

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

## VOTES AND PROCEEDINGS

No. 120

WEDNESDAY, 16 SEPTEMBER 2009

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

2 **SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED**

Mr Pyne moved—That so much of the standing and sessional orders be suspended as would prevent the Member for Sturt from moving the following motion: That standing order 104 (Answers) be omitted with a view to substituting the following standing order:

“104. Answers

An answer:

- (a) must be directly relevant to the question; and
- (b) during Question Time, must not exceed a period of four minutes, excluding time for points of order and other interruptions.”

*Closure of Member*

Mr M. J. Ferguson (Minister for Resources and Energy) moved—That the Member be no longer heard. Question—put.

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

AYES, 76

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

## NOES, 61

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

\* Tellers

And so it was resolved in the affirmative.

Mr Hockey (seconder) addressing the House—

*Closure of Member*

Mr Albanese (Leader of the House) moved—That the Member be no longer heard.

Question—put.

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

## AYES, 77

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

## NOES, 61

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

\* Tellers

And so it was resolved in the affirmative.

Question—That the motion for the suspension of standing and sessional orders be agreed to—put.  
The House divided (the Speaker, Mr Jenkins, in the Chair)—

## AYES, 61

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

## NOES, 77

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

\* Tellers

And so it was negatived.

### 3 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

The Speaker presented the following document:

Australian Parliamentary Delegation to Vietnam from 5 to 10 January 2009 and to the seventeenth annual meeting of the Asia Pacific Parliamentary Forum, Vientiane, Laos from 11 to 15 January 2009—Report, September 2009—

and made a statement in connection with the report.

Mr Simpkins also made a statement in connection with the report.

### 4 BILL REFERRED TO MAIN COMMITTEE

Ms Hall, for Mr Price (Chief Government Whip), by leave, moved—That the Clean Energy Security Bill 2009 be referred to the Main Committee for further consideration.

Question—put and passed.

### 5 WHIPS REPORT

Ms Hall, for Mr Price (Chief Government Whip) presented the following document:

Whips report—Report relating to committee and delegation reports and private Members' business on Monday, 19 October 2009—

and moved—That the report be adopted.

Question—put and passed.

### 6 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Ms Hall presented the following document:

Public Works—Parliamentary Standing Committee—Referrals made May to June 2009 (5th report of 2009).

Ordered to be made a Parliamentary Paper.

Ms Hall, by leave, made a statement in connection with the report.

**7 LONG SERVICE LEAVE LEGISLATION AMENDMENT (TELSTRA) BILL 2009**

Ms Gillard (Minister for Employment and Workplace Relations), pursuant to notice, presented a Bill for an Act to amend the law relating to long service leave, and for related 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 (Mrs Mirabella), and the resumption of the debate made an order of the day for the next sitting.

**8 FAMILY ASSISTANCE LEGISLATION AMENDMENT (PARTICIPATION REQUIREMENT) 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 law relating to family assistance, 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 (Mrs Mirabella), and the resumption of the debate made an order of the day for the next sitting.

**9 CRIMES LEGISLATION AMENDMENT (SERIOUS AND ORGANISED CRIME) BILL (NO. 2) 2009**

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to amend various Acts relating to the enforcement of the criminal law, and for other purposes.

*Document*

Mr McClelland presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**10 TELECOMMUNICATIONS (INTERCEPTION AND ACCESS) AMENDMENT BILL 2009**

Mr McClelland (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Telecommunications (Interception and Access) Act 1979*, and for related purposes.

*Document*

Mr McClelland presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**11 AUSTRALIAN SPORTS ANTI-DOPING AUTHORITY AMENDMENT BILL 2009**

Ms K. M. Ellis (Minister for Sport), pursuant to notice, presented a Bill for an Act to amend the *Australian Sports Anti-Doping Authority Act 2006*, and for related purposes.

*Document*

Ms K. M. Ellis presented an explanatory memorandum to the bill.

Bill read a first time.

Ms K. M. Ellis moved—That the bill be now read a second time.

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

**12 TAX LAWS AMENDMENT (2009 MEASURES NO. 5) BILL 2009**

Mr Shorten (Parliamentary Secretary for Disabilities and Children's Services) presented a Bill for an Act to amend the law relating to taxation, and for other purposes.

*Document*

Mr Shorten presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**13 TAX LAWS AMENDMENT (RESALE ROYALTY RIGHT FOR VISUAL ARTISTS) BILL 2009**

Mr Shorten (Parliamentary Secretary for Disabilities and Children's Services) presented a Bill for an Act to amend the law relating to taxation, and for related purposes.

*Document*

Mr Shorten presented an explanatory memorandum to the bill.

Bill read a first time.

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

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

**14 TARIFF PROPOSAL**

Mr O'Connor (Minister for Home Affairs) moved—

Customs Tariff Proposal (No. 4) 2009.

