

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 93

WEDNESDAY, 27 MAY 2009



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

**2 WHIPS REPORT**

Mr Price (Chief Government Whip) presented the following document:

Whips report—Report relating to committee and delegation reports and private Members' business on Monday, 1 June 2009—

and moved—That the report be adopted.

Question—put and passed.

**3 FAIRER PRIVATE HEALTH INSURANCE INCENTIVES BILL 2009**

Ms Roxon (Minister for Health and Ageing) presented a Bill for an Act to provide for fairer private health insurance incentives, and for related purposes.

*Document*

Ms Roxon presented an explanatory memorandum to the following bills:

Fairer Private Health Insurance Incentives 2009;

Fairer Private Health Insurance Incentives (Medicare Levy Surcharge) 2009; and

Fairer Private Health Insurance Incentives (Medicare Levy Surcharge—Fringe Benefits) 2009.

Bill read a first time.

Ms Roxon moved—That the bill be now read a second time.

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

**4 FAIRER PRIVATE HEALTH INSURANCE INCENTIVES (MEDICARE LEVY SURCHARGE) BILL 2009**

Ms Roxon (Minister for Health and Ageing) presented a Bill for an Act to amend the *Medicare Levy Act 1986*, and for related purposes.

Bill read a first time.

Ms Roxon moved—That the bill be now read a second time.

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

**5 FAIRER PRIVATE HEALTH INSURANCE INCENTIVES (MEDICARE LEVY SURCHARGE—FRINGE BENEFITS) BILL 2009**

Ms Roxon (Minister for Health and Ageing) presented a Bill for an Act to amend the *A New Tax System (Medicare Levy Surcharge—Fringe Benefits) Act 1999*, and for related purposes.

Bill read a first time.

Ms Roxon moved—That the bill be now read a second time.

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

**6 FAIR WORK (STATE REFERRAL AND CONSEQUENTIAL AND OTHER AMENDMENTS) BILL 2009**

Ms Gillard (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the *Fair Work Act 2009*, to make amendments consequential on the enactment of that Act, and for other purposes.

*Document*

Ms Gillard presented an explanatory memorandum to the bill.

Bill read a first time.

Ms Gillard moved—That the bill be now read a second time.

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

**7 GUARANTEE OF STATE AND TERRITORY BORROWING APPROPRIATION BILL 2009**

Mr Swan (Treasurer), pursuant to notice, presented a Bill for an Act to provide for an appropriation for the Australian Government Guarantee of State and Territory Borrowing, and for related purposes.

*Document*

Mr Swan presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**8 TAX LAWS AMENDMENT (2009 BUDGET MEASURES NO. 1) BILL 2009**

Mr Swan (Treasurer) presented a Bill for an Act to amend the law relating to taxation and superannuation, and for related purposes.

*Document*

Mr Swan presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**9 COORDINATOR-GENERAL FOR REMOTE INDIGENOUS SERVICES BILL 2009**

Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to provide for a Coordinator-General for Remote Indigenous Services, and for related purposes.

*Document*

Ms Macklin presented an explanatory memorandum to the bill.

Bill read a first time.

Ms Macklin moved—That the bill be now read a second time.

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

**10 SOCIAL SECURITY LEGISLATION AMENDMENT (IMPROVED SUPPORT FOR CARERS) (CONSEQUENTIAL AND TRANSITIONAL) BILL 2009**

Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs), pursuant to notice, presented a Bill for an Act to amend the *Social Security Act 1991*, and for related purposes.

*Document*

Ms Macklin presented an explanatory memorandum to the bill.

Bill read a first time.

Ms Macklin moved—That the bill be now read a second time.

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

**11 MIGRATION AMENDMENT (PROTECTION OF IDENTIFYING INFORMATION) BILL 2009**

Mr L. D. T. Ferguson (Parliamentary Secretary for Multicultural Affairs and Settlement Services), pursuant to notice, presented a Bill for an Act to amend the *Migration Act 1958*, and for related purposes.

*Document*

Mr L. D. T. Ferguson presented an explanatory memorandum to the bill.

Bill read a first time.

Mr L. D. T. Ferguson moved—That the bill be now read a second time.

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

**12 TAX LAWS AMENDMENT (2009 MEASURES NO. 2) BILL 2009**

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. 179, 4 April 2009, from Her Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for third reading to be moved immediately.

On the motion of Mr Bowen (Assistant Treasurer), the bill was read a third time.

**13 FINANCIAL SECTOR LEGISLATION AMENDMENT (ENHANCING SUPERVISION AND ENFORCEMENT) BILL 2009**

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 Bowen (Assistant Treasurer), the bill was read a third time.

