessional orders be agreed to—being accordingly put—

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

AYES, 81

Mr Abbott	Mrs Elson	Jackie Kelly	Mr Schultz
Mr Anderson	Mr Entsch	Mr Laming	Mr Scott
Mr Andrews	Mr Farmer	Mrs Ley	Mr Secker
Fran Bailey	Mr Fawcett	Mr Lindsay	Mr Slipper
Mr Baird	Mr M. D. Ferguson	Mr Lloyd	Mr A. D. H. Smith
Mr Baker	Mr Forrest*	Mr McArthur*	Mr Somlyay
Mr Baldwin	Ms Gambaro	Mr Macfarlane	Mr C. P. Thompson
Mr Barresi	Mrs Gash	Mr McGauran	Mr Ticehurst
Mr Bartlett	Mr Georgiou	Mrs Markus	Mr Tollner
Mr Billson	Mr Haase	Mrs May	Mr Truss
Mrs B. K. Bishop	Mr Hardgrave	Mrs Moylan	Mr Tuckey
Ms J. Bishop	Mr Hartsuyker	Mr Nairn	Mr Turnbull
Mr Broadbent	Mr Henry	Dr Nelson	Mr M. A. J. Vaile
Mr Brough	Mr Hockey	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mrs Hull	Ms Panopoulos	Mr Vasta
Mr Causley	Mr Hunt	Mr Pearce	Mr Wakelin
Mr Ciobo	Dr Jensen	Mr Prosser	Dr Washer
Mr Cobb	Mr Johnson	Mr Pyne	Mr Wood
Mr Costello	Mr Jull	Mr Richardson	
Mrs Draper	Mr Keenan	Mr Robb	
Mr Dutton	Mrs D. M. Kelly	Mr Ruddock	

NOES, 60

Mr Adams	Mr Emerson	Mrs Irwin	Mr Price
Mr Andren	Mr L. D. T. Ferguson	Mr Jenkins	Mr Quick
Mr Beazley	Mr M. J. Ferguson	Mr Katter	Mr Ripoll
Mr Bevis	Mr Fitzgibbon	Ms C. King	Ms Roxon
Ms Bird	Mr Garrett	Dr Lawrence	Mr Rudd
Mr Bowen	Mr Georganas	Ms Livermore	Mr Sawford
Mr A. S. Burke	Ms George	Mr McClelland	Mr Sercombe
Mr Byrne	Mr Gibbons	Ms Macklin	Mr S. F. Smith
Ms Corcoran	Ms Gillard	Mr McMullan	Mr Snowdon
Mr Crean	Ms Grierson	Mr Melham	Mr Swan
Mr Danby*	Mr Griffin	Mr Murphy	Mr Tanner
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Mr K. J. Thomson
Mrs Elliot	Mr Hatton	Mr G. M. O'Connor	Ms Vamvakinou
Ms A. L. Ellis	Mr Hayes	Ms Owens	Mr Wilkie
Ms K. M. Ellis	Ms Hoare	Ms Plibersek	Mr Windsor

* Tellers

And so it was resolved in the affirmative.

3 FUTURE FUND BILL 2005

Mr Costello (Treasurer), pursuant to notice, presented a Bill for an Act about the Future Fund, and for related purposes.

Bill read a first time.

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

Document

Mr Costello presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

4 BANKRUPTCY LEGISLATION AMENDMENT (ANTI-AVOIDANCE) BILL 2005

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Bankruptcy Act 1966*, and for related purposes.

Bill read a first time.

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

Document

Mr Ruddock presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

5 OHS AND SRC LEGISLATION AMENDMENT BILL 2005

Mr Andrews (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the *Occupational Health and Safety (Commonwealth Employment) Act 1991* and the *Safety, Rehabilitation and Compensation Act 1988*, and for other purposes.

Bill read a first time.

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

Document

Mr Andrews presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

6 AUSTRALIAN SPORTS ANTI-DOPING AUTHORITY BILL 2005

Mr Andrews (Minister for Employment and Workplace Relations), for Mr McGauran (Minister representing the Minister for the Arts and Sport), pursuant to notice, presented a Bill for an Act to establish the Australian Sports Anti-Doping Authority, and for other purposes.

Bill read a first time.

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

Document

Mr Andrews presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

7 AUSTRALIAN SPORTS ANTI-DOPING AUTHORITY (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2005

Mr Andrews (Minister for Employment and Workplace Relations), for Mr McGauran (Minister representing the Minister for the Arts and Sport), pursuant to notice, presented a Bill for an Act to amend laws, and to deal with transitional matters, in connection with the *Australian Sports Anti-Doping Authority Act 2005*, and for other purposes.

Bill read a first time.

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

Document

Mr Andrews presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

8 TAX LAWS AMENDMENT (2005 MEASURES NO. 6) BILL 2005

Mr Brough (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

Bill read a first time.

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

Document

Mr Brough presented an explanatory memorandum to the bill.

Debate adjourned (Mr G. M. O'Connor), and the resumption of the debate made an order of the day for the next sitting.

9 WORKPLACE RELATIONS AMENDMENT (WORK CHOICES) BILL 2005—SENATE'S AMENDMENTS

The order of the day having been read for the consideration of the amendments made by the Senate—

Mr Andrews (Minister for Employment and Workplace Relations) moved—That the amendments be agreed to.

Mr S. F. Smith moved an amendment to the Senate amendments.

Debate continued.

Closure

Mr Andrews moved—That the question be now put.

Question—That the question be now put—put.

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

AYES, 82

Mr Abbott	Mrs Elson	Mrs D. M. Kelly	Mr Schultz
Mr Anderson	Mr Entsch	Jackie Kelly	Mr Scott
Mr Andrews	Mr Farmer	Mr Laming	Mr Secker
Fran Bailey	Mr Fawcett	Mrs Ley	Mr Slipper
Mr Baird	Mr M. D. Ferguson	Mr Lindsay	Mr A. D. H. Smith
Mr Baker	Mr Forrest*	Mr Lloyd	Mr Somlyay
Mr Baldwin	Ms Gambaro	Mr McArthur*	Dr Stone
Mr Barresi	Mrs Gash	Mr Macfarlane	Mr C. P. Thompson
Mr Bartlett	Mr Georgiou	Mr McGauran	Mr Ticehurst
Mr Billson	Mr Haase	Mrs Markus	Mr Tollner
Mrs B. K. Bishop	Mr Hardgrave	Mrs May	Mr Truss
Ms J. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Tuckey
Mr Broadbent	Mr Henry	Mr Nairn	Mr Turnbull
Mr Brough	Mr Hockey	Mr Neville	Mr M. A. J. Vaile
Mr Cadman	Mr Howard	Ms Panopoulos	Mrs D. S. Vale
Mr Causley	Mrs Hull	Mr Pearce	Mr Vasta
Mr Ciobo	Mr Hunt	Mr Prosser	Mr Wakelin
Mr Cobb	Dr Jensen	Mr Pyne	Dr Washer
Mr Costello	Mr Johnson	Mr Richardson	Mr Wood
Mrs Draper	Mr Jull	Mr Robb	
Mr Dutton	Mr Keenan	Mr Ruddock	

