

2010-11

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 80

MONDAY, 21 NOVEMBER 2011

1 The House met, at 10 a.m., pursuant to adjournment. The Speaker (Mr Jenkins) took the Chair, made an acknowledgement of country and read Prayers.

2 PRIVATE MEMBERS' MOTIONS—PRESENTED BY SPEAKER

The Speaker presented copies of the following terms of private Members' motions:

Mr Entsch—Tuberculosis in Papua New Guinea (*see item No. 3, Minutes of Proceedings of the Main Committee*).

Mr Hayes—White Ribbon Day (*see item No. 4, Minutes of Proceedings of the Main Committee*).

Dr Stone—Exceptional Circumstances Exit Grants program (*see item No. 8, Minutes of Proceedings of the Main Committee*).

Mr Georganas—World Osteoporosis Day (*see item No. 9, Minutes of Proceedings of the Main Committee*).

Ms Hall—Meals on Wheels (*see item No. 10, Minutes of Proceedings of the Main Committee*).

In accordance with standing order 41(g) the motions were made orders of the day and referred to the Main Committee.

3 PETITIONS—STANDING COMMITTEE—PRESENTATION OF PETITIONS AND MINISTERS' RESPONSES—STATEMENT BY MEMBER

Mr Murphy (Chair) presented petitions and Ministers' responses to petitions previously presented to the House.

Mr Murphy made a statement in connection with petitions.

4 AUSTRALIAN COMMISSION FOR LAW ENFORCEMENT INTEGRITY—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE

Ms Parke (Chair) presented the following document:

Australian Commission for Law Enforcement Integrity—Parliamentary Joint Committee—Inquiry into integrity testing—Report, November 2011.

In accordance with standing order 39(f) the report was made a Parliamentary Paper.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Ms Parke moved—That the House take note of the report.

In accordance with standing order 39, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

Ms Parke, by leave, moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

5 INTELLIGENCE AND SECURITY—PARLIAMENTARY JOINT COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Mr Byrne (Chair) presented the following document:

Intelligence and Security—Parliamentary Joint Committee—Annual report of committee activities 2010-2011—Report, August 2011.

In accordance with standing order 39(f) the report was made a Parliamentary Paper.

Statements in connection with the report were made.

6 INFRASTRUCTURE AND COMMUNICATIONS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE

Ms Bird (Chair) presented the following documents:

Infrastructure and Communications—Standing Committee—Finding the right balance: Cabin crew ratios on Australian aircraft—

Report, incorporating a dissenting report, October 2011.

Minutes of proceedings.

In accordance with standing order 39(f) the report was made a Parliamentary Paper.

Statements in connection with the report were made.

The time allotted for making statements on the report having expired—

Ms Bird moved—That the House take note of the report.

In accordance with standing order 39, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

Ms Bird, by leave, moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

7 ECONOMICS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE

Ms Owens (Chair) presented the following documents:

Economics—Standing Committee—Review of the Reserve Bank of Australia annual report 2010 (Third report)—

Report, November 2011.

Minutes of proceedings.

In accordance with standing order 39(f) the report was made a Parliamentary Paper.

Statements in connection with the report were made.

Ms Owens moved—That the House take note of the report.

In accordance with standing order 39, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

Ms Owens, by leave, moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

8 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENT BY MEMBER

Mr Symon presented the following document:

Australian Parliamentary Delegation to the 32nd AIPA General Assembly, September 2011—Report, November 2011.

Mr Symon made a statement in connection with the report.

9 POLICE OVERSEAS SERVICE (TERRITORIES OF PAPUA AND NEW GUINEA) MEDAL BILL 2011

Mr Morrison, pursuant to notice, presented a Bill for an Act to propose a Medal which may be awarded to members of Australian police forces who served in the Territories of Papua and New Guinea between 1949 and 1973, and for related purposes.

Mr Morrison made a statement in relation to the bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 41.

10 REDUCING CRIME AND INCARCERATION RATES

Dr Leigh, pursuant to notice, moved—That this House:

- (1) recognises that:
 - (a) the Australian incarceration rate has risen from 117 prisoners per 100,000 adults in 1991 to 172 prisoners per 100,000 adults in 2010;
 - (b) since the Indigenous Deaths in Custody report was released in 1991, the Indigenous incarceration rate has risen from 1,739 prisoners per 100,000 adults to 2,303 prisoners per 100,000 adults; and
 - (c) an increasing number of Australian children have a parent behind bars; and
- (2) encourages governments at all levels to pursue innovative policies to reduce crime and incarceration rates, including:
 - (a) investing in early intervention programs to deter young people from crime;
 - (b) where appropriate, considering alternatives to incarceration such as weekend detention, periodic detention, restorative justice and drug courts;
 - (c) employing smart policing strategies, such as using real-time crime statistics to identify and target crime hotspots;
 - (d) establishing in-prison education, training and rehabilitation programs aimed at reducing recidivism and improving family relationships for prisoners with children; and
 - (e) implementing randomised policy trials (akin to the 1999 NSW Drug Court randomised trial) to rigorously evaluate the impact of criminal justice interventions.

Debate ensued.

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

11 AFGHANISTAN—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE

Ms Gillard (Prime Minister), by leave, made a ministerial statement on Afghanistan and presented the following document:

Afghanistan—Prime Ministerial statement, 21 November 2011.

Suspension of standing and sessional orders—Time for speech

Mr Albanese (Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Abbott (Leader of the Opposition) speaking for a period not exceeding 37 minutes.

Question—put and passed.

Mr Abbott addressed the House.

