

2004-05-06

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 137

WEDNESDAY, 1 NOVEMBER 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 CUSTOMS LEGISLATION AMENDMENT (NEW ZEALAND RULES OF ORIGIN) 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.

Document

Mr Ruddock presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Ruddock 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.

3 ANTI-MONEY LAUNDERING AND COUNTER-TERRORISM FINANCING BILL 2006

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to combat money laundering and the financing of terrorism, and for other purposes.

Document

Mr Ruddock presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Ruddock 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 ANTI-MONEY LAUNDERING AND COUNTER-TERRORISM FINANCING (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 2006

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to deal with transitional and consequential matters in connection with the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*, and for other purposes.

Document

Mr Ruddock presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Ruddock 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.

5 AUSTRALIAN CRIME COMMISSION—PARLIAMENTARY JOINT COMMITTEE—REPORT

Mr Kerr (Deputy Chair) presented the following documents:

Australian Crime Commission—Parliamentary Joint Committee—Examination of the Annual Report for 2004-2005 of the Australian Crime Commission—

Report, October 2006.

Evidence received by the committee.

Ordered—That the report be made a Parliamentary Paper.

6 INSPECTOR OF TRANSPORT SECURITY 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 Mr Bevis, 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:

- (1) notes the failure of the Howard Government to appoint a person as Inspector of Transport Security until one year after the announcement of the position;
- (2) notes that the Howard Government finally committed to underpin this important job with appropriate laws in May of 2005 but has only now introduced legislation into the House for that purpose;
- (3) condemns the slowness with which the Howard Government dealt with the important role of Inspector of Transport Security;
- (4) condemns the Howard Government’s dismissive use of the Inspector of Transport Security who has been engaged on an average of just one day a week in spite of repeated failures in security in the Australian transport sector at the same time as terrorists have targeted aviation and rail transport over years; and
- (5) condemns the Howard Government for its failure to engage the Inspector of the Transport Security in a full time capacity”—

Debate continued.

Amendment negatived.

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

Consideration in detail

Bill, by leave, taken as a whole.

Mr Bevis, by leave, moved Opposition amendments (1) to (68) together.

Question—That the amendments be agreed to—put.

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

AYES, 52

Mr Adams	Mrs Elliot	Mr Hatton	Ms Owens
Mr Albanese	Ms A. L. Ellis	Mr Hayes	Ms Plibersek
Mr Beazley	Ms K. M. Ellis	Ms Hoare	Mr Price
Mr Bevis	Mr Emerson	Mrs Irwin	Mr Quick
Ms Bird	Mr L. D. T. Ferguson	Mr Kerr	Mr Ripoll
Mr Bowen	Mr M. J. Ferguson	Ms Livermore	Ms Roxon
Ms A. E. Burke	Mr Fitzgibbon	Mr McClelland	Mr Sawford
Mr A. S. Burke	Mr Georganas	Ms Macklin	Mr S. F. Smith
Mr Byrne	Ms George	Mr McMullan	Mr Snowdon
Ms Corcoran	Mr Gibbons	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

NOES, 78

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

* Tellers

And so it was negatived.

Bill agreed to.

Consideration in detail concluded.

On the motion of Mr M. A. J. Vaile (Minister for Transport and Regional Services), by leave, the bill was read a third time.

7 INSPECTOR OF TRANSPORT SECURITY (CONSEQUENTIAL PROVISIONS) 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—

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

Leave granted for third reading to be moved immediately.

On the motion of Mr M. A. J. Vaile (Minister for Transport and Regional Services), the bill was read a third time.

8 FINANCIAL TRANSACTION REPORTS AMENDMENT BILL 2006

The order of the day having been read for the second reading—

Document

Mr Ruddock (Attorney-General) presented a revised explanatory memorandum to the bill.

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

Mr Bevis moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “while not declining to give the bill a second reading, the House:

- (1) notes the failure of the Howard Government to draft the *Anti-terrorism Bill (No. 2) 2005* correctly;
- (2) notes that the Howard Government initially attempted to give the *Anti-Terrorism Bill (No.2) 2005* a one-day Senate inquiry, and that the Government finally allowed only a shortened inquiry;
- (3) notes that this bill and its consumption of parliamentary sitting time could have been completely avoided if the Executive would:
 - (a) draft its legislation properly;
 - (b) allow the Senate adequate time for scrutiny of the legislation; and

- (c) consult meaningfully with stakeholders before rushing unworkable and error-riddled legislation through the Senate;
- (4) notes that the Parliament was recalled in late 2005 at great expense to fix improperly drafted anti-terrorism legislation by changing one word;
- (5) criticises the Government for putting Australia's national security at risk through its shoddy drafting and sloppy approach to legislation;
- (6) notes the extended delay in bringing forward the anti-money laundering regime due to botched consultation with affected industries; and
- (7) notes the Howard Government's failure to meet the FATF mutual evaluation on anti-money laundering and counter-terrorism financing, scoring just nine out of 40 on anti-money laundering, and zero out of nine on counter-terrorism financing".