NOES, 60

Mr Adams	Mr Emerson	Mrs Irwin	Mr Price
Mr Andren	Mr L. D. T. Ferguson	Mr Jenkins	Mr Quick
Mr Beazley	Mr M. J. Ferguson	Mr Katter	Mr Ripoll
Mr Bevis	Mr Fitzgibbon	Ms C. King	Ms Roxon
Ms Bird	Mr Garrett	Dr Lawrence	Mr Rudd
Mr Bowen	Mr Georganas	Ms Livermore	Mr Sawford
Mr A. S. Burke	Ms George	Mr McClelland	Mr Sercombe
Mr Byrne	Mr Gibbons	Ms Macklin	Mr S. F. Smith
Ms Corcoran	Ms Gillard	Mr McMullan	Mr Snowdon
Mr Crean	Ms Grierson	Mr Melham	Mr Swan
Mr Danby*	Mr Griffin	Mr Murphy	Mr Tanner
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Mr K. J. Thomson
Mrs Elliot	Mr Hatton	Mr G. M. O'Connor	Ms Vamvakinou
Ms A. L. Ellis	Mr Hayes	Ms Owens	Mr Wilkie
Ms K. M. Ellis	Ms Hoare	Ms Plibersek	Mr Windsor

* Tellers

And so it was resolved in the affirmative.

And the question—That Mr S. F. Smith's amendment be agreed to—being accordingly put—
The House divided (the Speaker, Mr Hawker, in the Chair)—

AYES, 60

Mr Adams	Mr Emerson	Mrs Irwin	Mr Price
Mr Andren	Mr L. D. T. Ferguson	Mr Jenkins	Mr Quick
Mr Beazley	Mr M. J. Ferguson	Mr Katter	Mr Ripoll
Mr Bevis	Mr Fitzgibbon	Ms C. King	Ms Roxon
Ms Bird	Mr Garrett	Dr Lawrence	Mr Rudd
Mr Bowen	Mr Georganas	Ms Livermore	Mr Sawford
Mr A. S. Burke	Ms George	Mr McClelland	Mr Sercombe
Mr Byrne	Mr Gibbons	Ms Macklin	Mr S. F. Smith
Ms Corcoran	Ms Gillard	Mr McMullan	Mr Snowdon
Mr Crean	Ms Grierson	Mr Melham	Mr Swan
Mr Danby*	Mr Griffin	Mr Murphy	Mr Tanner
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Mr K. J. Thomson
Mrs Elliot	Mr Hatton	Mr G. M. O'Connor	Ms Vamvakinou
Ms A. L. Ellis	Mr Hayes	Ms Owens	Mr Wilkie
Ms K. M. Ellis	Ms Hoare	Ms Plibersek	Mr Windsor

NOES, 82

Mr Abbott	Mrs Elson	Mrs D. M. Kelly	Mr Schultz
Mr Anderson	Mr Entsch	Jackie Kelly	Mr Scott
Mr Andrews	Mr Farmer	Mr Laming	Mr Secker
Fran Bailey	Mr Fawcett	Mrs Ley	Mr Slipper
Mr Baird	Mr M. D. Ferguson	Mr Lindsay	Mr A. D. H. Smith
Mr Baker	Mr Forrest*	Mr Lloyd	Mr Somlyay
Mr Baldwin	Ms Gambaro	Mr McArthur*	Dr Stone
Mr Barresi	Mrs Gash	Mr Macfarlane	Mr C. P. Thompson
Mr Bartlett	Mr Georgiou	Mr McGauran	Mr Ticehurst
Mr Billson	Mr Haase	Mrs Markus	Mr Tollner
Mrs B. K. Bishop	Mr Hardgrave	Mrs May	Mr Truss
Ms J. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Tuckey
Mr Broadbent	Mr Henry	Mr Nairn	Mr Turnbull
Mr Brough	Mr Hockey	Mr Neville	Mr M. A. J. Vaile
Mr Cadman	Mr Howard	Ms Panopoulos	Mrs D. S. Vale
Mr Causley	Mrs Hull	Mr Pearce	Mr Vasta
Mr Ciobo	Mr Hunt	Mr Prosser	Mr Wakelin
Mr Cobb	Dr Jensen	Mr Pyne	Dr Washer
Mr Costello	Mr Johnson	Mr Richardson	Mr Wood
Mrs Draper	Mr Jull	Mr Robb	
Mr Dutton	Mr Keenan	Mr Ruddock	

* Tellers

And so it was negatived.

Question—That the amendments be agreed to—put.

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

AYES, 82

Mr Abbott	Mrs Elson	Mrs D. M. Kelly	Mr Schultz
Mr Anderson	Mr Entsch	Jackie Kelly	Mr Scott
Mr Andrews	Mr Farmer	Mr Laming	Mr Secker
Fran Bailey	Mr Fawcett	Mrs Ley	Mr Slipper
Mr Baird	Mr M. D. Ferguson	Mr Lindsay	Mr A. D. H. Smith
Mr Baker	Mr Forrest*	Mr Lloyd	Mr Somlyay
Mr Baldwin	Ms Gambaro	Mr McArthur*	Dr Stone
Mr Barresi	Mrs Gash	Mr Macfarlane	Mr C. P. Thompson
Mr Bartlett	Mr Georgiou	Mr McGauran	Mr Ticehurst
Mr Billson	Mr Haase	Mrs Markus	Mr Tollner
Mrs B. K. Bishop	Mr Hardgrave	Mrs May	Mr Truss
Ms J. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Tuckey
Mr Broadbent	Mr Henry	Mr Nairn	Mr Turnbull
Mr Brough	Mr Hockey	Mr Neville	Mr M. A. J. Vaile
Mr Cadman	Mr Howard	Ms Panopoulos	Mrs D. S. Vale
Mr Causley	Mrs Hull	Mr Pearce	Mr Vasta
Mr Ciobo	Mr Hunt	Mr Prosser	Mr Wakelin
Mr Cobb	Dr Jensen	Mr Pyne	Dr Washer
Mr Costello	Mr Johnson	Mr Richardson	Mr Wood
Mrs Draper	Mr Jull	Mr Robb	
Mr Dutton	Mr Keenan	Mr Ruddock	

