

2004-05-06

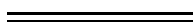
THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 92

WEDNESDAY, 29 MARCH 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 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 private Members' business Notice No. 3 standing in the name of the Honourable Member for Perth being called on and debated forthwith so that Members of the House can:

- (a) respond to the widespread community concern about the Government's industrial relations changes by debating and voting to disallow regulations to the legislation;
- (b) record the House's contempt for the Government's extreme changes, particularly the removal of unfair dismissal rights which sees Australian employees at risk of being sacked, sacked unfairly for no reason or any reason;
- (c) record the House's contempt for the Government's attack on the wages, conditions and entitlements of Australian employees without benefit to Australia's economic future; and
- (d) show by tearing up the regulations the House's intention to tear up the Government's unfair, unAustralian legislation.

Closure of Member

Dr Stone (Minister for Workforce Participation) moved—That the Member be no longer heard.

Question—put.

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

AYES, 77

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

NOES, 56

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

* Tellers

And so it was resolved in the affirmative.

Ms Gillard (seconder) addressing the House—

Closure of Member

Dr Stone moved—That the Member be no longer heard.

Question—put.

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

AYES, 78

Mr Abbott	Mr Entsch	Mrs Ley	Mr Secker
Mr Anderson	Mr Farmer	Mr Lindsay	Mr Slipper
Mr Andrews	Mr Fawcett	Mr Lloyd	Mr A. D. H. Smith
Fran Bailey	Mr M. D. Ferguson	Mr McArthur*	Mr Somlyay
Mr Baird	Mr Forrest*	Mr Macfarlane	Dr Southcott
Mr Baldwin	Ms Gambaro	Mr McGauran	Dr Stone
Mr Barresi	Mrs Gash	Mrs Markus	Mr C. P. Thompson
Mr Bartlett	Mr Georgiou	Mr Nairn	Mr Ticehurst
Mrs B. K. Bishop	Mr Haase	Dr Nelson	Mr Tollner
Ms J. Bishop	Mr Hardgrave	Mr Neville	Mr Truss
Mr Broadbent	Mr Hartsuyker	Ms Panopoulos	Mr Tuckey
Mr Cadman	Mr Henry	Mr Pearce	Mr Turnbull
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Ms Corcoran	Ms Gillard	Mr Murphy	Mr Swan
Mr Crean	Ms Grierson	Mr B. P. O'Connor	Mr Tanner
Mr Danby*	Mr Griffin	Mr G. M. O'Connor	Mr K. J. Thomson
Mr Edwards	Ms Hall*	Ms Owens	Ms Vamvakinou
Mrs Elliot	Mr Hatton	Ms Plibersek	Mr Wilkie

* 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, 56

Mr Adams	Ms A. L. Ellis	Mr Hayes	Mr Price
Mr Albanese	Ms K. M. Ellis	Mrs Irwin	Mr Quick
Mr Beazley	Mr Emerson	Mr Jenkins	Mr Ripoll
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Mrs Draper	Mrs D. M. Kelly	Mr Ruddock	Mr Wood
Mr Dutton	Jackie Kelly	Mr Schultz	
Mrs Elson	Mr Laming	Mr Scott	

* Tellers

And so it was negatived.

3 AGE DISCRIMINATION AMENDMENT BILL 2006

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Age Discrimination Act 2004*, 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 (Ms Roxon), and the resumption of the debate made an order of the day for the next sitting.

4 ASIO LEGISLATION AMENDMENT BILL 2006

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Australian Security Intelligence Organisation Act 1979*, and for related purposes.

Bill read a first time.

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

Documents

Mr Ruddock presented the following document:

ASIO, ASIS and DSD—Parliamentary Joint Committee—Report on the operation, effectiveness and implications of Division 3 of Part III of the *Australian Security Intelligence Organisation Act 1979*—Government response.

Mr Ruddock also presented an explanatory memorandum to the bill.