Mr Albanese moved—That the House take note of the document.

Debate adjourned and the resumption of the debate made an order of the day for a later hour this day.

Mr Albanese, by leave, moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

12 COMMITTEES—MEMBERSHIP

The House was informed that the Chief Government Whip and the Chief Opposition Whip had nominated Members to be members of certain committees.

Mr Albanese (Leader of the House), by leave, moved—That:

- (1) Ms Rowland be discharged from the Joint Standing Committee on the National Broadband Network and that, in her place, Ms Rishworth be appointed a member of the committee; and

- (2) Mr Turnbull be appointed a supplementary member of the Standing Committee on Infrastructure and Communications for the purpose of the committee's inquiry into the Telecommunications Universal Service Management Agency Bill 2011, Telecommunications Legislation Amendment (Universal Service Reform) Bill 2011 and Telecommunications (Industry Levy) Bill 2011.

Question—put and passed.

13 BILLS REFERRED TO MAIN COMMITTEE

Mr Albanese (Leader of the House) moved—That the following bills be referred to the Main Committee for further consideration:

Defence Trade Controls 2011;

Customs Amendment (Military End-Use) 2011;

Offshore Petroleum and Greenhouse Gas Storage Amendment (Significant Incident Directions) 2011; and

Broadcasting Services Amendment (Review of Future Uses of Broadcasting Services Bands Spectrum) 2011.

Question—put and passed.

14 TIME AND ORDER OF BUSINESS FOR TUESDAY, 22 NOVEMBER 2011

Mr Albanese (Leader of the House), by leave, moved—That the time and order of business for the sitting tomorrow, Tuesday, 22 November 2011, be as follows, unless otherwise ordered:

- (a) the House, at its rising, adjourn until tomorrow at 9 a.m.;
- (b) government business have priority from 9 a.m. until 2 p.m.;
- (c) during the period from 9 a.m. until 2 p.m. any division on a question called for in the House, other than on a motion moved by a Minister, shall stand deferred until the conclusion of the discussion of a matter of public importance;
- (d) during the period from 9 a.m. until 2 p.m., if any member draws the attention of the Speaker to the state of the House, the Speaker shall announce that he will count the House after the conclusion of the discussion of a matter of public importance if the member then so desires; and
- (e) standing orders 31 (automatic adjournment of the House) and 33 (limit on business after normal time of adjournment) be suspended for the sitting.

Question—put and passed.

15 ECONOMICS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS

Ms Owens (Chair) presented the following documents:

Economics—Standing Committee—Advisory report on the Minerals Resource Rent Tax Bill 2011 and related bills—

Report, incorporating a dissenting report, November 2011.

Minutes of proceedings.

In accordance with standing order 39(f) the report was made a Parliamentary Paper.

Ms Owens and Ms O'Dwyer, by leave, made statements in connection with the report.

16 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—STATEMENT BY MEMBER

Mr Danby (Chair), by leave, made a statement relating to the inquiry by the Joint Standing Committee on Foreign Affairs, Defence and Trade into the Defence Trade Controls Bill 2011 and Customs Amendment (Military End-Use) Bill 2011 discharging the committee's requirement to provide a report.

Document

Mr Danby, by leave, presented the following document:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Customs Amendment (Military End-Use) Bill 2011 and Defence Trade Controls Bill 2011—Statement, 21 November 2011.

17 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

Messages from Her Excellency the Governor-General were announced informing the House that Her Excellency, in the name of Her Majesty, had assented to the following bills:

3 November 2011—Message—

No. 133—

Business Names Registration 2011.

Business Names Registration (Transitional and Consequential Provisions) 2011.

Business Names Registration (Fees) 2011.

No. 134—

Tax Laws Amendment (2011 Measures No. 6) 2011.

Higher Education Legislation Amendment (Student Services and Amenities) 2011.

18 MESSAGES FROM THE SENATE

Messages from the Senate were reported returning the following bills without amendments or requests:

8 November 2011—Message—

No. 230—Clean Energy 2011.

No. 231—Clean Energy (Consequential Amendments) 2011.

No. 232—Clean Energy (Income Tax Rates Amendments) 2011.

No. 233—Clean Energy (Household Assistance Amendments) 2011.

No. 234—Clean Energy (Tax Laws Amendments) 2011.

No. 235—Clean Energy (Fuel Tax Legislation Amendment) 2011 (*without requests*).

No. 236—Clean Energy (Customs Tariff Amendment) 2011 (*without requests*).

No. 237—Clean Energy (Excise Tariff Legislation Amendment) 2011 (*without requests*).

No. 238—Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment 2011 (*without requests*).

No. 239—Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment 2011 (*without requests*).

No. 240—Clean Energy (Unit Shortfall Charge—General) 2011 (*without requests*).

No. 241—Clean Energy (Unit Issue Charge—Auctions) 2011 (*without requests*).

No. 242—Clean Energy (Unit Issue Charge—Fixed Charge) 2011 (*without requests*).

No. 243—Clean Energy (International Unit Surrender Charge) 2011 (*without requests*).

No. 244—Clean Energy (Charges—Customs) 2011 (*without requests*).

No. 245—Clean Energy (Charges—Excise) 2011 (*without requests*).

No. 246—Clean Energy Regulator 2011.

No. 247—Climate Change Authority 2011.

9 November 2011—Message—

No. 248—Steel Transformation Plan 2011.

No. 249—Australian Renewable Energy Agency 2011.

No. 250—Australian Renewable Energy Agency (Consequential Amendments and Transitional Provisions) 2011.

10 November 2011—Message—

No. 251—Excise Tariff Amendment (Condensate) 2011.