**14 HIGHER EDUCATION SUPPORT AMENDMENT (VET FEE-HELP AND PROVIDERS) BILL 2009**

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, Ms Saffin was granted leave to continue her speech when the debate is resumed, and the resumption of the debate made an order of the day for a later hour this day.

**15 MINISTERIAL ARRANGEMENTS**

Mr Rudd (Prime Minister) informed the House that, during the absence overseas of Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government), Mr Tanner (Minister for Finance and Deregulation) and Mr A. S. Burke (Minister for Agriculture, Fisheries and Forestry) would answer questions on his behalf.

## 16 QUESTIONS

Questions without notice being asked—

*Documents*

Mr Rudd (Prime Minister) presented the following documents:

Infrastructure funding—List of projects—

Australian School Pride Program Round One.

Australian School Pride Program Round Two.

Australian, Roads, Rail, Boomgates and Black Spots.

Australian Social and Defence Housing.

Australian Community Infrastructure.

Australian Primary Schools for the 21st Century.

*Member directed to leave*

At 2.31 p.m. the Member for O'Connor (Mr Tuckey) was directed, under standing order 94, to leave the Chamber for one hour for raising a frivolous point of order, and he accordingly left the Chamber.

Questions without notice continuing—

*Suspension of standing and sessional orders moved*

Mr Turnbull (Leader of the Opposition) moved—That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition moving immediately—That this House censures the Prime Minister and Treasurer for:

- (1) misleading the House and for refusing to come clean with the Australian people about how they are going to repay the Government's massive debt; and
- (2) claiming that the 2009-10 Budget papers contain all data on economic growth, inflation rates, budget surpluses and financial assumptions through to 2022 that would support the Prime Minister's dubious claim that his Government's national debt will be paid off by that date.

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, 62

Mr Abbott	Mrs Gash	Mr Macfarlane	Mr Schultz
Mr Andrews	Mr Georgiou	Ms Marino	Mr Scott
Fran Bailey	Mr Haase	Mrs Markus	Mr Secker
Mr Baldwin	Mr Hartsuyker	Mrs May	Mr Simpkins
Mr Billson	Mr A. G. Hawke	Mrs Mirabella	Mr Slipper
Mrs B. K. Bishop	Mr D. P. M. Hawker	Mr Morrison	Mr A. D. H. Smith
Ms J. I. Bishop	Mr Hockey	Mrs Moylan	Mr Somlyay
Mr Briggs	Mrs Hull*	Dr Nelson	Dr Southcott
Mr Broadbent	Mr Hunt	Mr Neville	Dr Stone
Mr Chester	Mr Irons	Mr Pearce	Mr Truss
Mr Ciobo	Dr Jensen	Mr Pyne	Mr Turnbull
Mr Cobb	Mr Johnson*	Mr Ramsey	Mrs Vale
Mr Costello	Mr Keenan	Mr Randall	Dr Washer
Mr Coulton	Mr Laming	Mr Robb	Mr Wood
Mr Dutton	Ms Ley	Mr Robert	
Mr Forrest	Mr Lindsay	Mr Ruddock	

## NOES, 79

Mr Adams	Mr Dreyfus	Dr Kelly	Mr Ripoll
Mr Bevis	Mrs Elliot	Mr Kerr	Ms Rishworth
Mr Bidgood	Ms A. L. Ellis	Ms King	Ms Roxon
Ms Bird	Ms K. M. Ellis	Ms Livermore	Mr Rudd
Mr Bowen	Dr Emerson	Mr McClelland	Ms Saffin
Mr Bradbury	Mr L. D. T. Ferguson	Ms McKew	Mr Shorten
Ms A. E. Burke	Mr Fitzgibbon	Ms Macklin	Mr Sidebottom
Mr A. S. Burke	Mr Garrett	Mr Marles	Mr S. F. Smith
Mr Butler	Mr Georganas	Mr Melham	Mr Snowdon
Mr Byrne	Ms George	Mr Murphy	Mr Sullivan
Ms Campbell	Mr Gibbons	Ms Neal	Mr Swan
Mr Champion	Ms Gillard	Mr Neumann	Mr Symon
Mr Cheeseman	Mr Gray	Mr O'Connor	Mr Tanner
Mr Clare	Ms Grierson	Ms Owens	Mr C. R. Thomson
Ms Collins	Mr Griffin	Ms Parke	Mr K. J. Thomson
Mr Combet	Mr Hale	Mr Perrett	Mr Trevor
Mr Crean	Ms Hall*	Ms Plibersek	Mr Turnour
Mr Danby	Mr Hayes*	Mr Price	Ms Vamvakinou
Mrs D'Ath	Mrs Irwin	Mr Raguse	Mr Zappia
Mr Debus	Ms Jackson	Ms Rea	

\* Tellers

And so it was negatived.

Questions without notice concluded.