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

5 FEDERAL MAGISTRATES AMENDMENT (DISABILITY AND DEATH BENEFITS) BILL 2006

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Federal Magistrates Act 1999*, 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 (Ms Roxon), and the resumption of the debate made an order of the day for the next sitting.

6 LAW ENFORCEMENT INTEGRITY COMMISSIONER BILL 2006

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to provide for the appointment of the Integrity Commissioner, to set out the functions and powers of the Integrity Commissioner, 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 (Ms Roxon), and the resumption of the debate made an order of the day for the next sitting.

7 LAW ENFORCEMENT INTEGRITY COMMISSIONER (CONSEQUENTIAL AMENDMENTS) BILL 2006

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend laws in connection with the *Law Enforcement Integrity Commissioner Act 2006*, 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 (Ms Roxon), and the resumption of the debate made an order of the day for the next sitting.

8 LAW ENFORCEMENT (AFP PROFESSIONAL STANDARDS AND RELATED MEASURES) BILL 2006

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Australian Federal Police Act 1979*, 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 (Ms Roxon), and the resumption of the debate made an order of the day for the next sitting.

9 CUSTOMS LEGISLATION AMENDMENT (BORDER COMPLIANCE AND OTHER MEASURES) BILL 2006

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the law relating to customs, 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 (Ms Roxon), and the resumption of the debate made an order of the day for the next sitting.

10 EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION AMENDMENT (WELFARE TO WORK AND OTHER MEASURES) (CONSEQUENTIAL AMENDMENTS) BILL 2006

Dr Stone (Minister for Workforce Participation), for Mr Andrews (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the social security law, and for related purposes.

Bill read a first time.

Dr Stone moved—That the bill be now read a second time.

Document

Dr Stone presented an explanatory memorandum to the bill.

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

11 AVIATION TRANSPORT SECURITY AMENDMENT BILL 2006

Mr Truss (Minister for Transport and Regional Services), for Mr Lloyd (Minister for Local Government, Territories and Roads), pursuant to notice, presented a Bill for an Act to amend the *Aviation Transport Security Act 2004*, and for related purposes.

Bill read a first time.

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

Document

Mr Truss presented an explanatory memorandum to the bill.

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

12 MARITIME TRANSPORT AND OFFSHORE FACILITIES SECURITY AMENDMENT (SECURITY PLANS AND OTHER MEASURES) BILL 2006

Mr Truss (Minister for Transport and Regional Services), for Mr Lloyd (Minister for Local Government, Territories and Roads), pursuant to notice, presented a Bill for an Act to amend the law relating to the security of maritime transport and offshore facilities, and for other purposes.

Bill read a first time.

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

Document

Mr Truss presented an explanatory memorandum to the bill.

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

13 PROTECTION OF THE SEA (POWERS OF INTERVENTION) AMENDMENT BILL 2006

Mr Truss (Minister for Transport and Regional Services), for Mr Lloyd (Minister for Local Government, Territories and Roads), pursuant to notice, presented a Bill for an Act to amend the *Protection of the Sea (Powers of Intervention) Act 1981*, and for other purposes.

Bill read a first time.

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

Document

Mr Truss presented an explanatory memorandum to the bill.

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

14 FUEL TAX BILL 2006

Mr Dutton (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act about fuel tax and fuel tax credits, and for related purposes.

Bill read a first time.

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

Document

Mr Dutton presented an explanatory memorandum to the bill and to the Fuel Tax (Consequential and Transitional Provisions) Bill 2006.

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

15 FUEL TAX (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2006

Mr Dutton (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to deal with consequential and transitional matters arising from the enactment of the *Fuel Tax Act 2006*, and for other purposes.

Bill read a first time.

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

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

16 TAX LAWS AMENDMENT (2006 MEASURES NO. 2) BILL 2006

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

Document

Mr Dutton presented an explanatory memorandum to the bill.

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

17 ENERGY EFFICIENCY OPPORTUNITIES BILL 2005—SENATE'S AMENDMENTS

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

On the motion of Mr Baldwin (Parliamentary Secretary to the Minister for Industry, Tourism and Resources), the amendments were agreed to.

