

2004-05-06

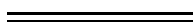
THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 132

TUESDAY, 17 OCTOBER 2006



1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.

2 LONG SERVICE LEAVE (COMMONWEALTH EMPLOYEES) AMENDMENT 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 Mr S. F. Smith 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 and while welcoming the fact that the Government has extended long service leave protections to Telstra employees for a period of 3 years following the time that the Commonwealth ceases to have a controlling interest in Telstra, the House:

- (1) regrets the fact that the Government has offered no such protections to the up to 1800 existing Telstra employees who are currently members of the Commonwealth Superannuation Scheme (CSS) who will have that membership terminated as a result of the Telstra 3 privatisation;
- (2) considers the fact that the cessation of CSS membership will mean the Government’s pension promise made to Telstra CSS members will not be kept;
- (3) notes that no comparable provision has been made to ensure the pension promise is met, as occurred in the Qantas privatisation;
- (4) notes that no other compensation is provided for;
- (5) condemns the Government for its failure in this regard; and
- (6) calls on the Government to immediately rectify the position for these disadvantaged Telstra employees”.

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.

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

AYES, 79

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

NOES, 55

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

* Tellers

And so it was resolved in the affirmative.

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 Andrews (Minister for Employment and Workplace Relations), the bill was read a third time.

3 BROADCASTING LEGISLATION AMENDMENT (DIGITAL TELEVISION) 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.

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.

4 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 2.42 p.m. the Member for Griffith (Mr Rudd) was directed, under standing order 94, to leave the Chamber for one hour for behaving in a disorderly manner after being warned by the Chair, and he accordingly left the Chamber.

Questions without notice continued.

5 PARLIAMENTARY SERVICE COMMISSIONER ANNUAL REPORT AND REPORT OF THE AUDITOR-GENERAL

The Speaker presented the following documents:

Parliamentary Service Commissioner—Report for 2005–2006.

Auditor-General—Audit report No. 7 of 2006–2007—Performance audit—Visa management: Working holiday makers: Department of Immigration and Multicultural Affairs.

Reports ordered to be made a Parliamentary Papers.

6 DOCUMENTS

The following documents were presented:

Australian Communications and Media Authority—Report for 2005-06.

Australian National Maritime Museum—Report for 2005-06.

Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2005-06.

Commonwealth Director of Public Prosecutions—Report for 2005-06.

Department of Transport and Regional Services—Report for 2005-06.

Department of Veterans' Affairs—Data-matching program—Report on progress for 2005-06.

Export Finance and Insurance Corporation—Report for 2005-06.

Film Australia Limited—Report for 2005-06.

Great Barrier Reef Marine Park Authority—Report for 2005-06.

Industrial Relations Court of Australia—Report for 2005-06.

Inspector-General of Intelligence and Security—Report for 2005-06.

National Offshore Petroleum Safety Authority and National Offshore Petroleum Safety Authority Board—Report for 2005-06.

National Water Commission—Report for 2005-06.

Repatriation Medical Authority—Report for 2005-06.

Treaties—*Multilateral—Text, together with national interest analysis and annexures*—Amendments, done at St Kitts and Nevis in the Caribbean on 20 June 2006, to the Schedule to the International Convention for the Regulation of Whaling, done at Washington on 2 December 1946.

7 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

Mr Andrews (Minister for Employment and Workplace Relations) moved—That the House take note of the following documents:

Australian Communications and Media Authority—Report for 2005-06.

Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2005-06.

Department of Transport and Regional Services—Report for 2005-06.

Great Barrier Reef Marine Park Authority—Report for 2005-06.

Industrial Relations Court of Australia—Report for 2005-06.

Inspector-General of Intelligence and Security—Report for 2005-06.

National Water Commission—Report for 2005-06.

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

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIA’S RELATIONSHIP WITH ITS PACIFIC NEIGHBOURS

The House was informed that Mr Sercombe had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The petulance of the Government in its conduct of Australia’s relationship with our Pacific neighbours”.

The proposed discussion having received the necessary support—

Mr Sercombe addressed the House.

Discussion ensued.

Discussion concluded.

9 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, 30 October 2006.

10 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:

Crimes Act Amendment (Forensic Procedures) (No. 1) 2006; and

Public Works Committee Amendment 2006.

Question—put and passed.

11 MESSAGE FROM THE SENATE—AGED CARE AMENDMENT (RESIDENTIAL CARE) BILL 2006

Message No. 386, 16 October 2006, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Aged Care Act 1997*, 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.

12 ORDER OF THE DAY RETURNED TO THE HOUSE

On the motion of Ms Gambaro (Parliamentary Secretary—Foreign Affairs), Main Committee order of the day No. 1, government business, was returned to the House for further consideration and the resumption of the debate made an order of the day for a later hour this day.

13 LOCAL GOVERNMENT—MOTION BY MR LLOYD (MINISTER FOR LOCAL GOVERNMENT, TERRITORIES AND ROADS)—RESUMPTION OF DEBATE

The order of the day having been read for the resumption of the debate on the motion of Mr Lloyd (Minister for Local Government, Territories and Roads)—That this House:

- (1) recognises that local government is part of the governance of Australia, serving communities through locally elected councils;
- (2) values the rich diversity of councils around Australia, reflecting the varied communities they serve;
- (3) acknowledges the role of local government in governance, advocacy, the provision of infrastructure, service delivery, planning, community development and regulation;
- (4) acknowledges the importance of cooperating with and consulting with local government on the priorities of their local communities;
- (5) acknowledges the significant Australian Government funding that is provided to local government to spend on locally determined priorities, such as roads and other local government services; and
- (6) commends local government elected officials who give their time to serve their communities—

And on the amendment moved thereto by Mr Albanese, viz.—That paragraph (1) be omitted and the following paragraph substituted:

“(1) supports a referendum to extend constitutional recognition to local government in recognition of the essential role it plays in the governance of Australia”—

Mr Albanese, by leave, again addressed the House.