No. 252—Excise Legislation Amendment (Condensate) 2011.

No. 254—Trade Marks Amendment (Tobacco Plain Packaging) 2011.

19 MESSAGE FROM THE SENATE—TOBACCO PLAIN PACKAGING BILL 2011

Message No. 253, 10 November 2011, from the Senate was reported returning the Tobacco Plain Packaging Bill 2011 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Ms Roxon (Minister for Health and Ageing), the amendments were agreed to, after debate.

20 MINERALS RESOURCE RENT TAX BILL 2011

MINERALS RESOURCE RENT TAX (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL 2011

MINERALS RESOURCE RENT TAX (IMPOSITION—GENERAL) BILL 2011

MINERALS RESOURCE RENT TAX (IMPOSITION—CUSTOMS) BILL 2011

MINERALS RESOURCE RENT TAX (IMPOSITION—EXCISE) BILL 2011

PETROLEUM RESOURCE RENT TAX ASSESSMENT AMENDMENT BILL 2011

PETROLEUM RESOURCE RENT TAX (IMPOSITION—GENERAL) BILL 2011

PETROLEUM RESOURCE RENT TAX (IMPOSITION—CUSTOMS) BILL 2011

PETROLEUM RESOURCE RENT TAX (IMPOSITION—EXCISE) BILL 2011

TAX LAWS AMENDMENT (STRONGER, FAIRER, SIMPLER AND OTHER MEASURES) BILL 2011

SUPERANNUATION GUARANTEE (ADMINISTRATION) AMENDMENT BILL 2011

In accordance with the resolution agreed to on 2 November 2011 (*see item No. 13, page 1033*)—

The order of the day having been read for the resumption of the debate on the question—That the bills be now read a second time—

Debate resumed.

Mr A. D. H. Smith addressing the House—

It being 1.45 p.m., the debate was interrupted in accordance with standing order 43, Mr A. D. H. Smith was granted leave to continue his speech when the debate is resumed, and the resumption of the debate made an order of the day for a later hour this day.

21 MEMBERS' STATEMENTS

Members' statements were made.

22 MINISTERIAL ARRANGEMENTS

Ms Gillard (Prime Minister) informed the House that, during the absence overseas of Mr McClelland (Attorney-General), Mr O'Connor (Minister for Home Affairs) would answer questions on his behalf.

23 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 2.39 p.m. the Member for Mackellar (Mrs B. K. Bishop) was directed, under standing order 94, to leave the Chamber for one hour for disorderly conduct, and she accordingly left the Chamber.

Questions without notice continuing—

Suspension of standing and sessional orders moved

Mr Abbott (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Warringah moving immediately—That this House censures the Prime Minister for misleading the Parliament about her discredited carbon tax when she said in an answer earlier today that “it is wrong to suggest that the Treasury modelling of the Government’s clean energy future programme depends on the United States putting a price on carbon” when her own same Treasury modelling says, on page 111, that “the modelling assumes comparable carbon pricing in other major economies from 2015-16”.

Debate ensued.

The time allowed by standing order 1 for debate on the motion having expired—

Question—put.

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

AYES, 71

Mr Abbott	Mr Fletcher	Mr Macfarlane	Mr Schultz
Mr Alexander	Mr Forrest	Ms Marino	Mr Scott
Mr K. J. Andrews	Mr Frydenberg	Mrs Markus	Mr Secker*
Mrs K. L. Andrews	Ms Gambaro	Mr Matheson	Mr Simpkins
Mr Baldwin	Mrs Gash	Mrs Mirabella	Mr Slipper
Mr Billson	Mrs Griggs	Mr Morrison	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Somlyay
Ms J. I. Bishop	Mr A. G. Hawke	Mr Neville	Dr Southcott
Mr Briggs	Mr Hockey	Mr O'Dowd	Dr Stone
Mr Broadbent	Mr Hunt	Ms O'Dwyer	Mr Tehan
Mr Buchholz	Mr Irons	Mrs Prentice	Mr Truss
Mr Chester	Dr Jensen	Mr Pyne	Mr Tudge
Mr Christensen	Mr E. T. Jones	Mr Ramsey	Mr Turnbull
Mr Cobb	Mr Keenan	Mr Randall	Mr van Manen
Mr Coulton*	Mr C. Kelly	Mr Robb	Mr Vasta
Mr Crook	Mr Laming	Mr Robert	Dr Washer
Mr Dutton	Ms Ley	Mr Wyatt Roy	Mr Wyatt
Mr Entsch	Mr McCormack	Mr Ruddock	

NOES, 73

Mr Adams	Mr Dreyfus	Ms King	Ms Rowland
Mr Albanese	Mrs Elliot	Dr Leigh	Ms Roxon
Mr Bandt	Ms Ellis	Ms Livermore	Mr Rudd
Ms Bird	Dr Emerson	Mr Lyons	Ms Saffin
Mr Bowen	Mr L. D. T. Ferguson	Ms Macklin	Mr Shorten
Mr Bradbury	Mr M. J. Ferguson	Mr Marles	Mr Sidebottom
Ms Brodtmann	Mr Fitzgibbon	Mr Melham	Mr S. F. Smith
Ms A. E. Burke	Mr Garrett	Mr Mitchell	Ms Smyth
Mr A. S. Burke	Mr Georganas	Mr Murphy	Mr Snowdon
Mr Butler	Mr Gibbons	Mr Neumann	Mr Swan
Mr Byrne	Ms Gillard	Mr Oakeshott	Mr Symon
Mr Champion	Mr Gray	Mr O'Connor	Mr C. R. Thomson
Mr Cheeseman	Ms Grierson	Ms O'Neill	Ms Vamvakinou
Mr Clare	Mr Griffin	Ms Owens	Mr Wilkie
Ms Collins	Ms Hall*	Ms Parke	Mr Windsor
Mr Combet	Mr Hayes	Mr Perrett	Mr Zappia
Mr Crean	Mr Husic*	Ms Plibersek	
Mr Danby	Mr S. P. Jones	Mr Ripoll	
Mrs D'Ath	Dr M. J. Kelly	Ms Rishworth	

* Tellers

Pairs

Mr K. J. Thomson	Mr Ciobo
Mr McClelland	Mr Haase

And so it was negatived.

