

2004-05-06-07

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 164

THURSDAY, 29 MARCH 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 NATIVE TITLE AMENDMENT (TECHNICAL AMENDMENTS) BILL 2007**

Mr Ruddock (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation in relation to native title, 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 Edwards), and the resumption of the debate made an order of the day for the next sitting.

**3 HEALTH INSURANCE AMENDMENT (DIAGNOSTIC IMAGING ACCREDITATION) BILL 2007**

Mr Abbott (Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the *Health Insurance Act 1973*, and for related purposes.

*Document*

Mr Abbott presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**4 HEALTH INSURANCE AMENDMENT (INAPPROPRIATE AND PROHIBITED PRACTICES AND OTHER MEASURES) BILL 2007**

Mr Abbott (Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the law relating to health insurance, and for related purposes.

*Document*

Mr Abbott presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**5 AUSTRALIAN WINE AND BRANDY CORPORATION AMENDMENT BILL (NO. 1) 2007**

Mr McGauran (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to amend the *Australian Wine and Brandy Corporation Act 1980*, and for related purposes.

*Document*

Mr McGauran presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**6 FORESTRY MARKETING AND RESEARCH AND DEVELOPMENT SERVICES BILL 2007**

Mr McGauran (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act relating to service provision for the forestry industry, and for related purposes.

*Document*

Mr McGauran presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**7 FORESTRY MARKETING AND RESEARCH AND DEVELOPMENT SERVICES (TRANSITIONAL AND CONSEQUENTIAL PROVISIONS) BILL 2007**

Mr McGauran (Minister for Agriculture, Fisheries and Forestry), pursuant to notice, presented a Bill for an Act to deal with transitional and consequential matters related to the enactment of the *Forestry Marketing and Research and Development Services Act 2007*, and for related purposes.

*Document*

Mr McGauran presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**8 FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS LEGISLATION AMENDMENT (CHILD SUPPORT REFORM CONSOLIDATION AND OTHER MEASURES) BILL 2007**

Mr Brough (Minister for Families, Community Services and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to amend the law relating to child support, and for other 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 Edwards), and the resumption of the debate made an order of the day for the next sitting.

**9 BUILDING AND CONSTRUCTION INDUSTRY IMPROVEMENT AMENDMENT (OHS) BILL 2007**

Dr Stone (Minister for Workforce Participation), for Mr Hockey (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the *Building and Construction Industry Improvement Act 2005*, and for related purposes.

*Document*

Dr Stone presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**10 INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL (NO. 1) 2007**

Mr Dutton (Minister for Revenue and Assistant Treasurer) presented a Bill for an Act to amend the *International Tax Agreements Act 1953*, and for related purposes.

*Document*

Mr Dutton presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**11 TAX LAWS AMENDMENT (2007 MEASURES NO. 2) BILL 2007**

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.

*Document*

Mr Dutton presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**12 CORPORATIONS (NZ CLOSER ECONOMIC RELATIONS) AND OTHER LEGISLATION AMENDMENT BILL 2007**

Mr Pearce (Parliamentary Secretary to the Treasurer), pursuant to notice, presented a Bill for an Act to amend the law in relation to corporations and trade practices, and for other purposes.

*Document*

Mr Pearce presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**13 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—PROPOSED FIT-OUT OF NEW LEASED PREMISES FOR THE AUSTRALIAN CUSTOMS SERVICE, BRISBANE, QLD**

Mr Lindsay (Parliamentary Secretary to the Minister for Defence), 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 fit-out of new leased premises for the Australian Customs Service, Brisbane, Qld.

Question—put and passed.

**14 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—PROVISION OF FACILITIES FOR PROJECT SINGLE LEAP—PHASE 2**

Mr Lindsay (Parliamentary Secretary to the Minister for Defence), 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 2.

Question—put and passed.

**15 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REFERENCE OF WORK—PROPOSED FIT-OUT OF NEW LEASED PREMISES FOR THE DEPARTMENT OF HEALTH AND AGEING IN THE SIRIUS BUILDING, WODEN TOWN CENTRE, ACT**

Mr Lindsay (Parliamentary Secretary to the Minister for Defence), 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 fit-out of new leased premises for the Department of Health and Ageing in the Sirius Building, Woden Town Centre, ACT.

Question—put and passed.

**16 REDEVELOPMENT OF THE PROPELLANT MANUFACTURING FACILITY AT MULWALA, NSW—APPROVAL OF WORK**

Mr Lindsay (Parliamentary Secretary to the Minister for Defence), 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 the propellant manufacturing facility at Mulwala, NSW.

Question—put and passed.

**17 TAX LAWS AMENDMENT (2006 MEASURES NO. 7) BILL 2006—SENATE'S AMENDMENT**

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

On the motion of Mr Dutton (Minister for Revenue and Assistant Treasurer), the amendment was agreed to, after debate.