18 HEALTH LEGISLATION AMENDMENT (PHARMACY LOCATION ARRANGEMENTS) BILL 2006

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 Gillard, 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) failure to investigate the impact of PBS co-payment increases on patients’ access to needed medicines;
- (2) recent changes to the PBS safety net which mean patients must pay more out-of-pocket; and
- (3) the confusion and difficulties presented to patients, doctors and pharmacists by the new 20-day rule on repeat prescriptions”—

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 Mr Abbott (Minister for Health and Ageing), the bill was read a third time.

19 CANCER AUSTRALIA BILL 2006

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 Gillard 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) the unreasonable delay in implementing this 2004 election commitment;
- (2) the consequent demise of the National Cancer Control Initiative and the loss of NCCI expertise;
- (3) failure to respond to the Senate Committee Report *The Cancer Journey: Informing Choice*; and
- (4) lack of any substantial commitment to improving cancer care in Australia”.

Debate continued.

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.

20 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence overseas of Mr McGauran (Minister for Agriculture, Fisheries and Forestry), Mr Truss (Minister for Transport and Regional Services) would answer questions on his behalf.

21 QUESTIONS

Questions without notice were asked.

22 DOCUMENT

Mr Beazley (Leader of the Opposition), by leave, during a personal explanation, presented the following document:

Medicare safety net—Table showing total safety net benefits paid in each Federal electorate in 2005.

23 DOCUMENT

Mr Abbott (Minister for Health and Ageing), during a personal explanation, presented the following document:

Medicare safety net—Table showing safety net benefits paid per person by electorate, for twelve electorates in NSW.

24 DOCUMENTS

The following documents were presented:

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report of the Chief Executive Officer for period 1 July to 30 September 2005.

Migration Act 1958—

Section 440A—Conduct of Refugee Review Tribunal (RRT) reviews not completed within 90 days—Report for the period 1 July to 31 October 2005.

Section 486O—Assessment of detention arrangements—

Government response to the Commonwealth Ombudsman’s statements—Personal identifiers 017/05 to 019/05 and 020/06 to 048/06.

Report by the Commonwealth Ombudsman—Personal identifiers 017/05 to 019/05 and 020/06 to 048/06.

National Rural Advisory Council—Report for 2004-05.

Stevedoring Levy (Collection) Act—Report for 2005.

Wheat Export Authority—Report for 2004-05.

25 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Migration Act 1958—Section 440A—Conduct of Refugee Review Tribunal (RRT) reviews not completed within 90 days—Report for the period 1 July to 31 October 2005.

Wheat Export Authority—Report for 2004-05.

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

26 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—PROVISION OF TERMS OF REFERENCE TO THE COLE COMMISSION OF INQUIRY

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 provide the Cole Commission of Inquiry with terms of reference which would empower the Commission to investigate and make findings about whether Ministers had properly discharged their duties under Australian law to enforce UN sanctions against Iraq”.

The proposed discussion having received the necessary support—

Mr Rudd addressed the House.

Discussion ensued.

Discussion concluded.

27 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED

Ms Gillard moved—That so much of the standing and sessional orders be suspended as would prevent the Minister for Health and Ageing from:

(a) being required to provide this House with a full and proper explanation as to why he claimed:

“I did actually look at the highest safety net benefit payments in NSW. I looked at those on an electorate by electorate basis. Not Wentworth, not Bradfield, not, I regret to say Warringah Mr Speaker, the highest safety net benefits per electorate in NSW were actually in the electorate of Grayndler”,

when this claim is totally untrue;

(b) being required to correct the grossly inaccurate and misleading statement he made in this place during question time today, a statement which reveals his incompetence as Health Minister, and his preparedness to misuse his portfolio for cheap political advantage;

(c) apologising to all Members in this place, for a clear and serious breach of his duties as Leader of Government Business and Minister for Health; and

(d) apologising to the Member for Grayndler and his constituents for falsely claiming the electorate of Grayndler received the highest payments under the Medicare Safety Net when figures released by the Minister himself show that the:

- Electorate of Wentworth received \$7.8 million
- Electorate of North Sydney received \$7.5 million
- Electorate of Bradfield received \$6.9 million
- Electorate of Warringah received \$6.3 million

whereas the Electorate of Grayndler received \$3.6 million.

