

2004-05-06-07

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 148

WEDNESDAY, 7 FEBRUARY 2007

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

2 FAMILY LAW (DIVORCE FEES VALIDATION) BILL 2007

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to validate certain increases in court fees, 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 ACIS ADMINISTRATION AMENDMENT (UNEARNED CREDIT LIABILITY) BILL 2007

Mr Macfarlane (Minister for Industry, Tourism and Resources) presented a Bill for an Act to amend the *ACIS Administration Act 1999*, and for related purposes.

Document

Mr Macfarlane presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Macfarlane 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 HUMAN SERVICES (ENHANCED SERVICE DELIVERY) BILL 2007

Mr Brough (Minister for Families, Community Services and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to enhance the provision of Commonwealth benefits, and for related purposes.

Document

Mr Brough presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Brough 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 SUPERANNUATION LEGISLATION AMENDMENT (SIMPLIFICATION) BILL 2007

Mr Dutton (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the law relating to taxation, superannuation, social security and veterans' entitlements, and for related purposes.

Document

Mr Dutton presented an explanatory memorandum to the following bills:

Superannuation Legislation Amendment (Simplification) 2007;
 Income Tax Amendment 2007;
 Income Tax (Former Complying Superannuation Funds) Amendment 2007;
 Income Tax (Former Non-resident Superannuation Funds) Amendment 2007; and
 Income Tax Rates Amendment (Superannuation) 2007.

Bill read a first time.

Mr Dutton 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.

6 INCOME TAX AMENDMENT BILL 2007

Mr Dutton (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the *Income Tax Act 1986*, and for related purposes.

Bill read a first time.

Mr Dutton 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.

7 INCOME TAX (FORMER COMPLYING SUPERANNUATION FUNDS) AMENDMENT BILL 2007

Mr Dutton (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the *Income Tax (Former Complying Superannuation Funds) Act 1994*, and for related purposes.

Bill read a first time.

Mr Dutton 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.

8 INCOME TAX (FORMER NON-RESIDENT SUPERANNUATION FUNDS) AMENDMENT BILL 2007

Mr Dutton (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the *Income Tax (Former Non-resident Superannuation Funds) Act 1994*, and for related purposes.

Bill read a first time.

Mr Dutton 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.

9 INCOME TAX RATES AMENDMENT (SUPERANNUATION) BILL 2007

Mr Dutton (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the *Income Tax Rates Act 1986*, and for related purposes.

Bill read a first time.

Mr Dutton 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.

10 MIGRATION AMENDMENT (EMPLOYER SANCTIONS) 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 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 is of the opinion that:*

- (1) the Government has failed for more than six years to introduce sanctions for employers who employ unlawful non-citizens and individuals with work restrictions, despite a 1999 Government commissioned inquiry recommending it do so;
- (2) the bill fails to address the need for higher penalties for employers who are repeat offenders under the legislation; and

- (3) the legislation's bar on employer culpability may be too low, the reference to 'the person knows that, or is reckless as to whether, the worker is an unlawful non-citizen' is sufficiently reserved that it may prove difficult to successfully bring sanctions against an employer"—

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 Andrews (Minister for Immigration and Citizenship), the bill was read a third time.

11 TAX LAWS AMENDMENT (2006 MEASURES NO. 7) 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.

Documents

Mr Windsor, by leave, presented the following documents:

Achieving Sustainable Groundwater Entitlements (ASGE) Program—Taxation treatment of payments made under the ASGE Program—Copies of letters from—

Ian MacDonald MLC (unsigned) to Mr Costello, Treasurer.

Mr Dutton, Minister for Revenue and Assistant Treasurer, to Mr Ian MacDonald MLC, 8 June 2006.

Debate continued.

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

Leave granted for third reading to be moved immediately.

On the motion of Mr Dutton (Minister for Revenue and Assistant Treasurer), the bill was read a third time.

12 AUSTRALIAN TECHNICAL COLLEGES (FLEXIBILITY IN ACHIEVING AUSTRALIA'S SKILLS NEEDS) AMENDMENT BILL (NO. 2) 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, the House recognises that the present Government has been complacent and neglectful about the Australian economy by:

- (1) presiding over a skills crisis through its continued failure over more than 10 long years in office to ensure Australians get the training they need to get a skilled job and meet the skills needs of the economy;
- (2) failing to make the necessary investments in our schools and TAFE systems to create opportunities for young Australians to access high quality vocational education and training, including at schools;
- (3) failing to increase the number of school-based traditional apprentices and provide funding support for schools in taking up the places;
- (4) creating expensive, inefficient, stand alone colleges, without cooperation with the States within the existing Vocational Education and Training framework;
- (5) riding roughshod over the States and Territories in establishing these Colleges, despite the role the States and Territories play in vocational education and training;
- (6) making Australian industry wait until 2010 for the Australian Technical Colleges to produce their first qualified tradesperson; and
- (7) failing to provide support to other regions that have skill shortages, but are not listed for a Technical College".

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.

13 QUESTIONS

Questions without notice were asked.