**18 SAFETY, REHABILITATION AND COMPENSATION AND OTHER LEGISLATION AMENDMENT BILL 2006—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 Dr Stone (Minister for Workforce Participation), the amendments were agreed to, after debate.

**19 AIRPORTS AMENDMENT BILL 2006—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 Truss (Minister for Trade), the amendments were agreed to, after debate.

**20 MEMBERS' INTERESTS COMMITTEE—DOCUMENTS**

Mr Ciobo (Chair) presented the following documents:

Committee of Members' Interests—

Report on the operations of the Committee for 2006, 28 March 2007.

Minutes of proceedings.

Report ordered to be made a Parliamentary Paper.

Mr Ciobo, by leave, made a statement in connection with the report.

Mr Ciobo presented the following document:

Register of Members' Interests for the 41<sup>st</sup> Parliament—Notifications of alterations of interests received during the period 8 December 2006 to 28 March 2007.

**21 PUBLICATIONS COMMITTEE—REPORT**

Mrs Draper (Chair) presented the following document:

**PUBLICATIONS COMMITTEE REPORT**

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered documents presented to Parliament since 1 March 2007, recommends that the following be made Parliamentary Papers:

Australia and the International Financial Institutions—Report for 2005-06.

Native Title Act—Native title representative body—Ngaanyatjarra Council (Aboriginal Corporation)—Report for 2005-06.

Trish Draper MP

Chair

29 March 2007

On the motion of Mrs Draper, by leave, the report was agreed to.

**22 MESSAGES FROM THE SENATE**

Messages from the Senate, 28 March 2007, were reported:

- (a) returning the Private Health Insurance (Reinsurance Trust Fund Levy) Amendment Bill 2006 and informing the House that the Senate had agreed to the bill as amended by the House at the request of the Senate—Message No. 502; and
- (b) returning the following bills without amendment—Message—  
No. 503—Farm Household Support Amendment 2007.  
No. 504—Migration Legislation Amendment (Information and Other Measures) 2007.

### 23 PRIVILEGES COMMITTEE

The House was informed that the Chief Opposition Whip had nominated Ms A. E. Burke to be a member of the Committee of Privileges in place of Mr McMullan.

Mr Hunt (Parliamentary Secretary to the Minister for Foreign Affairs), by leave, moved—That Mr McMullan be discharged from the Committee of Privileges and that, in his place, Ms A. E. Burke be appointed a member of the committee.

Question—put and passed.

### 24 CORPORATIONS AND FINANCIAL SERVICES—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr Bowen presented the following documents:

Corporations and Financial Services—Parliamentary Joint Committee—Report—Corporations Amendment (Insolvency) Bill 2007 [Exposure Draft]; Corporations and Australian Securities and Investments Commission Amendment Regulations 2007 [Exposure Draft]—  
Report, March 2007.

Evidence received by the committee.

Report ordered to be made a Parliamentary Paper.

Mr Bowen, by leave, made a statement in connection with the report.

### 25 EDUCATION SERVICES FOR OVERSEAS STUDENTS LEGISLATION AMENDMENT BILL 2007

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 Livermore 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 notes that while there is a need to update the requirements for the provision of education to overseas students, it condemns the Government for poor management of the international education industry, including:

- (1) the threat to quality in Australia’s higher education sector as a result of the Government’s cuts to, and lack of investment in Universities, leading to undue reliance by the higher education sector on revenue from international student fees; and
- (2) a lack of action taken in response to recent examples of questionable activity in the overseas student area in both the University and Vocational Education and Training sectors”.

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 Ms J. Bishop (Minister for Education, Science and Training), the bill was read a third time.

### 26 MESSAGE FROM THE SENATE

Message No. 505, 29 March 2007, from the Senate was reported informing the House that Senators Bishop and Crossin had been appointed members of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity.

**27 AGED CARE AMENDMENT (RESIDENTIAL CARE) BILL 2007**

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.

**28 QUESTIONS**

Questions without notice being asked—

*Document*

Fran Bailey (Minister for Small Business and Tourism) presented the following document:

Small business—List of SBC members.

Questions without notice continuing—

*Document*

Ms Gillard, by leave, presented the following document:

Australian workplace agreement—Darrell Lea Chocolate Shops Pty Limited.

Questions without notice continued.

**29 AUDITOR-GENERAL'S REPORT**

The Speaker presented the following document:

Auditor-General—Audit report No. 31 of 2006–2007—Performance audit—The conservation and protection of national threatened species and ecological communities: Department of the Environment and Water Resources.

Ordered to be made a Parliamentary Paper.

**30 DOCUMENTS**

The following documents were presented:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Reports—

Australia's free trade agreements with Singapore, Thailand and the United States: Progress to date and lessons for the future—Government response.

Australia's relationship with the Republic of Korea; and developments on the Korean peninsula—Government response.