Debate continued.

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 Ruddock, the bill was read a third time.

9 COPYRIGHT 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.

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Ruddock (Attorney-General), the bill was read a third time.

10 MEDIBANK PRIVATE SALE 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.

11 QUESTIONS

Questions without notice being asked—

Members directed to leave

At 2.38 p.m. the Member for Calwell (Ms Vamvakinou) and the Member for Cunningham (Ms Bird) were directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and they accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 2.39 p.m. the Member for Cowan (Mr Edwards) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and he accordingly left the Chamber.

Questions without notice continuing—

Document

Mr Katter, by leave, presented the following document:

Section 457 visas—Copy of Question without notice from Mr Katter to Mr Ruddock (Minister representing the Minister for Immigration and Multicultural Affairs), 1 November 2006.

Questions without notice continuing—

Member directed to leave

At 2.58 p.m. the Member for Lalor (Ms Gillard) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and she accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 3.02 p.m. the Member for Fowler (Mrs Irwin) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and she accordingly left the Chamber.

Questions without notice continued.

12 DOCUMENTS

The following documents were presented:

Aboriginal and Torres Strait Islander Affairs—House of Representatives Standing Committee—Report—Many ways forward: Capacity building and service delivery in Indigenous communities—Government response, August 2006.

Civil Aviation Safety Authority—Report for 2005-06.

Family Court of Australia—Report for 2005-06.

Federal Magistrates Court of Australia—Report for 2005-06.

Services Trust Funds—Report for 2005-06.

Wet Tropics Management Authority—Report and State of the Wet Tropics Report for 2005-06.

13 DOCUMENT—MOTION TO TAKE NOTE OF DOCUMENT

Mr McGauran (Deputy Leader of the House) moved—That the House take note of the following document:

Aboriginal and Torres Strait Islander Affairs—House of Representatives Standing Committee—Report—Many ways forward: Capacity building and service delivery in Indigenous communities—Government response, August 2006.

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

14 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—CLIMATE CHANGE

The House was informed that Mr Albanese had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The need for strong Government leadership to address the real and present threat posed to Australia’s economy and environment by dangerous climate change”.

The proposed discussion having received the necessary support—

Mr Albanese addressed the House.

Discussion ensued.

Member directed to leave

At 3.38 p.m. the Member for Grayndler (Mr Albanese) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair

Member named and suspended

The Deputy Speaker named the Member for Grayndler (Mr Albanese) for defying the Chair.

Mr Andrews (Minister for Employment and Workplace Relations) moved—That the Member for Grayndler be suspended from the service of the House.

Question—put.

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

AYES, 77

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

NOES, 55

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

* Tellers

And so it was resolved in the affirmative.

The Member was, therefore, suspended at 3.50 p.m. for 24 hours under standing order 94, and he accordingly left the Chamber.

Discussion continued.

Discussion concluded.

15 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:

Telecommunications Amendment (Integrated Public Number Database) 2006; and

Financial Sector Legislation Amendment (Trans-Tasman Banking Supervision) 2006.

Question—put and passed.

16 MEDIBANK PRIVATE SALE 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.

Mrs Elliot addressing the House—

17 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 9 a.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 1 November 2006:

Acts Interpretation Act—Statement relating to extension of time for presentation of periodic report—
Tourism Australia—Report for 2005-06.

Murray-Darling Basin Act—Schedule C to Murray-Darling Basin Agreement—Basin salinity management.

ATTENDANCE

All Members attended (at some time during the sitting) except Ms King and Mr Ticehurst.

I. C. HARRIS
Clerk of the House of Representatives

2004-05-06

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 137

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 1 NOVEMBER 2006

1 The Main Committee met at 9.30 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements were made.

3 **AUSTRALIAN CITIZENSHIP 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 A. S. Burke, 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:

- (1) opposes the increase in residence requirement to 4 years;
- (2) notes that the Government consulted with the Council of Australian Governments (COAG) on increasing the period from 2 to 3 years on national security grounds but undertook no consultation on the increase to 4 years and has given no adequate reason for this measure;
- (3) opposes the discriminatory treatment of people who lost their Australian citizenship under section 17 of the old Act (acquisition of citizenship of another country) and those who lost citizenship under section 18 (renouncing of citizenship) given that it fails to provide equitable treatment for a number of groups, but particularly the Maltese community; and
- (4) notes that a stateless person would be denied citizenship if convicted for an offence of greater than 5 years even if it were a trumped up conviction under a brutal and oppressive foreign regime”—

Debate resumed.

Suspension of meeting

At 10.01 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of meeting

At 10.14 a.m., the proceedings were resumed.

Debate continued.

Suspension of meeting

At 1 p.m., the Deputy Speaker left the Chair.

Resumption of meeting

At 4 p.m., the Deputy Speaker resumed the Chair.

Debate continued.

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

4 ADJOURNMENT

On the motion of Mr Neville, the Main Committee adjourned at 7.31 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