 Questions without notice concluded.
24 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 12 of 2011–2012—Performance audit—Implementation of the National Partnership Agreement on remote Indigenous housing in the Northern Territory.

Ordered to be made a Parliamentary Paper.

25 DOCUMENTS

The following documents were presented:

Australian Electoral Commission—Funding and disclosure report—Election 2010.

Australian Fisheries Management Authority—Report for 2010-11.

Australian Health Practitioner Regulation Agency—Report for 2010-11.

Australian Prudential Regulation Authority—Report for 2010-11.

Australian Strategic Policy Institute—Report for 2010-11.

Communications, Information Technology and the Arts—House of Representatives Standing Committee—Report—Digital television: Who's buying it?—Government response.

Crimes Act 1914—Review of the operation of subdivision A of division 6 of part VIIC of the Act—Final report, September 2011.

Defence Housing Australia—Report for 2010-11.

Gene Technology Regulator—Quarterly report for the period 1 April to 30 June 2011.

Great Barrier Reef Marine Park Authority—Report for 2010-11.

High Court of Australia—Report for 2010-11.

Indigenous Land Corporation—Report for 2010-11.

Private Health Insurance Administration Council—Report for 2010-11.

Repatriation Medical Authority—Report for 2010-11.

Royal Australian Air Force Welfare Recreational Company—Report for 2010-11.

Safe Work Australia—Report for 2010-11.

Services Trust Funds—Report for 2010-11.

Sydney Airport Demand Management Act—Quarterly report on movement cap for Sydney airport for the period 1 July to 30 September 2011.

Telecommunications (Interception and Access) Act 1979—Report on the operation of the Act for 2010-11—Corrigendum.

Tiwi Land Council—Report for 2010-11.

Torres Strait Regional Authority—Report for 2010-11.

Treaties—*Multilateral—Text, together with national interest analysis*—Anti-Counterfeiting Trade Agreement, done at Tokyo on 1 October 2011.

Wheat Exports Australia—Report for 2010-11.

26 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Australian Electoral Commission—Funding and disclosure report—Election 2010.

Australian Prudential Regulation Authority—Report for 2010-11.

Communications, Information Technology and the Arts—House of Representatives Standing Committee—Report—Digital television: Who's buying it?—Government response.

Crimes Act 1914—Review of the operation of subdivision A of division 6 of part VIIC of the Act—Final report, September 2011.

Great Barrier Reef Marine Park Authority—Report for 2010-11.

Safe Work Australia—Report for 2010-11.

Sydney Airport Demand Management Act—Quarterly report on movement cap for Sydney airport for the period 1 July to 30 September 2011.

Telecommunications (Interception and Access) Act 1979—Report on the operation of the Act for 2010-11—Corrigendum.

Torres Strait Regional Authority—Report for 2010-11.

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

27 MESSAGE FROM THE SENATE

Message No. 257, 21 November 2011, from the Senate was reported returning the Social Security and Other Legislation Amendment Bill 2011 without amendment.

28 MESSAGE FROM THE SENATE—BUSINESS NAMES REGISTRATION (APPLICATION OF CONSEQUENTIAL AMENDMENTS) BILL 2011

Message No. 256, 21 November 2011, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to deal with consequential matters in connection with the *Business Names Registration Act 2011* and the *Business Names Registration (Transitional and Consequential Provisions) Act 2011*, 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.

29 CLIMATE CHANGE, ENVIRONMENT AND THE ARTS—STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr Zappia (Chair) presented the following documents:

Climate Change, Environment and the Arts—Standing Committee—Advisory report on the Offshore Petroleum and Greenhouse Gas Storage Amendment (Significant Incident Directions) Bill 2011—Report, November 2011.

Minutes of proceedings.

In accordance with standing order 39(f) the report was made a Parliamentary Paper.

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

30 MINERALS RESOURCE RENT TAX BILL 2011

MINERALS RESOURCE RENT TAX (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL 2011

MINERALS RESOURCE RENT TAX (IMPOSITION—GENERAL) BILL 2011

MINERALS RESOURCE RENT TAX (IMPOSITION—CUSTOMS) BILL 2011

MINERALS RESOURCE RENT TAX (IMPOSITION—EXCISE) BILL 2011

PETROLEUM RESOURCE RENT TAX ASSESSMENT AMENDMENT BILL 2011

PETROLEUM RESOURCE RENT TAX (IMPOSITION—GENERAL) BILL 2011

PETROLEUM RESOURCE RENT TAX (IMPOSITION—CUSTOMS) BILL 2011

PETROLEUM RESOURCE RENT TAX (IMPOSITION—EXCISE) BILL 2011

TAX LAWS AMENDMENT (STRONGER, FAIRER, SIMPLER AND OTHER MEASURES) BILL 2011

SUPERANNUATION GUARANTEE (ADMINISTRATION) AMENDMENT BILL 2011

In accordance with the resolution agreed to on 2 November 2011 (*see item No. 13, page 1033*)—

The order of the day having been read for the resumption of the debate on the question—That the bills be now read a second time—

Debate resumed.