NOES, 60

Mr Adams	Mr Emerson	Mrs Irwin	Mr Price
Mr Andren	Mr L. D. T. Ferguson	Mr Jenkins	Mr Quick
Mr Beazley	Mr M. J. Ferguson	Mr Katter	Mr Ripoll
Mr Bevis	Mr Fitzgibbon	Ms C. King	Ms Roxon
Ms Bird	Mr Garrett	Dr Lawrence	Mr Rudd
Mr Bowen	Mr Georganas	Ms Livermore	Mr Sawford
Mr A. S. Burke	Ms George	Mr McClelland	Mr Sercombe
Mr Byrne	Mr Gibbons	Ms Macklin	Mr S. F. Smith
Ms Corcoran	Ms Gillard	Mr McMullan	Mr Snowdon
Mr Crean	Ms Grierson	Mr Melham	Mr Swan
Mr Danby*	Mr Griffin	Mr Murphy	Mr Tanner
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Mr K. J. Thomson
Mrs Elliot	Mr Hatton	Mr G. M. O'Connor	Ms Vamvakinou
Ms A. L. Ellis	Mr Hayes	Ms Owens	Mr Wilkie
Ms K. M. Ellis	Ms Hoare	Ms Plibersek	Mr Windsor

* Tellers

And so it was resolved in the affirmative.

10 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Mr S. F. Smith moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Perth from moving the following motion immediately:

That:

- (a) as the bill originally considered by the House contained 687 pages and an explanatory memorandum of 565 pages, 1252 pages in total, the largest single amendment bill in the Commonwealth's history;
- (b) as the Senate amendments contain 347 amendments covering 94 pages;
- (c) as there has been insufficient time for either the Senate or the House of Representatives to properly scrutinise the detail of the 94 pages of 347 amendments, as well as the 133 pages of supplementary explanatory memorandum; and
- (d) given that in the now 1479 pages of Government legislation and associated explanatory memoranda, there is no guarantee that no individual Australian employee will be worse off, and there is no fairness in the legislation;

the provisions of standing order 175 not be applied in respect of the Workplace Relations Amendment (Work Choices) Bill and the provisions of the bill be referred to the House of Representatives Standing Committee on Employment, Workplace Relations and Workforce Participation for inquiry and subsequent report to the House and advice to the Speaker as to any further action on this bill.

Closure of Member

Mr Abbott (Leader of the House) moved—That the Member be no longer heard.

Question—put.

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

AYES, 82

Mr Abbott	Mr Entsch	Jackie Kelly	Mr Schultz
Mr Anderson	Mr Farmer	Mr Laming	Mr Scott
Mr Andrews	Mr Fawcett	Mrs Ley	Mr Secker
Fran Bailey	Mr M. D. Ferguson	Mr Lindsay	Mr Slipper
Mr Baird	Mr Forrest*	Mr Lloyd	Mr A. D. H. Smith
Mr Baker	Ms Gambaro	Mr McArthur*	Mr Somlyay
Mr Baldwin	Mrs Gash	Mr Macfarlane	Dr Stone
Mr Barresi	Mr Georgiou	Mr McGauran	Mr C. P. Thompson
Mr Bartlett	Mr Haase	Mrs Markus	Mr Ticehurst
Mr Billson	Mr Hardgrave	Mrs May	Mr Tollner
Mrs B. K. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Truss
Ms J. Bishop	Mr Henry	Mr Nairn	Mr Tuckey
Mr Broadbent	Mr Hockey	Dr Nelson	Mr Turnbull
Mr Brough	Mr Howard	Mr Neville	Mr M. A. J. Vaile
Mr Cadman	Mrs Hull	Ms Panopoulos	Mrs D. S. Vale
Mr Causley	Mr Hunt	Mr Pearce	Mr Vasta
Mr Ciobo	Dr Jensen	Mr Prosser	Mr Wakelin
Mr Cobb	Mr Johnson	Mr Pyne	Dr Washer
Mrs Draper	Mr Jull	Mr Richardson	Mr Wood
Mr Dutton	Mr Keenan	Mr Robb	
Mrs Elson	Mrs D. M. Kelly	Mr Ruddock	

NOES, 57

Mr Adams	Mr L. D. T. Ferguson	Mr Jenkins	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Ms C. King	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Dr Lawrence	Mr Rudd
Ms Bird	Mr Garrett	Ms Livermore	Mr Sawford
Mr Bowen	Mr Georganas	Mr McClelland	Mr Sercombe
Mr A. S. Burke	Ms George	Ms Macklin	Mr S. F. Smith
Mr Byrne	Mr Gibbons	Mr McMullan	Mr Snowdon
Ms Corcoran	Ms Gillard	Mr Melham	Mr Swan
Mr Crean	Ms Grierson	Mr Murphy	Mr Tanner
Mr Danby*	Mr Griffin	Mr B. P. O'Connor	Mr K. J. Thomson
Mr Edwards	Ms Hall*	Mr G. M. O'Connor	Ms Vamvakinou
Mrs Elliot	Mr Hatton	Ms Owens	Mr Wilkie
Ms A. L. Ellis	Mr Hayes	Ms Plibersek	
Ms K. M. Ellis	Ms Hoare	Mr Price	
Mr Emerson	Mrs Irwin	Mr Quick	

* Tellers

And so it was resolved in the affirmative.

Ms Gillard (seconder) addressing the House—

Closure of Member

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

Question—put.

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

AYES, 81

Mr Abbott	Mr Entsch	Jackie Kelly	Mr Scott
Mr Anderson	Mr Farmer	Mr Laming	Mr Secker
Mr Andrews	Mr Fawcett	Mrs Ley	Mr Slipper
Fran Bailey	Mr M. D. Ferguson	Mr Lindsay	Mr A. D. H. Smith
Mr Baird	Mr Forrest*	Mr Lloyd	Mr Somlyay
Mr Baker	Ms Gambaro	Mr McArthur*	Dr Stone
Mr Baldwin	Mrs Gash	Mr Macfarlane	Mr C. P. Thompson
Mr Barresi	Mr Georgiou	Mr McGauran	Mr Ticehurst
Mr Bartlett	Mr Haase	Mrs Markus	Mr Tollner
Mr Billson	Mr Hardgrave	Mrs May	Mr Truss
Mrs B. K. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Tuckey
Ms J. Bishop	Mr Henry	Mr Nairn	Mr Turnbull
Mr Broadbent	Mr Hockey	Dr Nelson	Mr M. A. J. Vaile
Mr Brough	Mr Howard	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mrs Hull	Ms Panopoulos	Mr Vasta
Mr Causley	Mr Hunt	Mr Pearce	Mr Wakelin
Mr Ciobo	Dr Jensen	Mr Prosser	Dr Washer
Mr Cobb	Mr Johnson	Mr Richardson	Mr Wood
Mrs Draper	Mr Jull	Mr Robb	
Mr Dutton	Mr Keenan	Mr Ruddock	
Mrs Elson	Mrs D. M. Kelly	Mr Schultz	