**17 AUDITOR-GENERAL'S REPORTS**

The Speaker presented the following documents:

Auditor-General—Audit reports of 2008–2009—Performance audits—

No. 38—Administration of the buyback component of the Securing our Fishing Future Structural Adjustment Package: Department of Agriculture, Fisheries and Forestry.

No. 39—Administration of the Securing our Fishing Future Structural Adjustment Package Assistance Programs: Department of Agriculture, Fisheries and Forestry.

Reports ordered to be made Parliamentary Papers.

**18 AUSTRALIAN FINANCIAL SERVICES SECTOR—MINISTERIAL STATEMENT**

Mr Bowen (Assistant Treasurer), by leave, made a ministerial statement relating to the Government promoting Australia as a financial services hub.

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

Mr Bowen, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Pearce speaking in reply to the ministerial statement for a period not exceeding 11 minutes.

Question—put and passed.

Mr Pearce addressed the House.

**19 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—EMPLOYEE SHARE SCHEMES**

The House was informed that both Mr A. D. H. Smith and Mr Oakeshott had proposed that definite matters of public importance be submitted to the House for discussion today. In accordance with the provisions of standing order 46, the Speaker had given priority to the matter proposed by Mr A. D. H. Smith, namely, “The chaos and confusion resulting from the Government’s bungled budget night announcement which has seen employee share schemes suspended across the country”.

The proposed discussion having received the necessary support—

Mr A. D. H. Smith addressed the House.

Discussion ensued.

Discussion concluded.

**20 PRIVILEGE—COMPLAINT OF BREACH**

Mr Pyne raised, as a matter of privilege, Government criticisms of Opposition Members' support for projects in their electorates.

The Deputy Speaker stated that he would inform the Speaker of the matter.

**21 HEALTH WORKFORCE AUSTRALIA BILL 2009—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 Snowden (Minister for Defence Science and Personnel), by leave, the bill was read a third time.

**22 THERAPEUTIC GOODS AMENDMENT (MEDICAL DEVICES AND OTHER MEASURES) BILL 2008—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 Snowden (Minister for Defence Science and Personnel), by leave, the bill was read a third time.

**23 TAX LAWS AMENDMENT (2009 MEASURES NO. 3) BILL 2009—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 Snowden (Minister for Defence Science and Personnel), by leave, the bill was read a third time.

**24 HIGHER EDUCATION SUPPORT AMENDMENT (VET FEE-HELP AND PROVIDERS) BILL 2009**

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. 178, 4 April 2009, from Her Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for third reading to be moved immediately.

On the motion of Ms K. M. Ellis (Minister for Sport), the bill was read a third time.

**25 CAR DEALERSHIP FINANCING GUARANTEE APPROPRIATION BILL 2009**

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

Debate resumed.

Mr Zappia was granted leave to continue his speech when the debate is resumed.

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

**26 ADJOURNMENT**

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

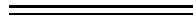
*Petition*

Ms A. E. Burke presented the following petition approved by the Standing Committee on Petitions:

Alternative energies—265 petitioners.

Debate continued.

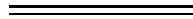
The House continuing to sit until 8 p.m.—The Speaker adjourned the House until 9 a.m. tomorrow.



**DOCUMENTS**

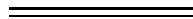
The following documents were deemed to have been presented on 27 May 2009:

Defence Act—Determinations under section 58B—2009 Nos 31, 32.



**ATTENDANCE**

All Members attended (at some time during the sitting) except Mr Albanese, Mr M. J. Ferguson and Mr McMullan.



**B. C. WRIGHT**

Acting Clerk of the House of Representatives

2008-09

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 93

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

WEDNESDAY, 27 MAY 2009

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1 The Main Committee met at 9.30 a.m.

2 **MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements were made.

3 **FAMILY, COMMUNITY, HOUSING AND YOUTH—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 Ms A. L. Ellis—That the House take note of the document (*presented on 25 May 2009*), viz.—

Family, Community, Housing and Youth—Standing Committee—Who cares...? Report on the inquiry into better support for carers—Report, April 2009—

Debate resumed.

*Document*

Mrs Moylan, by leave, presented the following document:

Special disability trusts—Copy of e-mail from Brian O'Hart to Mrs Moylan, 22 May 2009.

Debate continued.

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

4 **APPROPRIATION BILL (NO. 1) 2009-2010—BUDGET DEBATE**

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.

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*Suspension of meeting*

At 1.07 p.m., the Deputy Speaker left the Chair.

*Resumption of meeting*

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

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Debate continued.

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



**5 ADJOURNMENT**

On the motion of Mr Dreyfus, the Main Committee adjourned at 7.34 p.m.

The Deputy Speaker fixed 9.30 a.m. tomorrow for the next meeting of the Main Committee.

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**B. C. WRIGHT**  
Clerk of the Main Committee