Debate adjourned (Ms Collins—Parliamentary Secretary for Community Services), and the resumption of the debate made an order of the day for a later hour this day.

31 TAX LAWS AMENDMENT (2011 MEASURES NO. 8) BILL 2011

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. 135, 14 October 2011, from Her Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Consideration in detail

Bill, by leave, taken as a whole.

Document

Mr Shorten (Minister for Financial Services and Superannuation) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Shorten, by leave, Government amendments (1) and (2) were made together, after debate.

Mr Hockey, by leave, moved Opposition amendments (1) and (2) together.

Debate continued.

Question—That the amendments be agreed to—put.

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

AYES, 70

Mr Alexander	Mr Forrest	Ms Marino	Mr Scott
Mr K. J. Andrews	Mr Frydenberg	Mrs Markus	Mr Secker*
Mrs K. L. Andrews	Ms Gambaro	Mr Matheson	Mr Simpkins
Mr Baldwin	Mrs Gash	Mrs Mirabella	Mr Slipper
Mr Billson	Mrs Griggs	Mr Morrison	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Somlyay
Ms J. I. Bishop	Mr A. G. Hawke	Mr Neville	Dr Southcott
Mr Briggs	Mr Hockey	Mr O'Dowd	Dr Stone
Mr Broadbent	Mr Hunt	Ms O'Dwyer	Mr Tehan
Mr Buchholz	Mr Irons	Mrs Prentice	Mr Truss
Mr Chester	Dr Jensen	Mr Pyne	Mr Tudge
Mr Christensen	Mr E. T. Jones	Mr Ramsey	Mr Turnbull
Mr Cobb	Mr Keenan	Mr Randall	Mr van Manen
Mr Coulton*	Mr C. Kelly	Mr Robb	Mr Vasta
Mr Crook	Mr Laming	Mr Robert	Dr Washer
Mr Dutton	Ms Ley	Mr Wyatt Roy	Mr Wyatt
Mr Entsch	Mr McCormack	Mr Ruddock	
Mr Fletcher	Mr Macfarlane	Mr Schultz	

NOES, 73

Mr Adams	Mr Dreyfus	Ms King	Ms Rowland
Mr Albanese	Mrs Elliot	Dr Leigh	Ms Roxon
Mr Bandt	Ms Ellis	Ms Livermore	Mr Rudd
Ms Bird	Dr Emerson	Mr Lyons	Ms Saffin
Mr Bowen	Mr L. D. T. Ferguson	Ms Macklin	Mr Shorten
Mr Bradbury	Mr M. J. Ferguson	Mr Marles	Mr Sidebottom
Ms Brodtmann	Mr Fitzgibbon	Mr Melham	Mr S. F. Smith
Ms A. E. Burke	Mr Garrett	Mr Mitchell	Ms Smyth
Mr A. S. Burke	Mr Georganas	Mr Murphy	Mr Snowdon
Mr Butler	Mr Gibbons	Mr Neumann	Mr Swan
Mr Byrne	Mr Gray	Mr Oakeshott	Mr Symon
Mr Champion	Ms Grierson	Mr O'Connor	Mr C. R. Thomson
Mr Cheeseman	Mr Griffin	Ms O'Neill	Ms Vamvakinou
Mr Clare	Ms Hall*	Ms Owens	Mr Wilkie
Ms Collins	Mr Hayes	Ms Parke	Mr Windsor
Mr Combet	Mr Husic*	Mr Perrett	Mr Zappia
Mr Crean	Mr S. P. Jones	Ms Plibersek	
Mr Danby	Mr Katter	Mr Ripoll	
Mr D'Ath	Dr M. J. Kelly	Ms Rishworth	

* Tellers

Pairs

Ms Gillard	Mr Abbott
Mr K. J. Thomson	Mr Ciobo
Mr McClelland	Mr Haase

And so it was negatived.

Question—That the bill, as amended, be agreed to—put.

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

AYES, 73

Mr Adams	Mr Dreyfus	Ms King	Ms Rowland
Mr Albanese	Mrs Elliot	Dr Leigh	Ms Roxon
Mr Bandt	Ms Ellis	Ms Livermore	Mr Rudd
Ms Bird	Dr Emerson	Mr Lyons	Ms Saffin
Mr Bowen	Mr L. D. T. Ferguson	Ms Macklin	Mr Shorten
Mr Bradbury	Mr M. J. Ferguson	Mr Marles	Mr Sidebottom
Ms Brodtmann	Mr Fitzgibbon	Mr Melham	Mr S. F. Smith
Ms A. E. Burke	Mr Garrett	Mr Mitchell	Ms Smyth
Mr A. S. Burke	Mr Georganas	Mr Murphy	Mr Snowdon
Mr Butler	Mr Gibbons	Mr Neumann	Mr Swan
Mr Byrne	Mr Gray	Mr Oakeshott	Mr Symon
Mr Champion	Ms Grierson	Mr O'Connor	Mr C. R. Thomson
Mr Cheeseman	Mr Griffin	Ms O'Neill	Ms Vamvakinou
Mr Clare	Ms Hall*	Ms Owens	Mr Wilkie
Ms Collins	Mr Hayes	Ms Parke	Mr Windsor
Mr Combet	Mr Husic*	Mr Perrett	Mr Zappia
Mr Crean	Mr S. P. Jones	Ms Plibersek	
Mr Danby	Mr Katter	Mr Ripoll	
Mr D'Ath	Dr M. J. Kelly	Ms Rishworth	

