

2004-05-06

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 80

WEDNESDAY, 8 FEBRUARY 2006

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

2 MESSAGE FROM THE GOVERNOR-GENERAL, PROPOSED ADDITIONAL EXPENDITURE AND APPROPRIATION FOR YEAR 2005-06—APPROPRIATION BILL (NO. 3) 2005-2006

Message No. 136, 6 February 2006, from His Excellency the Governor-General was announced recommending, in accordance with the requirements of section 56 of the Constitution, an appropriation for the purposes of a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.

Mr Nairn (Special Minister of State) presented a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.

Bill read a first time.

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

Document

Mr Nairn presented the following document:

Statement of savings expected in annual appropriations—Department of Finance and Administration information paper, 2005-06.

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

3 MESSAGE FROM THE GOVERNOR-GENERAL, CERTAIN PROPOSED ADDITIONAL EXPENDITURE FOR YEAR 2005-2006—APPROPRIATION BILL (NO. 4) 2005-2006

Message No. 137, 6 February 2006, from His Excellency the Governor-General was announced recommending, in accordance with the requirements of section 56 of the Constitution, an appropriation for the purposes of a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

Mr Nairn (Special Minister of State) presented a Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

Bill read a first time.

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

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

4 FUTURE FUND 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 Mr Tanner, viz.—* 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 is of the view that:

- (1) the Future Fund should only invest on a prudent commercial basis and manage funds in a manner consistent with:

- (a) best-practice portfolio management;
 - (b) achieving desired returns without undue risk to the Fund as whole;
 - (c) enhancing Australia's reputation as a responsible and ethical investor; and
 - (d) building productive capacity in the Australian community; and
- (2) the income stream from the Fund should be used for productive national economic purposes rather than being set aside solely to offset the cost of public sector superannuation as the Government intends"—

Debate resumed.

Amendment negatived.

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

Message from the Governor-General

Message No. 134, 8 December 2005, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for third reading to be moved immediately.

On the motion of Mr Pearce (Parliamentary Secretary to the Treasurer), the bill was read a third time.

5 AGED CARE (BOND SECURITY) 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 2.30 p.m., the debate was interrupted in accordance with the resolution agreed to on 7 February 2006, and the resumption of the debate made an order of the day for a later hour this day.

6 QUESTIONS

Questions without notice were asked.

7 DOCUMENTS

The following documents were presented:

Australian Law Reform Commission—Report No. 102—Uniform evidence law.

High Court of Australia—Report for 2004-05.

Telecommunications Act 1997—Funding of research and consumer representation in relation to telecommunications—Report for 2004-05.

Treaties—*Bilateral—Text, together with national interest analysis and annexures*—

Agreement between the Government of Australia and the Government of Bermuda [as authorised by] the Government of the United Kingdom of Great Britain and Northern Ireland on the exchange of information with respect to taxes (Washington, 10 November 2005).

Protocol amending the agreement between the Government of Australia and the Government of New Zealand for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income (Melbourne, 15 November 2005).

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—NATIONAL SECURITY AND TRADE INTERESTS OF AUSTRALIA

The House was informed that Mr Rudd had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the government to discharge its obligations in relation to the national security and trade interests of Australia”.

The proposed discussion having received the necessary support—

Mr Rudd addressed the House.

Discussion ensued.

Discussion concluded.

9 MESSAGE FROM THE SENATE—MARITIME LEGISLATION AMENDMENT BILL 2005

Message No. 253, 7 February 2006, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend maritime legislation, and for related purposes.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

10 AUSTRALIAN SPORTS ANTI-DOPING AUTHORITY 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 Ms Gambaro (Parliamentary Secretary—Foreign Affairs), by leave, the bill was read a third time.

11 AUSTRALIAN SPORTS ANTI-DOPING AUTHORITY (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2005—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the bill had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported, and the bill had been agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Ms Gambaro (Parliamentary Secretary—Foreign Affairs), by leave, the bill was read a third time.

12 BILL REFERRED TO MAIN COMMITTEE

Mr Bartlett (Chief Government Whip), by leave, moved—That the Financial Framework Legislation Amendment Bill (No. 2) 2005 be referred to the Main Committee for further consideration.

Question—put and passed.

13 POSTPONEMENT OF ORDERS OF THE DAY

Ordered—That orders of the day Nos 3 and 4, government business, be postponed until a later hour this day.

14 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—PROPOSED FITOUT OF NEW LEASED PREMISES FOR CENTRELINK AT GREENWAY, ACT

Mr Nairn (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 fitout of new leased premises for Centrelink at Greenway, ACT.

Question—put and passed.

15 AGED CARE (BOND SECURITY) 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.

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

Message from the Governor-General

Message No. 138, 8 December 2006, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for third reading to be moved immediately.

On the motion of Mr Pyne (Parliamentary Secretary to the Minister for Health and Ageing), the bill was read a third time.

16 AGED CARE (BOND SECURITY) LEVY 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—

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Pyne (Parliamentary Secretary to the Minister for Health and Ageing), the bill was read a third time.