NOES, 57

Mr Adams	Mr L. D. T. Ferguson	Mr Jenkins	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Ms C. King	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Dr Lawrence	Mr Rudd
Ms Bird	Mr Garrett	Ms Livermore	Mr Sawford
Mr Bowen	Mr Georganas	Mr McClelland	Mr Sercombe
Mr A. S. Burke	Ms George	Ms Macklin	Mr S. F. Smith
Mr Byrne	Mr Gibbons	Mr McMullan	Mr Snowdon
Ms Corcoran	Ms Gillard	Mr Melham	Mr Swan
Mr Crean	Ms Grierson	Mr Murphy	Mr Tanner
Mr Danby*	Mr Griffin	Mr B. P. O'Connor	Mr K. J. Thomson
Mr Edwards	Ms Hall*	Mr G. M. O'Connor	Ms Vamvakinou
Mrs Elliot	Mr Hatton	Ms Owens	Mr Wilkie
Ms A. L. Ellis	Mr Hayes	Ms Plibersek	
Ms K. M. Ellis	Ms Hoare	Mr Price	
Mr Emerson	Mrs Irwin	Mr Quick	

* Tellers

And so it was resolved in the affirmative.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put.

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

AYES, 57

Mr Adams	Mr L. D. T. Ferguson	Mr Jenkins	Mr Ripoll
Mr Beazley	Mr M. J. Ferguson	Ms C. King	Ms Roxon
Mr Bevis	Mr Fitzgibbon	Dr Lawrence	Mr Rudd
Ms Bird	Mr Garrett	Ms Livermore	Mr Sawford
Mr Bowen	Mr Georganas	Mr McClelland	Mr Sercombe
Mr A. S. Burke	Ms George	Ms Macklin	Mr S. F. Smith
Mr Byrne	Mr Gibbons	Mr McMullan	Mr Snowdon
Ms Corcoran	Ms Gillard	Mr Melham	Mr Swan
Mr Crean	Ms Grierson	Mr Murphy	Mr Tanner
Mr Danby*	Mr Griffin	Mr B. P. O'Connor	Mr K. J. Thomson
Mr Edwards	Ms Hall*	Mr G. M. O'Connor	Ms Vamvakinou
Mrs Elliot	Mr Hatton	Ms Owens	Mr Wilkie
Ms A. L. Ellis	Mr Hayes	Ms Plibersek	
Ms K. M. Ellis	Ms Hoare	Mr Price	
Mr Emerson	Mrs Irwin	Mr Quick	

NOES, 81

Mr Abbott	Mr Entsch	Jackie Kelly	Mr Scott
Mr Anderson	Mr Farmer	Mr Laming	Mr Secker
Mr Andrews	Mr Fawcett	Mrs Ley	Mr Slipper
Fran Bailey	Mr M. D. Ferguson	Mr Lindsay	Mr A. D. H. Smith
Mr Baird	Mr Forrest*	Mr Lloyd	Mr Somlyay
Mr Baker	Ms Gambaro	Mr McArthur*	Dr Stone
Mr Baldwin	Mrs Gash	Mr Macfarlane	Mr C. P. Thompson
Mr Barresi	Mr Georgiou	Mr McGauran	Mr Ticehurst
Mr Bartlett	Mr Haase	Mrs Markus	Mr Tollner
Mr Billson	Mr Hardgrave	Mrs May	Mr Truss
Mrs B. K. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Tuckey
Ms J. Bishop	Mr Henry	Mr Nairn	Mr Turnbull
Mr Broadbent	Mr Hockey	Dr Nelson	Mr M. A. J. Vaile
Mr Brough	Mr Howard	Mr Neville	Mrs D. S. Vale
Mr Cadman	Mrs Hull	Ms Panopoulos	Mr Vasta
Mr Causley	Mr Hunt	Mr Pearce	Mr Wakelin
Mr Ciobo	Dr Jensen	Mr Prosser	Dr Washer
Mr Cobb	Mr Johnson	Mr Richardson	Mr Wood
Mrs Draper	Mr Jull	Mr Robb	
Mr Dutton	Mr Keenan	Mr Ruddock	
Mrs Elson	Mrs D. M. Kelly	Mr Schultz	

* Tellers

And so it was negatived.

11 HIGHER EDUCATION SUPPORT AMENDMENT (ABOLITION OF COMPULSORY UP-FRONT STUDENT UNION FEES) BILL 2005

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.

It being 12 noon, in accordance with the resolution agreed to earlier this day, the debate was interrupted and Dr Nelson (Minister for Education, Science and Training) summed up the second reading debate.

Question—put.

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

AYES, 77

Mr Abbott	Mr Entsch	Jackie Kelly	Mr Scott
Mr Anderson	Mr Farmer	Mr Laming	Mr Secker
Mr Andrews	Mr Fawcett	Mrs Ley	Mr Slipper
Fran Bailey	Mr M. D. Ferguson	Mr Lindsay	Mr A. D. H. Smith
Mr Baird	Mr Forrest*	Mr McArthur*	Mr Somlyay
Mr Baker	Ms Gambaro	Mr Macfarlane	Dr Stone
Mr Baldwin	Mrs Gash	Mr McGauran	Mr C. P. Thompson
Mr Barresi	Mr Georgiou	Mrs Markus	Mr Ticehurst
Mr Bartlett	Mr Haase	Mrs May	Mr Tollner
Mr Billson	Mr Hardgrave	Mrs Moylan	Mr Truss
Mrs B. K. Bishop	Mr Hartsuyker	Mr Nairn	Mr Tuckey
Ms J. Bishop	Mr Henry	Dr Nelson	Mr Turnbull
Mr Broadbent	Mr Hockey	Mr Neville	Mrs D. S. Vale
Mr Brough	Mrs Hull	Ms Panopoulos	Mr Vasta
Mr Cadman	Mr Hunt	Mr Pearce	Mr Wakelin
Mr Causley	Dr Jensen	Mr Prosser	Dr Washer
Mr Ciobo	Mr Johnson	Mr Richardson	Mr Wood
Mr Cobb	Mr Jull	Mr Robb	
Mrs Draper	Mr Keenan	Mr Ruddock	
Mr Dutton	Mrs D. M. Kelly	Mr Schultz	