NOES, 70

Mr Alexander	Mr Forrest	Ms Marino	Mr Scott
Mr K. J. Andrews	Mr Frydenberg	Mrs Markus	Mr Secker*
Mrs K. L. Andrews	Ms Gambaro	Mr Matheson	Mr Simpkins
Mr Baldwin	Mrs Gash	Mrs Mirabella	Mr Slipper
Mr Billson	Mrs Griggs	Mr Morrison	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr Hartsuyker	Mrs Moylan	Mr Somlyay
Ms J. I. Bishop	Mr A. G. Hawke	Mr Neville	Dr Southcott
Mr Briggs	Mr Hockey	Mr O'Dowd	Dr Stone
Mr Broadbent	Mr Hunt	Ms O'Dwyer	Mr Tehan
Mr Buchholz	Mr Irons	Mrs Prentice	Mr Truss
Mr Chester	Dr Jensen	Mr Pyne	Mr Tudge
Mr Christensen	Mr E. T. Jones	Mr Ramsey	Mr Turnbull
Mr Cobb	Mr Keenan	Mr Randall	Mr van Manen
Mr Coulton*	Mr C. Kelly	Mr Robb	Mr Vasta
Mr Crook	Mr Laming	Mr Robert	Dr Washer
Mr Dutton	Ms Ley	Mr Wyatt Roy	Mr Wyatt
Mr Entsch	Mr McCormack	Mr Ruddock	
Mr Fletcher	Mr Macfarlane	Mr Schultz	

* Tellers

Pairs

Ms Gillard	Mr Abbott
Mr K. J. Thomson	Mr Ciobo
Mr McClelland	Mr Haase

And so it was resolved in the affirmative.

Consideration in detail concluded.

On the motion of Mr Shorten, by leave, the bill was read a third time.

32 DEFENCE TRADE CONTROLS BILL 2011—REPORT FROM MAIN COMMITTEE

The 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 Shorten (Minister for Financial Services and Superannuation), by leave, the bill was read a third time.

33 CUSTOMS AMENDMENT (MILITARY END-USE) BILL 2011—REPORT FROM MAIN COMMITTEE

The 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 Shorten (Minister for Financial Services and Superannuation), by leave, the bill was read a third time.

34 MINERALS RESOURCE RENT TAX BILL 2011

MINERALS RESOURCE RENT TAX (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL 2011

MINERALS RESOURCE RENT TAX (IMPOSITION—GENERAL) BILL 2011

MINERALS RESOURCE RENT TAX (IMPOSITION—CUSTOMS) BILL 2011

MINERALS RESOURCE RENT TAX (IMPOSITION—EXCISE) BILL 2011

PETROLEUM RESOURCE RENT TAX ASSESSMENT AMENDMENT BILL 2011

PETROLEUM RESOURCE RENT TAX (IMPOSITION—GENERAL) BILL 2011

PETROLEUM RESOURCE RENT TAX (IMPOSITION—CUSTOMS) BILL 2011

PETROLEUM RESOURCE RENT TAX (IMPOSITION—EXCISE) BILL 2011

TAX LAWS AMENDMENT (STRONGER, FAIRER, SIMPLER AND OTHER MEASURES) BILL 2011

SUPERANNUATION GUARANTEE (ADMINISTRATION) AMENDMENT BILL 2011

In accordance with the resolution agreed to on 2 November 2011 (*see item No. 13, page 1033*)—

The order of the day having been read for the resumption of the debate on the question—That the bills be now read a second time—

Debate resumed.

It being 8 p.m., the debate was interrupted in accordance with standing order 34, and the resumption of the debate made an order of the day for the next sitting.

35 SREBRENICA REMEMBRANCE

Mr Danby, pursuant to notice, moved—That this House notes that:

- (1) on 11 July 1995, the Bosnian town of Srebrenica which was at that time proclaimed a Protected Zone by a United Nations Security Council Resolution of 16 April 1993, fell into the hands of the Army of Republika Srpska, led by General Ratko Mladic and under the direction of the then President of the Republika Srpska, Radovan Karadzic;
- (2) from 12 July 1995, the Army and the Police of Republika Srpska separated men aged 16 to approximately 60 or 70 from their families;
- (3) Bosnian Serb forces killed over 7,000 Bosnian Muslim men following the takeover of Srebrenica in July 1995;
- (4) all the executions systematically targeted Bosnian Muslim men of military age, regardless of whether they were civilians or soldiers;
- (5) the acts committed at Srebrenica were committed with the specific intent to destroy in part, the group of Muslims of Bosnia and Herzegovina;
- (6) these were acts of genocide, committed by members of the Army of Republika Srpska in and around Srebrenica from about 13 July 1995;
- (7) these findings have been confirmed by the International Court of Justice and the International Criminal Tribunal for the former Yugoslavia through final and binding judgments; and
- (8) the House should recognise 11 July as Srebrenica Remembrance Day in memorial of the genocide at Srebrenica in July 1995.

Debate ensued.