Closure of Member

Mr Pyne (Parliamentary Secretary to the Minister for Health and Ageing) moved—That the Member be no longer heard.

Question—put.

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

AYES, 77

Mr Abbott	Mrs Elson	Jackie Kelly	Mr Secker
Mr Anderson	Mr Entsch	Mr Laming	Mr Slipper
Mr Andrews	Mr Farmer	Mrs Ley	Mr A. D. H. Smith
Fran Bailey	Mr Fawcett	Mr Lindsay	Mr Somlyay
Mr Baird	Mr M. D. Ferguson	Mr Lloyd	Dr Southcott
Mr Baker	Mr Forrest*	Mr McArthur*	Dr Stone
Mr Baldwin	Ms Gambaro	Mr Macfarlane	Mr C. P. Thompson
Mr Barresi	Mrs Gash	Mrs Markus	Mr Ticehurst
Mr Bartlett	Mr Georgiou	Mr Nairn	Mr Tollner
Mr Billson	Mr Haase	Dr Nelson	Mr Tuckey
Mrs B. K. Bishop	Mr Hardgrave	Mr Neville	Mr Turnbull
Ms J. Bishop	Mr Hartsuyker	Ms Panopoulos	Mr M. A. J. Vaile
Mr Broadbent	Mr Henry	Mr Pearce	Mrs D. S. Vale
Mr Brough	Mrs Hull	Mr Prosser	Mr Vasta
Mr Cadman	Mr Hunt	Mr Pyne	Mr Wakelin
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Mr Cobb	Mr Johnson	Mr Richardson	Mr Wood
Mr Downer	Mr Jull	Mr Ruddock	
Mrs Draper	Mr Keenan	Mr Schultz	
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NOES, 56

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

* Tellers

And so it was resolved in the affirmative.

Mr Albanese (seconder) addressing the House—

Closure of Member

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

Question—put.

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

AYES, 78

Mr Abbott	Mrs Elson	Jackie Kelly	Mr Secker
Mr Anderson	Mr Entsch	Mr Laming	Mr Slipper
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Fran Bailey	Mr Fawcett	Mr Lindsay	Mr Somlyay
Mr Baird	Mr M. D. Ferguson	Mr Lloyd	Dr Southcott
Mr Baker	Mr Forrest*	Mr McArthur*	Dr Stone
Mr Baldwin	Ms Gambaro	Mr Macfarlane	Mr C. P. Thompson
Mr Barresi	Mrs Gash	Mrs Markus	Mr Ticehurst
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Ms A. E. Burke	Mr Georganas	Mr McMullan	Mr Swan
Mr A. S. Burke	Ms George	Mr Melham	Mr Tanner
Mr Byrne	Ms Gillard	Mr Murphy	Mr K. J. Thomson
Ms Corcoran	Ms Grierson	Mr B. P. O'Connor	Ms Vamvakinou
Mr Danby*	Mr Griffin	Mr G. M. O'Connor	Mr Wilkie
Mr Edwards	Ms Hall*	Ms Plibersek	Mr Windsor
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* 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 Deputy Speaker, Mr Jenkins, in the Chair)—

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Mr Byrne	Ms Gillard	Mr Murphy	Mr K. J. Thomson
Ms Corcoran	Ms Grierson	Mr B. P. O'Connor	Ms Vamvakinou
Mr Danby*	Mr Griffin	Mr G. M. O'Connor	Mr Wilkie
Mr Edwards	Ms Hall*	Ms Plibersek	Mr Windsor
Mrs Elliot	Mr Hatton	Mr Price	