14 DOCUMENT

Mr Howard (Prime Minister) added to an answer to a question without notice and presented the following document:

Nuclear Energy Taskforce Report—Copy of letter from Dr Jim Peacock, Chief Scientist, to Mr Howard (Prime Minister), 21 December 2006.

15 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 24 of 2006–2007—Performance audit—Customs' cargo management re-engineering project: Australian Customs Service.

Report ordered to be made a Parliamentary Paper.

16 DOCUMENTS

The following documents were presented:

Australian Broadcasting Corporation—Report on equity and diversity for 2005-06.

Finance—Mid-year economic and fiscal outlook for 2006-07.

Migration Act 1958—Section 486O—Assessment of detention arrangements—

Government response to the Commonwealth Ombudsman's statements—Personal identifiers 105/06 to 112/06.

Reports by the Commonwealth Ombudsman—Personal identifiers 105/06 to 112/06.

Telecommunications Act 1997—Report on funding of research and consumer representation in relation to telecommunications for 2005-06.

Tobacco Advertising Prohibition Act 1992—Report under section 34A for 2006.

Treaties—*Bilateral*—

Text, together with national interest analyses—Agreement between Australia and the Swiss Confederation on Social Security (Canberra, 9 October 2006).

Text, together with national interest analyses and regulation impact statements—Agreement between the Government of Australia and the Government of Finland for the Avoidance of Double Taxation with respect to Taxes on Income and the Prevention of Fiscal Evasion, and Protocol, done at Melbourne on 20 November 2006.

17 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Finance—Mid-year economic and fiscal outlook for 2006-07.

Tobacco Advertising Prohibition Act 1992—Report under section 34A for 2006.

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

18 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—AUSTRALIA'S ECONOMIC AND ENVIRONMENTAL FUTURE

The House was informed that Mr Garrett had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The Government's decade long scepticism and inaction on climate change, placing at risk Australia's economic and environmental future".

The proposed discussion having received the necessary support—

Mr Garrett addressed the House.

Discussion ensued.

Discussion concluded.

19 MESSAGE FROM THE SENATE

Message No. 440, 7 February 2007, from the Senate was reported returning the Customs Legislation Amendment (Border Compliance and Other Measures) Bill 2006 without amendment.

20 CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT 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 Hockey (Minister for Employment and Workplace Relations), by leave, the bill was read a third time.

21 VETERANS' AFFAIRS LEGISLATION AMENDMENT (STATEMENTS OF PRINCIPLES AND OTHER MEASURES) BILL 2006—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 Mr Hockey (Minister for Employment and Workplace Relations), by leave, the bill was read a third time.

22 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:

Export Finance and Insurance Corporation Amendment 2006; and

Maritime Legislation Amendment (Prevention of Air Pollution from Ships) 2006.

Question—put and passed.

23 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, 12 February 2007.

24 ECONOMICS, FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE

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

Mr Hockey (Minister for Employment and Workplace Relations), by leave, moved—That Mr Fitzgibbon be discharged from the Standing Committee on Economics, Finance and Public Administration and that, in his place, Ms Bird be appointed a member of the committee.

Question—put and passed.

25 AUSTRALIAN TECHNICAL COLLEGES (FLEXIBILITY IN ACHIEVING AUSTRALIA'S SKILLS NEEDS) AMENDMENT BILL (NO. 2) 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 S. F. Smith (see item No. 12, page 1677)*—

Debate resumed.

Mr Price addressing the House—

26 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 7 February 2007:

Defence Act—Determinations under section 58B—

2006—No. 75.

2007—No. 3.

ATTENDANCE

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

I. C. HARRIS
Clerk of the House of Representatives

2004-05-06-07

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 148

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 7 FEBRUARY 2007

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' STATEMENTS

Members' statements were made.

3 CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) 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 the question on the report to be put immediately.

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

4 VETERANS' AFFAIRS LEGISLATION AMENDMENT (STATEMENTS OF PRINCIPLES AND OTHER MEASURES) 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.

Message from the Governor-General

Message No. 246, 13 December 2006, 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 PROCEDURE—STANDING COMMITTEE—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 Mrs May—That the House take note of the document (*presented on 7 December 2006*), viz.—

Procedure—Standing Committee—Encouraging an interactive Chamber—Report, December 2006—

Debate resumed.

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

6 PROCEDURE—STANDING COMMITTEE—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 Mrs May—That the House take note of the document (*presented on 7 December 2006*), viz.—

Procedure—Standing Committee—Motion to suspend standing orders and condemn a Member—Report on events of 10 October 2006, December 2006—

Debate resumed.

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

7 TREATIES—JOINT 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 Dr Southcott—
That the House take note of the document (*presented on 6 December 2006*), viz.—

Treaties—Joint Standing Committee—Report 81—Treaties tabled on 8 August 2006 (2)—Report, incorporating a dissenting report, November 2006—

Debate resumed.

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

8 ADJOURNMENT

On the motion of Mr Neville, the Main Committee adjourned at 12.27 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