17 AGED CARE AMENDMENT (2005 MEASURES NO. 1) 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—

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Pyne (Parliamentary Secretary to the Minister for Health and Ageing), the bill was read a third time.

18 TRADE PRACTICES AMENDMENT (NATIONAL ACCESS REGIME) 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 Mr Fitzgibbon, viz.—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) delaying the introduction of this bill for almost 3 years since the Productivity Commission report was released;
- (2) failing to amend Part IIIA of the Trade Practices Act to include the pricing principles in the bill;
- (3) failing to properly indicate the relationship of this bill to the report of the infrastructure Task Force;
- (4) failing to produce a single, clear and pro-competitive legislative framework for infrastructure regulation; and
- (5) adding to the complexities of the regime and posing further time delays by providing for a merit-based appeal against declaration arbitration outcomes”—

Debate resumed.

Debate adjourned (Mr S. F. Smith), and the resumption of the debate made an order of the day for a later hour this day.

19 SELECTION COMMITTEE—REPORT

Mr Causley (Chair) presented the following document:

Selection Committee—Report relating to the consideration of committee and delegation reports and private Members’ business on Monday, 13 February 2006.

20 TRADE PRACTICES AMENDMENT (NATIONAL ACCESS REGIME) 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 Mr Fitzgibbon (see item No. 18, page 916)—*

Debate resumed.

Mr Hayes addressing the House—

21 ADJOURNMENT

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

Debate ensued.

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 8 February 2006:

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives—

Part 39-105—2006 1 (6) February [F2006L00356], [F2006L00357], [F2006L00361], [F2006L00366], [F2006L00367], [F2006L00371].

Part 39-106—2006 1 (4) February [F2006L00352], [F2006L00353], [F2006L00360], [F2006L00379].

Federal Magistrates Act—Rules of Court—Select Legislative Instrument—2006 No. 2 [F2006L00314].

Health Insurance Act—Declaration—2005 QAA No. 3a [F2006L00323].

Higher Education Support Act—

Funding Agreements under section 30-25—

Australian Catholic University, 11 November 2005.

Australian Maritime College, 8 November 2005.

Australian National University, 14 December 2005.

Avondale College, 16 December 2005.

Batchelor Institute of Indigenous Tertiary Education, 29 November 2005.

Central Queensland University, 16 December 2005.

Charles Darwin University, 4 January 2006.

Charles Sturt University, 2 December 2005.

Christian Heritage College, 14 December 2005.

Curtin University of Technology, 15 November 2005.

Deakin University, 6 January 2006.

Edith Cowan University, 2 December 2005.

Flinders University of South Australia, 8 December 2005.

James Cook University, 25 November 2005.

La Trobe University, 5 December 2005.

Macquarie University, 15 December 2005.

Monash University, 8 December 2005.

Murdoch University, 7 November 2005.

Royal Melbourne Institute of Technology University, 15 December 2005.

Southern Cross University, 21 November 2005.

Swinburne University of Technology, 11 November 2005.

Tabor College, 13 December 2005.

University of Adelaide, 14 November 2005.

University of Ballarat, 8 December 2005.

University of Canberra, 8 November 2005.

University of Melbourne, 20 January 2006.

University of New England, 21 November 2005.

University of New South Wales, 24 November 2005.

University of Newcastle, 19 December 2005.

University of Notre Dame Australia, 21 December 2005.

University of Queensland, 11 November 2005.

University of South Australia, 12 December 2005.

University of Sydney, 2 December 2005.

University of Tasmania, 12 December 2005.

University of Technology, Sydney, 8 December 2005.

University of Western Australia, 12 December 2005.

University of Western Sydney, 15 November 2005.

University of Wollongong, 7 November 2005.

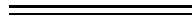
Victoria University, 2 December 2005.

Higher education provider—Notice of approval—2006 No. 1 [F2006L00330].



ATTENDANCE

All Members attended (at some time during the sitting) except Mr A. S. Burke, Mr Dutton, Mrs Elson, Mr Farmer, Mr Hunt, Ms Panopoulos, Ms Roxon and Mr A. D. H. Smith.

**I. C. HARRIS**

Clerk of the House of Representatives

2004-05

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 80

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 8 FEBRUARY 2006

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 AUSTRALIAN SPORTS ANTI-DOPING AUTHORITY 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.

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 AUSTRALIAN SPORTS ANTI-DOPING AUTHORITY (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) 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.

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

Message from the Governor-General

Message No. 135, 8 December 2005, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

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 TRANSPORT AND REGIONAL SERVICES—STANDING COMMITTEE—GOVERNMENT RESPONSE—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 7 December 2005*), viz.:

Transport and Regional Services—Standing Committee—Report—National road safety—Eyes on the road ahead—Government response, 7 December 2005—

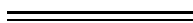
Debate resumed.

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

6 ADJOURNMENT

On the motion of Mr Georgiou, the Main Committee adjourned at 11.22 a.m.

The Deputy Speaker fixed tomorrow at 9.30 a.m. for the next meeting of the Main Committee.



B. C. WRIGHT
Clerk of the Main Committee