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Mr Broadbent	Mr Henry	Mr Pearce	Mr M. A. J. Vaile
Mr Brough	Mrs Hull	Mr Prosser	Mrs D. S. Vale
Mr Cadman	Mr Hunt	Mr Pyne	Mr Vasta
Mr Causley	Dr Jensen	Mr Randall	Mr Wakelin
Mr Ciobo	Mr Johnson	Mr Richardson	Dr Washer
Mr Cobb	Mr Jull	Mr Ruddock	Mr Wood
Mr Downer	Mr Keenan	Mr Schultz	
Mrs Draper	Mrs D. M. Kelly	Mr Scott	

* Tellers

And so it was negatived.

28 TREATIES—JOINT STANDING COMMITTEE—REPORT

Dr Southcott (Chair), by leave, presented the following document:

Treaties—Joint Standing Committee—Report 72—Treaties tabled on 29 November 2005 (2)—Erratum.

29 MESSAGES FROM THE SENATE

Messages from the Senate, 28 March 2006, were reported:

(a) returning the following bills without amendment:

No. 280—Aged Care (Bond Security) 2005;

No. 281—Aged Care (Bond Security) Levy 2005;

No. 282—Aged Care Amendment (2005 Measures No. 1) 2005;

No. 283—Financial Framework Legislation Amendment (No. 2) 2005; and

No. 286—Tax Laws Amendment (2006 Measures No. 1) Bill 2006;

- (b) informing the House that Senator McGauran had been discharged from the Parliamentary Joint Committee on Intelligence and Security—Message No. 284; and
- (c) informing the House that Senator Crossin had been discharged from the Joint Standing Committee on the National Capital and External Territories and that, having been nominated in accordance with the resolution agreed to by both Houses, Senator Carr had been appointed a member of the committee—Message No. 285.

30 AMENDMENTS TO STANDING ORDERS 11, 141 AND 142

Mr Nairn (Special Minister of State), for Mr Abbott (Leader of the House), pursuant to notice, moved—

- (1) That standing order 11, up to and including paragraph (h), be amended to read:

11 Election procedures

When electing a Member to fill a vacant office the routine shall be as follows:

Nominees proposed

- (a) The Chair shall invite nominations for the vacant office.
- (b) A Member shall propose the nomination of a Member to the vacant office by moving, without notice, that such Member ‘do take the Chair of this House as Speaker’. The Member nominated must be present and the motion must be seconded. The mover and seconder may speak in support of their nominated candidate for no more than 5 minutes each.
- (c) The nominated Member shall inform the House whether he or she accepts the nomination.
- (d) The Chair shall ask:

Is there any further proposal?

and shall ask this again after any further proposal and acceptance.

- (e) If no further proposal is made the Chair shall state:

The time for proposals has expired

No further nominations may be made.

If only one nominee—nominee elected

- (f) If a nominee is unopposed, the Chair, without question put, shall declare the Member, who has been proposed and seconded, to have been elected to the vacant office.

If two or more nominees—debate then ballot

- (g) If there are two or more nominees, when the time for proposals has expired, Members who have not yet spoken as mover or seconder may speak on the election, however:
 - (i) debate must be relevant to the election; and
 - (ii) no Member may speak for more than five minutes,
- (h) At any time during debate, and whether any Member is addressing the Chair or not, a Minister may move without notice—

That the ballot be taken now.

The question shall be put immediately and resolved without amendment or debate. If the votes are equal the question shall be negatived, and debate may continue. If the question is carried, or when debate ends, the House shall proceed to a ballot.

- (2) That standing orders 141 and 142 be amended to read:

141 First reading and explanatory memorandum

- (a) When a bill is presented to the House, or a Senate bill is first received, the bill shall be read a first time without a question being put. A Member presenting a bill during private Members’ business may speak to the bill, before it is read a first time, for no longer than 5 minutes.
- (b) For any bill presented by a Minister, except an Appropriation or Supply Bill, the Minister must present a signed explanatory memorandum. The explanatory memorandum must include an explanation of the reasons for the bill.