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

36 BURN INJURY PREVENTION

Mr Georganas, pursuant to notice, moved—That this House:

- (1) commemorates the ninth anniversary of the 12 October 2002 Bali bombings in which 202 people including 88 Australians died and 240 sustained injuries;
- (2) notes that as a result of the attacks, survivor Julian Burton OAM was inspired to found Australia's first burn injury organisation, the Julian Burton Burns Trust;
- (3) commends the work of the Julian Burton Burns Trust in implementing burn injury prevention programs, care and support services for burns patients and their families, and advancing world class research into burns treatment;
- (4) recognises that:
 - (a) 220,000 Australians will suffer a burn injury every year;
 - (b) Indigenous people living in remote areas are up to 25 times more likely to suffer a serious burns injury than those living in metropolitan areas;
 - (c) burn injuries cost the Australian Government \$1.5 billion annually in health care costs; and
 - (d) the vast majority of burn injuries are preventable; and
- (5) supports the establishment of a national burn injury prevention plan to reduce the incidence of burns in Australia and improve research, treatment and outcomes for burns patients.

Debate ensued.

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

37 ADJOURNMENT

Mr Bradbury (Parliamentary Secretary to the Treasurer) moved—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 10.29 p.m., adjourned until 9 a.m. tomorrow, in accordance with the resolution agreed to this sitting.

DOCUMENTS

The following documents were deemed to have been presented on 21 November 2011:

Airspace Act—Airspace Regulations—Instruments—2011 Nos CASA OAR 152, CASA OAR 153 [F2011L02379], [F2011L02377].

Australian Meat and Live-stock Industry Act—Orders—2011—

Beef export to the USA—Quota year 2012 [F2011L02386].

Sheepmeat and goatmeat export to the European Union—Quota year 2012 [F2011L02389].

Civil Aviation Act—

Civil Aviation Regulations—

Civil Aviation Order—2011—100.6—Repeal [F2011L02390].

Instruments—2011 Nos CASA 461, CASA 462 [F2011L02368], [F2011L02367].

Civil Aviation Regulations and Civil Aviation Safety Regulations—Instrument—2011 No. CASA 442 [F2011L02376].

Civil Aviation Safety Regulations—Airworthiness Directives under Part 39.001(1)—Revocation—2011 No. CASA ADCX 24 [F2011L02319].

Education Services for Overseas Students Act—Determination—Designated authority—2011 No. 2 [F2011L02388].

Environment Protection and Biodiversity Conservation Act—Instrument under section 303DC—16 November 2011 [F2011L02385].

Excise Act—Determinations—2011—

Volume of liquid fuels—Temperature correction (No. 1) [F2011L02373].

Volume of LPG—Temperature and pressure correction (No. 1) [F2011L02378].

Fisheries Management Act—Northern Prawn Fishery Management Plan 1995—Direction—2011 No. NPF 154 [F2011L02369].

Food Standards Australia New Zealand Act—Food Standards—2011—

Application A1041—Food derived from SDA soybean line MON87769—Variation [F2011L02372].

Application A1046—Food derived from Herbicide-tolerant soybean line DAS-68416-4—Variation [F2011L02370].

Application A1047—Sodium carboxymethylcellulose as a food additive in wine—Variation [F2011L02371].

Parliament Act—Parliamentary Zone—Proposal, together with supporting documentation, for south west forecourt landscape works and parking mitigation strategy, High Court of Australia.

Radiocommunications Act—Determinations—2011—

Licence conditions (Aeronautical licence)—Amendment (No. 1) [F2011L02383].

Licence conditions (Aircraft licence) (No. 1) [F2011L02381].

PMTS Jamming devices—Visiting forces and suppliers exemption [F2011L02382].

Remuneration Tribunal Act—Remuneration Tribunal—Determination—2011 No. 23 [F2011L02384].

Safety, Rehabilitation and Compensation Act—Guide to the assessment of the degree of permanent impairment—Edition 2.1 [F2011L02375].

Seafarers Rehabilitation and Compensation Act—Guide to the assessment of the degree of permanent impairment—Edition 2.1 [F2011L02387].

Sydney Airport Curfew Act—Dispensation—2011 No. 7.

Telecommunications Act 1997—

Declaration—2011 Listed infringement notice provisions [F2011L02374].

Guidelines—2011 Infringement notices [F2011L02380].

ATTENDANCE

All Members attended (at some time during the sitting) except *Mr Ciobo, Mr Haase, Mr McClelland and *Mr K. J. Thomson.

* On leave

B. C. WRIGHT
Clerk of the House of Representatives

2010-11

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 80

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

MONDAY, 21 NOVEMBER 2011

1 The Main Committee met at 10.30 a.m.

2 MEMBERS' CONSTITUENCY STATEMENTS

Members' constituency statements were made.

3 TUBERCULOSIS IN PAPUA NEW GUINEA

The order of the day having been read for the resumption of the debate on the motion of Mr Entsch—
That this House:

- (1) acknowledges the scale of the tuberculosis threat to Papua New Guinea, and the mortality, morbidity, economic and social costs, and risk to Australia if this threat is not managed;
- (2) notes that since 1978, the Torres Strait Islands Treaty has included Commonwealth compensation for the impacts of the care of Papua New Guinea nationals on the Queensland health system;
- (3) condemns both the Federal and Queensland governments for indicating they will terminate the tuberculosis clinics on Saibai and Boigu islands which currently provide vital tuberculosis surveillance and clinical care for Papua New Guinea nationals, and reduce the risk of the emergence of drug resistant strains of tuberculosis;
- (4) calls on the Federal Government, through AusAID, to immediately provide long-term funding to clinics that provide tuberculosis services to Papua New Guinea nationals and front line health protection for Torres Strait Islander Australians; and
- (5) calls on the Federal Minister for Health and Ageing to consult with frontline public health experts to formulate a long-term strategy which ensures that Papua New Guinea programs and Torres Strait Islands clinics deliver a combination of disease surveillance and tuberculosis care for Papua New Guinea and Torres Strait Islander Australians (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