Question—That the words proposed to be omitted stand part of the question—put.
The House divided (the Deputy Speaker, Mr Causley, in the Chair)—

AYES, 79

Mr Anderson	Mr Farmer	Ms Ley	Mr Secker
Mr Andrews	Mr Fawcett	Mr Lindsay	Mr Slipper
Fran Bailey	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	Dr Southcott
Mr Barresi	Mrs Gash	Mr McGauran	Dr Stone
Mr Bartlett	Mr Georgiou	Mrs Markus	Mr C. P. Thompson
Mr Billson	Mr Haase	Mrs May	Mr Ticehurst
Mrs B. K. Bishop	Mr Hardgrave	Mr Nairn	Mr Tollner
Ms J. Bishop	Mr Hartsuyker	Dr Nelson	Mr Truss
Mr Broadbent	Mr Henry	Mr Neville*	Mr Tuckey
Mr Brough	Mr Hunt	Mr Pearce	Mr Turnbull
Mr Cadman	Dr Jensen	Mr Prosser	Mr M. A. J. Vaile
Mr Ciobo	Mr Johnson	Mr Pyne	Mrs D. S. Vale
Mr Cobb	Mr Jull	Mr Randall	Mr Vasta
Mr Downer	Mr Katter	Mr Richardson	Mr Wakelin
Mrs Draper	Mr Keenan	Mr Robb	Dr Washer
Mr Dutton	Mrs D. M. Kelly	Mr Ruddock	Mr Windsor
Mrs Elson	Jackie Kelly	Mr Schultz	Mr Wood
Mr Entsch	Mr Laming	Mr Scott	

NOES, 56

Mr Adams	Ms K. M. Ellis	Ms Hoare	Mr Price
Mr Albanese	Mr Emerson	Mrs Irwin	Mr Quick
Mr Beazley	Mr L. D. T. Ferguson	Mr Jenkins	Mr Ripoll
Mr Bevis	Mr M. J. Ferguson	Ms 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	Mr McMullan	Mr S. F. Smith
Mr Byrne	Mr Gibbons	Mr Melham	Mr Snowdon
Ms Corcoran	Ms Gillard	Mr Murphy	Mr Swan
Mr Crean	Mr Griffin	Mr B. P. O'Connor	Mr Tanner
Mr Danby*	Ms Hall*	Mr G. M. O'Connor	Mr K. J. Thomson
Mrs Elliot	Mr Hatton	Ms Owens	Ms Vamvakinou
Ms A. L. Ellis	Mr Hayes	Ms Plibersek	Mr Wilkie

* Tellers

And so it was resolved in the affirmative.

Debate continued.

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

14 BROADCASTING LEGISLATION AMENDMENT (DIGITAL TELEVISION) 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.

Mr Garrett addressing the House—

15 ADJOURNMENT

It being 9 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Debate extended

It being approximately 9.30 p.m., the debate was interrupted.

Mr Truss (Minister for Trade) required the debate to be extended.

The debate continuing until 9.35 p.m., the Speaker adjourned the House until tomorrow at 9 a.m.

DOCUMENTS

The following documents were deemed to have been presented on 17 October 2006:

A New Tax System (Family Assistance) (Administration) Act—Determination—2006 Child Care Benefit (Eligibility of child care services for approval and continued approval) Amendment (No. 2) [F2006L03342].

Banking Act—

Determination—2006 Banking (prudential standard) No. 12 [F2006L03320].

Exemption—2006 No. 2 [F2006L03337].

Census and Statistics Act—Australian Bureau of Statistics—Statement—2006 No. 2.

Civil Aviation Act—

Civil Aviation Regulations—Instruments—2006 Nos CASA 392, CASA 393 [F2006L03376], [F2006L03381].

Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—2006—
10 October [F2006L03363].

12 October [F2006L03382].

Customs Act—Customs (Prohibited Exports) Regulation 13E(1)—2006 Defence and strategic goods list amendment [F2006L03230].

Environment Protection and Biodiversity Conservation Act—Instrument under section 270B—18 July 2006 [F2006L02855].

Financial Management and Accountability Act—

Determination to establish a special account—2006 No. 68 [F2006L03375].

Determination to vary and abolish a special account—2006 No. 65 [F2006L03370].

Insurance Act—Determination—2006 Insurance (prudential standard) No. 9 [F2006L03334].

Life Insurance Act—Determination—2006 Life insurance (prudential standard) No. 3 [F2006L03331].

National Health Act—Determination under paragraph 98B(1)(a)—2006 Pharmaceutical Benefits Amendment No. 2 [F2006L03386].

Taxation Administration Act—Instrument made under section 15-25 of schedule 1—10 October 2006 [F2006L03348].

Therapeutic Goods Act—Notice—2006 Therapeutic Goods (Listing) (No. 4) [F2006L03361].

Torres Strait Fisheries Act—Notice—2006 Fisheries Management No. 72A [F2006L03372].

Veterans' Entitlements Act—Instrument under section 117—2006 No. R27 [F2006L03357].

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Baird, Mr Edwards, Ms Grierson, Mrs Hull, Mr Kerr* and Mrs Moylan.

* On leave

I. C. HARRIS
Clerk of the House of Representatives