Industry and Resources—House of Representatives Standing Committee—Report—Australia's uranium: Greenhouse friendly gas for an energy hungry world—Government response.

**31 DOCUMENT—MOTION TO TAKE NOTE OF DOCUMENT**

Mr Ruddock (Attorney-General) moved—That the House take note of the following document:

Industry and Resources—House of Representatives Standing Committee—Report—Australia's uranium: Greenhouse friendly gas for an energy hungry world—Government response

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

**32 DOCUMENTS**

Mr Ruddock (Attorney-General) presented the following documents:

Petitions not in accord with standing and sessional orders of the House.

**33 SPECIAL ADJOURNMENT**

Mr Ruddock (Attorney-General) moved—That the House, at its rising, adjourn until 2 p.m. on Tuesday, 8 May 2007, unless the Speaker or, in the event of the Speaker being unavailable, the Deputy Speaker, fixes an alternative day or hour of meeting.

Question—put and passed.

**34 LEAVE OF ABSENCE TO ALL MEMBERS**

Mr Ruddock (Attorney-General) moved—That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question—put and passed.

**35 GLOBAL INITIATIVES ON FORESTS AND CLIMATE—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF DOCUMENT**

Mr Turnbull (Minister for the Environment and Water Resources), by leave, made a ministerial statement on global initiatives on forests and climate and presented the following document:

Global initiative on forests and climate—Ministerial statement, 29 March 2007.

Mr Ruddock (Attorney-General) moved—That the House take note of the document.

*Suspension of standing and sessional orders—Time for speech*

Mr Ruddock, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Garrett speaking for a period not exceeding 14 minutes.

Question—put and passed.

Mr Garrett addressed the House.

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

**36 MESSAGES FROM THE SENATE**

Messages from the Senate, 29 March 2007, were reported returning the following bills without amendment:

No. 506—Employment and Workplace Relations Legislation Amendment (Welfare to Work and Vocational Rehabilitation Services) 2006.

No. 507—Corporations Amendment (Takeovers) 2007.

**37 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—DEFENCE BUDGET AND PROCUREMENT POLICY**

The House was informed that Mr Fitzgibbon had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The Government’s failure to properly manage the Defence budget and Defence procurement policy, and its implications for Australia’s national security”.

The proposed discussion having received the necessary support—

Mr Fitzgibbon addressed the House.

Discussion ensued.

Mr Fawcett addressing the House—

**38 ADJOURNMENT**

It being 4.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 5 p.m.—The Speaker adjourned the House until 2 p.m. on Tuesday, 8 May 2007, in accordance with the resolution agreed to this sitting.

**DOCUMENTS**

The following documents were deemed to have been presented on 29 March 2007:

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives—Part 39-105—27 March 2007 [F2007L00844].

## Customs Act—Orders—

Tariff Concession—9 (14) March 2007 [F2007L00763], [F2007L00764], [F2007L00765], [F2007L00767], [F2007L00769], [F2007L00782], [F2007L00785], [F2007L00786], [F2007L00787], [F2007L00788], [F2007L00789], [F2007L00790], [F2007L00791], [F2007L00793].

## Tariff Concession Revocation—2007—

11 March [F2007L00771], [F2007L00772].

16 March [F2007L00780].

## Financial Management and Accountability Act— Net appropriation agreements—2007—

Cancellations under subsection 31 (4)—

Migration review tribunal—12 February [F2007L00818].

Refugee review tribunal—12 February [F2007L00817].

under section 31—12 February 2007 [F2007L00774].

## Fisheries Management Act—Northern Prawn Fishery Management Plan 1995—Directions—2007—

Nos NPF 103, NPF 104, NPF 106 [F2007L00707], [F2007L00710], [F2007L00775].

## Higher Education Funding Act—Declaration under subsection 4(2)—21 March 2007 [F2007L00840].

Higher Education Support Act—Higher education provider—Notice of approval—2007 No. 5 [F2007L00841].

Migration Act—Migration Regulations—Instrument—2007—Classes of persons who may make an internet application for a tourist visa—No. IMMI 07/011 [F2007L00869].

## National Health Act—Determinations under—

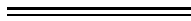
paragraph 98B(1)(a)—2007—Pharmaceutical Benefits—Amendment No. 5 [F2007L00839].

subsection 99L(1)—2007 No. PB 30 [F2007L00828].

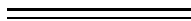
## Public Lending Right Act—Public Lending Right Scheme—2007 Modification No. 1 [F2007L00858].

Radiocommunications Act—Standard—2007—Radiocommunications (Electromagnetic radiation—human exposure) Amendment (No. 1) [F2007L00812].

*Telecommunications Act 1997*—Scheme—2007—Telecommunications Integrated Public Number Database [F2007L00813].

**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Adams, Ms A. E. Burke, Mr Crean, Mr Lloyd, Mr M. A. J. Vaile and Ms Vamvakinou.



**I. C. HARRIS**

Clerk of the House of Representatives