4 WHITE RIBBON DAY

The order of the day having been read for the resumption of the debate on the motion of Mr Hayes—
That this House:

- (1) notes that 25 November 2011 marks White Ribbon Day, the symbol of the United Nations' International Day for the Elimination of Violence Against Women;
- (2) recognises that White Ribbon day aims to prevent violence against women by increasing public awareness and education by challenging attitudes and behaviours that allow violence to continue;
- (3) asks all Australian men to challenge these attitudes and behaviours by joining 'My Oath Campaign' and taking the oath 'I swear never to commit, excuse or remain silent about violence against women';

- (4) notes with concern that one in three women will experience physical violence, and one in five will experience sexual violence over their lifetime;
- (5) understands that domestic and family violence are primary causes of homelessness;
- (6) acknowledges the community cost of violence against women and their children to the Australian economy was estimated to be \$13.6 billion in 2008-09, and that if we take no action to shine a light on this violence, that cost will hit an estimated \$15.6 billion in 2021-22; and
- (7) asks all Members to show that they are challenging violence against women by wearing a white ribbon or wristband on White Ribbon Day (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

Suspension of meeting

At 1.19 p.m., the Deputy Speaker left the Chair.

Resumption of meeting

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

5 DEFENCE TRADE CONTROLS BILL 2011

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.

6 CUSTOMS AMENDMENT (MILITARY END-USE) BILL 2011

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 the question on the report to be put immediately.

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

7 AFGHANISTAN—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF DOCUMENT

The order of the day having been read for the resumption of the debate on the motion of Mr Albanese (Leader of the House)—That the House take note of the document (*see item No. 11, Votes and Proceedings*), viz.—

Afghanistan—Prime Ministerial statement, 21 November 2011—

Debate resumed.

Suspension of meeting

At 6.17 p.m., a division having been called in the House, the proceedings were suspended.

Resumption of meeting

At 6.33 p.m., the proceedings were resumed.

It being past 6.30 p.m., the debate was interrupted in accordance with standing order 192, Mr Clare (Minister for Defence Materiel) was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

8 EXCEPTIONAL CIRCUMSTANCES EXIT GRANTS PROGRAM

The order of the day having been read for the resumption of the debate on the motion of Dr Stone—That this House:

- (1) notes that:
 - (a) in the 2011 Budget, the Labor Government announced the extension of the Exceptional Circumstances Exit Grants program as part of its drought assistance measures;
 - (b) less than 6 weeks into the extended 52 week program, the Government announced that funds had run out;
 - (c) this Exit Grant was often the only means by which some farmers could exit their farms with sufficient support to transition to a new livelihood;
 - (d) many farmers who applied and were assessed as eligible for the grant, proceeded to put their farms on the market, and had sold their farms through exchange of contracts, prior to the announcement that the funds have now run out;
 - (e) many of these farmers, on the basis of the Exit Grant support, have made financial commitments to buy alternative accommodation so they can transition to their new locality and employment; and
 - (f) many of these farmers who trusted the Government's commitment and Centrelink's documentation approving their eligibility are now in dire financial straits with no capacity to borrow, no income, and no opportunity to become re-established; and
- (2) calls on the Government to provide the Exit Grant to the farmers that have sold their farms through exchange of contracts by 10 August 2011, and were eligible under the guidelines for the exit grant had funding not run out (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

9 WORLD OSTEOPOROSIS DAY

The order of the day having been read for the resumption of the debate on the motion of Mr Georganas—That this House:

- (1) joins Osteoporosis Australia and the International Osteoporosis Foundation in promoting World Osteoporosis Day on Thursday 20 October 2011;
- (2) notes that:
 - (a) more than 1.2 million Australians have osteoporosis;
 - (b) an Australian is admitted to hospital with an osteoporotic fracture every six minutes;
 - (c) half of all women aged over 60 and one third of men will have an osteoporotic fracture in their lifetime; and
 - (d) after suffering a hip fracture, about a quarter of people will die within a year;
- (3) recognises and supports Osteoporosis Australia in its campaign to raise awareness about this silent disease that affects our health and independence as we age;
- (4) acknowledges how simple it is to prevent osteoporosis with calcium from eating the right foods, vitamin D from safe levels of sunlight and regular weight-bearing exercise throughout life; and
- (5) works to ensure all Australians are aware of the risk factors and the measures they can take to prevent this debilitating disease (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

10 MEALS ON WHEELS

The order of the day having been read for the resumption of the debate on the motion of Ms Hall—That this House:

- (1) acknowledges the:
 - (a) important role played by Meals On Wheels organisations throughout Australia in delivering nutritious meals for frail aged and disabled Australians; and
 - (b) role played by volunteers in preparing and delivering meals;
- (2) notes that Meals on Wheels volunteers provide the only social contact to many house bound elderly and disabled Australians; and
- (3) further notes that the strength of Meals On Wheels organisations is linked to their ability to deliver to their clients in many diverse ways which recognises the needs of their clients and reflects the communities they service (*see item No. 2, Votes and Proceedings*)—

Debate resumed.

The time allotted for private Members' business having expired, the debate was interrupted, Mr E. T. Jones was granted leave to continue his speech when the debate is resumed, and the resumption of the debate was made an order of the day for the next sitting.

11 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 192B, the order of the day having been read for the resumption of the debate on the question—That grievances be noted—

Debate ensued.

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

12 ADJOURNMENT

On the motion of Mr Wyatt Roy, the Main Committee adjourned at 9.58 p.m.

The Deputy Speaker fixed 4 p.m. tomorrow for the next meeting of the Main Committee.

DAVID ELDER
Clerk of the Main Committee