142 Second reading

- (a) If copies of the bill are available to Members, the Member presenting the bill may move immediately after the first reading, or at a later hour—

That this bill be now read a second time.

At the conclusion of the Member's speech the debate on the question must then be adjourned to a future sitting.

After the first reading of a bill presented during private Members' business, the motion for the second reading shall be set down on the Notice Paper for the next sitting.

- (b) If copies of the bill are not available, a future sitting shall be appointed for the second reading and copies of the bill must then be available to Members.

Debate ensued.

Question—put and passed.

31 REDEVELOPMENT OF POST 1945 CONFLICTS GALLERIES AND DISCOVERY ROOM FOR THE AUSTRALIAN WAR MEMORIAL, CANBERRA, ACT—APPROVAL OF WORK

Mr Nairn (Special Minister of State), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Redevelopment of post 1945 conflicts galleries and discovery room for the Australian War Memorial, Canberra, ACT.

Question—put and passed.

32 FIT-OUT OF AN EXTENSION TO LEASED PREMISES FOR IP AUSTRALIA IN WODEN, ACT—APPROVAL OF WORK

Mr Nairn (Special Minister of State), pursuant to notice, moved—That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Fit-out of an extension to leased premises for IP Australia in Woden, ACT.

Debate ensued.

Question—put and passed.

33 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—AUSTRALIAN INSTITUTE OF POLICE MANAGEMENT REDEVELOPMENT, NORTH HEAD, MANLY, NSW

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: Australian Institute of Police Management redevelopment, North Head, Manly, NSW.

Question—put and passed.

34 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—FIT-OUT OF NEW LEASED PREMISES FOR THE AUSTRALIAN SECURITIES AND INVESTMENT COMMISSION AT 120 COLLINS STREET, MELBOURNE, VIC

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: Fit-out of new leased premises for the Australian Securities and Investment Commission at 120 Collins Street, Melbourne, Vic.

Question—put and passed.

35 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—TACTICAL UNMANNED AERIAL VEHICLE, FACILITIES PROJECT, ENOGGERA, QLD

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: Tactical Unmanned Aerial Vehicle, Facilities Project, Enoggera, Qld.

Question—put and passed.

36 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—PROVISION OF FACILITIES FOR PROJECT SINGLE LEAP—PHASE 1

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: Provision of facilities for Project Single LEAP—Phase 1.

Question—put and passed.

37 BILLS REFERRED TO MAIN COMMITTEE

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

Health and Other Services (Compensation) Amendment 2006; and
General Insurance Supervisory Levy Imposition Amendment 2006.

Question—put and passed.

38 BANKRUPTCY LEGISLATION AMENDMENT (FEES AND CHARGES) BILL 2006—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 Pyne (Parliamentary Secretary to the Minister for Health and Ageing), by leave, the bill was read a third time.

39 MARITIME LEGISLATION 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 Pyne (Parliamentary Secretary to the Minister for Health and Ageing), by leave, the bill was read a third time.

40 OHS AND SRC LEGISLATION 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 with an amendment (*see item No. 3, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the bill together with a schedule of the amendment.

Amendment made by the Main Committee agreed to.

Bill, as amended, agreed to.

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

41 JURISDICTION OF THE FEDERAL MAGISTRATES COURT LEGISLATION AMENDMENT BILL 2005—REPORT FROM MAIN COMMITTEE

The Deputy Speaker reported that the Main Committee had resolved that further proceedings on the bill be conducted in the House, and presented a certified copy of the bill.

Ordered—That further proceedings on the bill be made an order of the day for the next sitting.

42 JURISDICTION OF COURTS (FAMILY LAW) 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 Pyne (Parliamentary Secretary to the Minister for Health and Ageing), by leave, the bill was read a third time.

43 CANCER AUSTRALIA BILL 2006

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 Gillard (see item No. 19, page 1042)*—

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 Mr Abbott (Minister for Health and Ageing), the bill was read a third time.