NOES, 57

Mr Adams	Mr L. D. T. Ferguson	Mr Jenkins	Mr Ripoll
Mr Andren	Mr M. J. Ferguson	Mr Katter	Ms Roxon
Mr Beazley	Mr Fitzgibbon	Ms C. King	Mr Rudd
Mr Bevis	Mr Garrett	Dr Lawrence	Mr Sawford
Ms Bird	Mr Georganas	Ms Livermore	Mr Sercombe
Mr A. S. Burke	Ms George	Mr McClelland	Mr S. F. Smith
Mr Byrne	Mr Gibbons	Ms Macklin	Mr Snowdon
Ms Corcoran	Ms Gillard	Mr Melham	Mr Tanner
Mr Crean	Ms Grierson	Mr Murphy	Mr K. J. Thomson
Mr Danby*	Mr Griffin	Mr B. P. O'Connor	Ms Vamvakinou
Mr Edwards	Ms Hall*	Mr G. M. O'Connor	Mr Wilkie
Mrs Elliot	Mr Hatton	Ms Owens	Mr Windsor
Ms A. L. Ellis	Mr Hayes	Ms Plibersek	
Ms K. M. Ellis	Ms Hoare	Mr Price	
Mr Emerson	Mrs Irwin	Mr Quick	

* Tellers

And so it was resolved in the affirmative—bill read a second time.

Consideration in detail

Bill taken as a whole.

Mr Windsor moved an amendment.

Debate continued.

The House divided and only Mr Andren, Mr Katter and Mr Windsor voting “Aye”, the Deputy Speaker (Mr McMullan) declared the question resolved in the negative.

Ms Macklin (Deputy Leader* of the Opposition), by leave, moved Opposition amendments (1) to (7) together.

Debate continued.

Question—That the Opposition amendments be agreed to—put.

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

AYES, 55

Mr Adams	Mr Emerson	Mrs Irwin	Mr Price
Mr Beazley	Mr M. J. Ferguson	Mr Jenkins	Mr Quick
Mr Bevis	Mr Fitzgibbon	Ms C. King	Mr Ripoll
Ms Bird	Mr Garrett	Dr Lawrence	Ms Roxon
Mr Bowen	Mr Georganas	Ms Livermore	Mr Rudd
Mr A. S. Burke	Ms George	Mr McClelland	Mr Sawford
Mr Byrne	Mr Gibbons	Ms Macklin	Mr Sercombe
Ms Corcoran	Ms Gillard	Mr McMullan	Mr S. F. Smith
Mr Crean	Ms Grierson	Mr Melham	Mr Snowdon
Mr Danby*	Mr Griffin	Mr Murphy	Mr Tanner
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Mr K. J. Thomson
Mrs Elliot	Mr Hatton	Mr G. M. O'Connor	Ms Vamvakinou
Ms A. L. Ellis	Mr Hayes	Ms Owens	Mr Windsor
Ms K. M. Ellis	Ms Hoare	Ms Plibersek	

NOES, 75

Mr Abbott	Mr Dutton	Mr Keenan	Mr Ruddock
Mr Anderson	Mr Entsch	Mrs D. M. Kelly	Mr Scott
Mr Andrews	Mr Farmer	Jackie Kelly	Mr Secker
Fran Bailey	Mr Fawcett	Mr Laming	Mr Slipper
Mr Baird	Mr M. D. Ferguson	Mrs Ley	Mr A. D. H. Smith
Mr Baker	Mr Forrest*	Mr Lindsay	Mr Somlyay
Mr Baldwin	Ms Gambaro	Mr McArthur*	Dr Stone
Mr Barresi	Mrs Gash	Mr Macfarlane	Mr C. P. Thompson
Mr Bartlett	Mr Georgiou	Mr McGauran	Mr Ticehurst
Mr Billson	Mr Haase	Mrs Markus	Mr Tollner
Mrs B. K. Bishop	Mr Hardgrave	Mrs May	Mr Truss
Ms J. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Tuckey
Mr Broadbent	Mr Henry	Mr Nairn	Mr Turnbull
Mr Brough	Mr Hockey	Dr Nelson	Mrs D. S. Vale
Mr Cadman	Mrs Hull	Ms Panopoulos	Mr Vasta
Mr Causley	Mr Hunt	Mr Pearce	Mr Wakelin
Mr Ciobo	Dr Jensen	Mr Prosser	Dr Washer
Mr Cobb	Mr Johnson	Mr Richardson	Mr Wood
Mrs Draper	Mr Jull	Mr Robb	

* Tellers

And so it was negatived.

Document

Dr Nelson presented a supplementary explanatory memorandum to the bill.

On the motion of Dr Nelson, the Government amendment was made.

Question—That this bill, as amended, be agreed to—put.

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

AYES, 78

Mr Abbott	Mr Dutton	Mrs D. M. Kelly	Mr Schultz
Mr Anderson	Mr Entsch	Jackie Kelly	Mr Scott
Mr Andrews	Mr Farmer	Mr Laming	Mr Secker
Fran Bailey	Mr Fawcett	Mrs Ley	Mr Slipper
Mr Baird	Mr M. D. Ferguson	Mr Lindsay	Mr A. D. H. Smith
Mr Baker	Mr Forrest*	Mr Lloyd	Mr Somlyay
Mr Baldwin	Ms Gambaro	Mr McArthur*	Dr Stone
Mr Barresi	Mrs Gash	Mr Macfarlane	Mr C. P. Thompson
Mr Bartlett	Mr Georgiou	Mr McGauran	Mr Ticehurst
Mr Billson	Mr Haase	Mrs Markus	Mr Tollner
Mrs B. K. Bishop	Mr Hardgrave	Mrs May	Mr Truss
Ms J. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Tuckey
Mr Broadbent	Mr Henry	Mr Nairn	Mr Turnbull
Mr Brough	Mr Hockey	Dr Nelson	Mrs D. S. Vale
Mr Cadman	Mrs Hull	Ms Panopoulos	Mr Vasta
Mr Causley	Mr Hunt	Mr Pearce	Mr Wakelin
Mr Ciobo	Dr Jensen	Mr Prosser	Dr Washer
Mr Cobb	Mr Johnson	Mr Richardson	Mr Wood
Mr Costello	Mr Jull	Mr Robb	
Mrs Draper	Mr Keenan	Mr Ruddock	

NOES, 58

Mr Adams	Mr Emerson	Mrs Irwin	Mr Price
Mr Andren	Mr L. D. T. Ferguson	Mr Jenkins	Mr Quick
Mr Beazley	Mr M. J. Ferguson	Mr Katter	Mr Ripoll
Mr Bevis	Mr Fitzgibbon	Ms C. King	Ms Roxon
Ms Bird	Mr Garrett	Dr Lawrence	Mr Rudd
Mr Bowen	Mr Georganas	Ms Livermore	Mr Sawford
Mr A. S. Burke	Ms George	Mr McClelland	Mr Sercombe
Mr Byrne	Mr Gibbons	Ms Macklin	Mr S. F. Smith
Ms Corcoran	Ms Gillard	Mr McMullan	Mr Snowdon
Mr Crean	Ms Grierson	Mr Melham	Mr Tanner
Mr Danby*	Mr Griffin	Mr Murphy	Mr K. J. Thomson
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Ms Vamvakinou
Mrs Elliot	Mr Hatton	Mr G. M. O'Connor	Mr Windsor
Ms A. L. Ellis	Mr Hayes	Ms Owens	
Ms K. M. Ellis	Ms Hoare	Ms Plibersek	

* Tellers

And so it was resolved in the affirmative.

Consideration in detail concluded.

In accordance with the resolution agreed to earlier this day, the time for consideration of the bill having expired—Question—That the bill be read a third time—put.

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

AYES, 78

Mr Abbott	Mr Dutton	Mrs D. M. Kelly	Mr Schultz
Mr Anderson	Mr Entsch	Jackie Kelly	Mr Scott
Mr Andrews	Mr Farmer	Mr Laming	Mr Secker
Fran Bailey	Mr Fawcett	Mrs Ley	Mr Slipper
Mr Baird	Mr M. D. Ferguson	Mr Lindsay	Mr A. D. H. Smith
Mr Baker	Mr Forrest*	Mr Lloyd	Mr Somlyay
Mr Baldwin	Ms Gambaro	Mr McArthur*	Dr Stone
Mr Barresi	Mrs Gash	Mr Macfarlane	Mr C. P. Thompson
Mr Bartlett	Mr Georgiou	Mr McGauran	Mr Ticehurst
Mr Billson	Mr Haase	Mrs Markus	Mr Tollner
Mrs B. K. Bishop	Mr Hardgrave	Mrs May	Mr Truss
Ms J. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Tuckey
Mr Broadbent	Mr Henry	Mr Nairn	Mr Turnbull
Mr Brough	Mr Hockey	Dr Nelson	Mrs D. S. Vale
Mr Cadman	Mrs Hull	Ms Panopoulos	Mr Vasta
Mr Causley	Mr Hunt	Mr Pearce	Mr Wakelin
Mr Ciobo	Dr Jensen	Mr Prosser	Dr Washer
Mr Cobb	Mr Johnson	Mr Richardson	Mr Wood
Mr Costello	Mr Jull	Mr Robb	
Mrs Draper	Mr Keenan	Mr Ruddock	

NOES, 58

Mr Adams	Mr Emerson	Mrs Irwin	Mr Price
Mr Andren	Mr L. D. T. Ferguson	Mr Jenkins	Mr Quick
Mr Beazley	Mr M. J. Ferguson	Mr Katter	Mr Ripoll
Mr Bevis	Mr Fitzgibbon	Ms C. King	Ms Roxon
Ms Bird	Mr Garrett	Dr Lawrence	Mr Rudd
Mr Bowen	Mr Georganas	Ms Livermore	Mr Sawford
Mr A. S. Burke	Ms George	Mr McClelland	Mr Sercombe
Mr Byrne	Mr Gibbons	Ms Macklin	Mr S. F. Smith
Ms Corcoran	Ms Gillard	Mr McMullan	Mr Snowdon
Mr Crean	Ms Grierson	Mr Melham	Mr Tanner
Mr Danby*	Mr Griffin	Mr Murphy	Mr K. J. Thomson
Mr Edwards	Ms Hall*	Mr B. P. O'Connor	Ms Vamvakinou
Mrs Elliot	Mr Hatton	Mr G. M. O'Connor	Mr Windsor
Ms A. L. Ellis	Mr Hayes	Ms Owens	
Ms K. M. Ellis	Ms Hoare	Ms Plibersek	

* Tellers

And so it was resolved in the affirmative—bill read a third time.

12 MESSAGE FROM THE GOVERNOR-GENERAL—EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION AMENDMENT (WELFARE TO WORK AND OTHER MEASURES) BILL 2005

Message No. 126, 6 December 2005, from His Excellency the Governor-General was announced recommending an appropriation for the purpose of amendments to a Bill for an Act to amend the social security law, and for other purposes.

13 MESSAGE FROM THE SENATE—EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION AMENDMENT (WELFARE TO WORK AND OTHER MEASURES) BILL 2005

Message No. 230, 6 December 2005, from the Senate was reported returning the Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Bill 2005 with requests for amendments.

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

On the motion of Mr Andrews (Minister for Employment and Workplace Relations), the requested amendments were made, after debate.

14 MESSAGE FROM THE SENATE

Message No. 231, 6 December 2005, from the Senate was reported returning the Family and Community Services Legislation Amendment (Welfare to Work) Bill 2005 without requests.

15 HIGHER EDUCATION LEGISLATION AMENDMENT (2005 MEASURES NO. 3) BILL 2005

The order of the day having been read for the second reading—Dr Nelson (Minister for Education, Science and Training) moved—That the bill be now read a second time.

Document

Dr Nelson presented an explanatory memorandum to the bill.

Ms Macklin (Deputy Leader of the Opposition) addressing the House—

It being 2 p.m., the debate was interrupted in accordance with standing order 97, and the resumption of the debate made an order of the day for a later hour this day.

16 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence overseas of Mr Downer (Minister for Foreign Affairs), Mr M. A. J. Vaile (Deputy Prime Minister and Minister for Trade) would answer questions on his behalf.

17 QUESTIONS

Questions without notice were asked.

18 PROCEDURE—STANDING COMMITTEE—GOVERNMENT RESPONSE—STATEMENT BY MEMBER

Mr Abbott (Leader of the House), by indulgence, made a statement indicating the government response to the Procedure Committee report on Procedures relating to House committees.

19 DOCUMENTS

The following documents were presented:

Australian Communications and Media Authority—Performance reports—

National Relay Service for 2004-05.

Telecommunications for 2004-05.

Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2004-05.

Australian Rail Track Corporation Limited—Report for 2004-05.

Committee reports—Parliamentary committee reports—House of Representatives—Government responses to parliamentary committee reports—Response to the schedule tabled by the Speaker on 23 June 2005.

Department of Family and Community Services—Report for 2004-05—Corrigenda.

Freedom of Information Act—Report for 2004-05.

Human Rights and Equal Opportunity Commission—Report No. 31—Inquiry into a complaint by Mr Zacharias Manongga, Consul for the Northern Territory, Consul of the Republic of Indonesia that the human rights of Indonesian fishers detained on vessels in Darwin Harbour were breached by the Commonwealth of Australia.

Transport and Regional Services—House of Representatives Standing Committee—Reports—

National road safety—Eyes on the road ahead—Government response.