44 ELECTORAL AND REFERENDUM AMENDMENT (ELECTORAL INTEGRITY AND OTHER MEASURES) 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 Mr Griffin who moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “this bill be withdrawn until undemocratic provisions that:

- (1) reduce the period of time Australians have to enrol to vote and update their details on the electoral roll;
- (2) introduce new proof of identity requirements;
- (3) increase the disclosure thresholds to \$10,000; and
- (4) increase the tax-deductibility of political donations are removed”.

Debate continued.

Mr Tuckey addressing the House—

45 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 Deputy Speaker adjourned the House until tomorrow at 9 a.m.

DOCUMENTS

The following documents were deemed to have been presented on 29 March 2006:

ACIS Administration Act—Guidelines—2006 ACIS Administration (Modulation) [F2006L00885].

Broadcasting Services Act—Standards—2006 Broadcasting services (Anti-terrorism requirements for open narrowcasting services) [F2006L00870].

Civil Aviation Act—

Civil Aviation Regulations—

Civil Aviation Order—2006 Civil Aviation Amendment Order 40.2.1 (No. 1) [F2006L00908].

Exemptions—2006 Nos CASA EX12, CASA EX14 [F2006L00917], [F2006L00914].

Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—2006 23 (2) March [F2006L00911], [F2006L00913].

Commonwealth Authorities and Companies Act—Notice under section 45—Formation of a company by the Commonwealth—Teaching Australia – Australian Institute for Teaching and School Leadership Limited (ACN 117 362 740).

Higher Education Support Act—Funding Agreements under section 30-25—

Australian Catholic University—9 February 2006.

Griffith University—9 February 2006.

Queensland University of Technology—22 February 2006.

University of Southern Queensland—9 February 2006.

University of the Sunshine Coast—5 March 2006.

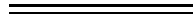
Remuneration Tribunal Act—Remuneration Tribunal—Determination—2006 No. 2 [F2006L00896].

Sydney Airport Curfew Act—Dispensation—2006 No. 2.

Telecommunications Act 1997—Determinations—2006—

Telecommunications (Approved auditors and auditing requirements) [F2006L00924].

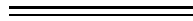
Telecommunications (Non-refundable code development costs) [F2006L00920].



ATTENDANCE

All Members attended (at some time during the sitting) except Mr Gibbons, Ms Hoare, Mr Hockey, Mr Katter, Ms Livermore*, Mrs May and Mrs Moylan.

* On leave



I. C. HARRIS

Clerk of the House of Representatives

2004-05-06

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 92

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 29 MARCH 2006

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 OHS AND SRC LEGISLATION 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.

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

Consideration in detail

Bill, by leave, taken as a whole.

Document

Mr Andrews (Minister for Employment and Workplace Relations) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Andrews the Government amendment was made.

Bill, as amended, agreed to.

Consideration in detail concluded.

Ordered—That the bill be reported to the House with an amendment.

4 JURISDICTION OF THE FEDERAL MAGISTRATES COURT LEGISLATION AMENDMENT BILL 2005

The order of the day having been read for the second reading—Mr Ruddock (Attorney-General) moved—That the bill be now read a second time.

Document

Mr Ruddock presented an explanatory memorandum to the bill.

Debate ensued.

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

Ms Roxon moved—That further proceedings be conducted in the House.

Question—put and passed.

5 JURISDICTION OF COURTS (FAMILY LAW) BILL 2005

The order of the day having been read for the second reading—Mr Ruddock (Attorney-General) moved—That the bill be now read a second time.

Document

Mr Ruddock presented an explanatory memorandum to the bill.

Debate ensued.

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

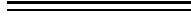
Leave granted for the question on the report to be put immediately.

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

6 **ADJOURNMENT**

On the motion of Mr Hartsuyker, the Main Committee adjourned at 12.32 p.m.

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



B. C. WRIGHT
Clerk of the Main Committee