Train illumination—Inquiry into some measures proposed to improve train visibility and reduce level crossing accidents—Government response.

20 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Transport and Regional Services—House of Representatives Standing Committee—Reports—

National road safety—Eyes on the road ahead—Government response.

Train illumination—Inquiry into some measures proposed to improve train visibility and reduce level crossing accidents—Government response.

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

21 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PAYMENTS TO SADDAM HUSSEIN'S REGIME

The House was informed that both Mr Rudd and Mr Windsor 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 Rudd, namely, "The failure of senior Ministers of the Government to prevent \$300 million dollars being illegally paid to Saddam Hussein's regime".

The proposed discussion having received the necessary support—

Mr Rudd addressed the House.

Discussion ensued.

Discussion concluded.

22 ANGLO-AUSTRALIAN TELESCOPE AGREEMENT AMENDMENT BILL 2005—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 Lloyd (Minister for Local Government, Territories and Roads), by leave, the bill was read a third time.

23 MATTERS REFERRED TO MAIN COMMITTEE

Mr Bartlett (Chief Government Whip), by leave, moved—That the following reports of the Standing Committee on Transport and Regional Services be referred to the Main Committee for debate:

National road safety—Eyes on the road ahead—Government response; and

Train illumination—Inquiry into some measures proposed to improve train visibility and reduce level crossing accidents—Government response.

Question—put and passed.

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

Mrs Moylan (Chair) presented the following document:

Public Works—Parliamentary Standing Committee—Report relating to fit-out of new leased premises for the Australian Customs Service at 1010 La Trobe Street, Melbourne Docklands (22nd report of 2005).

Ordered to be made a Parliamentary Paper.

Mrs Moylan, by leave, made a statement in connection with the report.

25 PUBLIC ACCOUNTS AND AUDIT—JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Baldwin (Chair) presented the following document:

Public Accounts and Audit—Joint Committee—Report 406—Developments in aviation security since the committee's June 2004 *Report 400: Review to aviation security in Australia*—An interim report.

Ordered to be made a Parliamentary Paper.

Mr Baldwin and Ms Grierson, by leave, made statements in connection with the report.

26 ECONOMICS, FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE

The House was informed that the Chief Opposition Whip had nominated Mr Emerson to be a member of the Standing Committee on Economics, Finance and Public Administration in place of Mr Bowen.

Mr Lloyd (Minister for Local Government, Territories and Roads), by leave, moved—That Mr Bowen be discharged from the Standing Committee on Economics, Finance and Public Administration and that, in his place, Mr Emerson be appointed a member of the committee.

Question—put and passed.

27 MESSAGE FROM THE SENATE—ANTI-TERRORISM BILL (NO. 2) 2005

Message No. 229, 6 December 2005, from the Senate was reported returning the Anti-Terrorism Bill (No. 2) 2005 with amendments.

Ordered—That the amendments be considered immediately.

Mr Ruddock (Attorney-General) moved—That the amendments be agreed to.

Debate ensued.

Question—put.

The House divided and only Mr Andren, Mr Quick and Mr Windsor voting “No”, the Deputy Speaker (Mr Jenkins) declared the question resolved in the affirmative.

28 MESSAGE FROM THE SENATE—TAX LAWS AMENDMENT (LOSS RECOUPMENT RULES AND OTHER MEASURES) BILL 2005

Message No. 232, 7 December 2005, from the Senate was reported returning the Tax Laws Amendment (Loss Recoupment Rules and Other Measures) Bill 2005 with an amendment.

Ordered—That the amendment be considered immediately.

On the motion of Mr Brough (Minister for Revenue and Assistant Treasurer), the amendment was agreed to, after debate.

29 HIGHER EDUCATION LEGISLATION AMENDMENT (2005 MEASURES NO. 3) BILL 2005

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—

Ms Macklin (Deputy Leader of the Opposition) moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the bill a second reading, the House condemns the Government for:

- (1) breaking its promise not to increase the 35 per cent cap on full fee paying domestic undergraduate places;
- (2) failing to provide adequate indexation of university funding;
- (3) failing to provide enough university places to meet the high levels of unmet demand from eligible Australian applicants;
- (4) pushing Australian universities further down an American style user pays university system, and
- (5) pursuing an extreme ideological agenda, including measures such as punitive workplace relations requirements and so-called voluntary student unionism, instead of adequately addressing the real issues facing Australian universities”.

Debate continued.

Mr Emerson 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 a later hour this day.

30 MESSAGE FROM THE SENATE—EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION AMENDMENT (WELFARE TO WORK AND OTHER MEASURES) BILL 2005

Message No. 234, 7 December 2005, from the Senate was reported returning the Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Bill 2005 and informing the House that the Senate had agreed to the bill as amended by the House at the request of the Senate, with amendments.

Ordered—That the amendments be considered immediately.

Mr Andrews (Minister for Employment and Workplace Relations) moved—That the amendments be agreed to.

Ms Macklin (Deputy Leader of the Opposition), by leave, moved Opposition amendments (1) to (4) to Senate amendments, together.

Debate continued.

Question—That the amendments moved by Ms Macklin be agreed to—put.

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

AYES, 58

Mr Adams	Mr Emerson	Mrs Irwin	Mr Quick
Mr Beazley	Mr L. D. T. Ferguson	Mr Jenkins	Mr Ripoll
Mr Bevis	Mr M. J. Ferguson	Ms C. King	Ms Roxon
Ms Bird	Mr Fitzgibbon	Dr Lawrence	Mr Rudd
Mr Bowen	Mr Garrett	Ms Livermore	Mr Sawford
Ms A. E. Burke	Mr Georganas	Mr McClelland	Mr Sercombe
Mr A. S. Burke	Ms George	Ms Macklin	Mr S. F. Smith
Mr Byrne	Mr Gibbons	Mr McMullan	Mr Snowdon
Ms Corcoran	Ms Gillard	Mr Melham	Mr Swan
Mr Crean	Ms Grierson	Mr Murphy	Mr Tanner
Mr Danby*	Mr Griffin	Mr B. P. O'Connor	Mr K. J. Thomson
Mr Edwards	Ms Hall*	Mr G. M. O'Connor	Ms Vamvakinou
Mrs Elliot	Mr Hatton	Ms Owens	Mr Wilkie
Ms A. L. Ellis	Mr Hayes	Ms Plibersek	
Ms K. M. Ellis	Ms Hoare	Mr Price	

NOES, 78

Mr Anderson	Mrs Elson	Mrs D. M. Kelly	Mr Scott
Mr Andrews	Mr Entsch	Jackie Kelly	Mr Secker
Fran Bailey	Mr Farmer	Mr Laming	Mr Slipper
Mr Baird	Mr Fawcett	Mrs Ley	Mr A. D. H. Smith
Mr Baker	Mr M. D. Ferguson	Mr Lloyd	Mr Somlyay
Mr Baldwin	Mr Forrest*	Mr McArthur*	Dr Stone
Mr Barresi	Ms Gambaro	Mr Macfarlane	Mr C. P. Thompson
Mr Bartlett	Mrs Gash	Mrs Markus	Mr Ticehurst
Mr Billson	Mr Georgiou	Mrs May	Mr Tollner
Mrs B. K. Bishop	Mr Haase	Mr Nairn	Mr Truss
Ms J. Bishop	Mr Hardgrave	Dr Nelson	Mr Tuckey
Mr Broadbent	Mr Hartsuyker	Mr Neville	Mr Turnbull
Mr Brough	Mr Henry	Ms Panopoulos	Mr M. A. J. Vaile
Mr Cadman	Mr Hockey	Mr Pearce	Mrs D. S. Vale
Mr Causley	Mrs Hull	Mr Prosser	Mr Vasta
Mr Ciobo	Mr Hunt	Mr Pyne	Mr Wakelin
Mr Cobb	Dr Jensen	Mr Richardson	Dr Washer
Mr Costello	Mr Johnson	Mr Robb	Mr Wood
Mrs Draper	Mr Jull	Mr Ruddock	
Mr Dutton	Mr Keenan	Mr Schultz	

* Tellers

And so it was negatived.

Question—That the amendments be agreed to—put and passed.

31 HIGHER EDUCATION LEGISLATION AMENDMENT (2005 MEASURES NO. 3) BILL 2005

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—*And on the amendment moved thereto by Ms Macklin (Deputy Leader of the Opposition) (see item No. 28, page 18)—*

Debate resumed.

Amendment negatived.

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

Leave granted for third reading to be moved immediately.

On the motion of Dr Nelson (Minister for Education, Science and Training), the bill was read a third time.

32 MESSAGE FROM THE SENATE—RELATING TO A PROPOSED JOINT COMMITTEE ON THE PARLIAMENTARY LIBRARY

Message No. 233, 7 December 2005, from the Senate was reported informing the House that the Senate had agreed to a resolution relating to a proposed Joint Committee on the Parliamentary Library, and requesting concurrence in this resolution.

Ordered—That the message be considered immediately.

Mr Dutton (Minister for Workforce Participation) moved—That this House concurs in the resolution transmitted in the Senate message relating to the proposed Joint Committee on the Parliamentary Library.

Question—put and passed.

33 OCCUPATIONAL HEALTH AND SAFETY (COMMONWEALTH EMPLOYMENT) AMENDMENT (PROMOTING SAFER WORKPLACES) BILL 2005

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—

34 ADJOURNMENT

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

Debate ensued.

Document

Mr Rudd, by leave, presented the following document:

Victory in the Pacific—List of Commemorative Medallion Recipients.

Debate continued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 9 a.m.

DOCUMENTS

The following documents were deemed to have been presented on 7 December 2005:

Australian Workplace Safety Standards Act—Proclamation under subsection 2 (1) fixing 1 January 2006 as the day on which sections 3 to 9 of that Act commence [F2005L03859].

Fisheries Management Act—Southern and Eastern Scalefish and Shark Fishery Management Plan 2003—Determinations—2005—Nos 2006 SESSF TAC D1, 2006 SESSF TAC D2, 2006 SESSF D3 [F2005L03894], [F2005L03903], [F2005L03904].

Law and Justice Legislation Amendment (Serious Drug Offences and Other Measures) Act—Regulations—Select Legislative Instrument—2005 No. 293 [F2005L03950].

Services Trust Funds Act—Royal Australian Navy Relief Trust Fund Regulations—8 November 2005 [F2005L03672].

Supported Accommodation Assistance Act—Determination—2005 Supported Accommodation Assistance (Form of Agreement) [F2005L03886].

Sydney Airport Curfew Act—Dispensations—2005 Nos 12, 13.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Albanese, Mr Downer, Mr Kerr, Mr Randall and Dr Southcott*.

* On leave

I. C. HARRIS
Clerk of the House of Representatives

2004-05

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 77

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 7 DECEMBER 2005

1 The Main Committee met at 9.30 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **ANGLO-AUSTRALIAN TELESCOPE AGREEMENT AMENDMENT BILL 2005**

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 by Ms Livermore who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the bill a second reading, the House condemns the Government for:

- (1) not making up for the approximately \$11 million reduction in funding provided to the Anglo-Australian Telescope by the United Kingdom in the lead-up to the United Kingdom's withdrawal from the Anglo-Australian Telescope Agreement in 2010;
- (2) the Government's lack of commitment to Australian astronomy by not adequately funding an excellent research facility, astronomy research and science in our universities;
- (3) jeopardising science and research in Australia by dropping its investment to 0.6 per cent of GDP – the lowest level in two decades;
- (4) its inaction while physics, chemistry and mathematics enrolments fall in schools and universities; and
- (5) slashing over \$5 billion from our universities despite a massive skills crisis in the sciences and engineering.”

Debate continued.

Amendment negatived.

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 **PROCEDURE—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 Mrs May—That the House take note of the document (*presented on 28 November 2005*), viz.:

Procedure—Standing Committee—A history of the Procedure Committee on its 20th anniversary—Report, November 2005—

Debate resumed.

Suspension of sitting

At 10.46 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 11.35 a.m., the proceedings were resumed.

Debate continued.

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

5 AGRICULTURE, FISHERIES AND FORESTRY—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 Schultz—That the House take note of the document (*presented on 28 November 2005*), viz.:

Agriculture, Fisheries and Forestry—Standing Committee—Taking control: A national approach to pest animals—Report, October 2005—

Debate resumed.

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

6 NATIVE TITLE AND THE ABORIGINAL AND TORRES STRAIT ISLANDER LAND FUND—PARLIAMENTARY JOINT COMMITTEE—GOVERNMENT REPOSE TO REPORT—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 Abbott—That the House take note of the document (*presented on 2 November 2005*), viz.:

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Parliamentary Joint Committee—Report—19th Report—Second interim report for the s.206(d) inquiry—Indigenous land use agreements—Government response, 2 November 2005—

Debate resumed.

Suspension of sitting

At 12.03 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 12.17 p.m., the proceedings were resumed.

Debate continued.

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

7 ADJOURNMENT

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

Debate ensued.

Suspension of sitting

At 12.41 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of sitting

At 12.49 p.m., the proceedings were resumed.

Debate continued.

Question—put and passed.

At 1.02 p.m. the Deputy Speaker adjourned the Main Committee until 9.30 a.m. tomorrow.

=====

B. C. WRIGHT
Clerk of the Main Committee