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

**15 CUSTOMS AMENDMENT (ASEAN-AUSTRALIA-NEW ZEALAND FREE TRADE AGREEMENT IMPLEMENTATION) BILL 2009**

Mr O'Connor (Minister for Home Affairs), pursuant to notice, presented a Bill for an Act to amend the *Customs Act 1901*, and for related purposes.

*Document*

Mr O'Connor presented an explanatory memorandum to the bill.

Bill read a first time.

Mr O'Connor moved—That the bill be now read a second time.

Debate adjourned (Mr Billson), and the resumption of the debate, by leave, made an order of the day for a later hour this day.

**16 CUSTOMS TARIFF AMENDMENT (ASEAN-AUSTRALIA-NEW ZEALAND FREE TRADE AGREEMENT IMPLEMENTATION) BILL 2009**

Mr O'Connor (Minister for Home Affairs) presented a Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

*Document*

Mr O'Connor presented an explanatory memorandum to the bill.

Bill read a first time.

Mr O'Connor moved—That the bill be now read a second time.

Debate adjourned (Mr Billson), and the resumption of the debate, by leave, made an order of the day for a later hour this day.

**17 CUSTOMS AMENDMENT (ASEAN-AUSTRALIA-NEW ZEALAND FREE TRADE AGREEMENT IMPLEMENTATION) 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 O'Connor (Minister for Home Affairs), the bill was read a third time.

**18 CUSTOMS TARIFF AMENDMENT (ASEAN-AUSTRALIA-NEW ZEALAND FREE TRADE AGREEMENT IMPLEMENTATION) 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—

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

Leave granted for third reading to be moved immediately.

On the motion of Mr O'Connor (Minister for Home Affairs), the bill was read a third time.

**19 ASIAN DEVELOPMENT BANK (ADDITIONAL SUBSCRIPTION) 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.

*Documents*

Mr Simpkins, by leave, presented the following documents:

Australian Support for Millennium Development Goals—Letters from members of the public to the Prime Minister (10).

Debate continued.

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

*Message from the Governor-General*

Message No. 236, 27 August 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 Swan (Treasurer), the bill was read a third time.

**20 INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL (NO. 1) 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 Ripoll addressing the House—

It being 2 p.m., the debate was interrupted in accordance with standing order 97, Mr Ripoll 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 QUESTIONS**

Questions without notice being asked—

*Member directed to leave*

At 2.56 p.m. the Member for Cook (Mr Morrison) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and he accordingly left the Chamber.

Questions without notice continuing—

Mr Turnbull (Leader of the Opposition) asked leave to move a motion of censure.

Objection being raised—leave not granted.

*Suspension of standing and sessional orders moved*

Mr Turnbull 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 Deputy Prime Minister for her inept management of the \$16.2 billion school halls funding program which has been plagued by repeated examples of waste and mismanagement culminating in a \$1.7 billion dollar blow-out in the Primary Schools for the 21st Century component, exposing it as little more than a cynical political attempt to promote the Deputy Prime Minister and the Rudd Government at the taxpayers' expense and in particular for:

- (1) rolling over to State Governments by allowing them to “cream off” so-called project management charges which divert funds from schools;
- (2) joining forces with her state counterparts to demand schools use their preferred contractor mates, rather than local tradespeople;
- (3) bullying schools to accept mass produced demountables and “one size fits all” projects, rather than what local communities want, with the threat that if they speak out, they will get nothing;
- (4) ignoring advice from Principals, education experts, the Education Union, building firms, planning experts, and the Opposition about how to improve this program;
- (5) providing funding for projects in schools that are closing;
- (6) designing a program that effectively treats public and non-government schools very differently, allowing non-government schools the flexibility to build the projects they want or need, while government schools are forced to work within the rigid and incompetent confines of State bureaucracies;
- (7) forcing all schools in Australia to display taxpayer-funded signs which have been declared political advertisements for the Government by the Australian Electoral Commissioner;
- (8) being the first in line to take credit for any good news stories, but refusing to take responsibility for the litany of problems, or for the waste and mismanagement of such an extraordinary amount of taxpayers' borrowed money; and
- (9) treating this Parliament and the Australian taxpayer with contempt by failing to take responsibility for this debacle and give the frank answers demanded of a Minister in charge of a multi-billion dollar program.

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, 61

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



## NOES, 81

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

\* Tellers

And so it was negatived.

Questions without notice continued.

**22 DOCUMENT**

Mr Garrett (Minister for the Environment, Heritage and the Arts), adding to an answer to a question without notice, presented the following document:

Insulation installers—Letter from David Jordan, General Manager, Allsafe Franchising Pty Ltd to Mr Garrett, 20 August 2009.

**23 DOCUMENTS**

The following documents were presented:

*Dairy Produce Act 1986*—Deed between the Commonwealth of Australia and Dairy Australia Limited, 18 April 2007—Deed of variation.

*Migration Act 1958*—Section 486O—Assessment of detention arrangements—2009 Personal identifiers 553/09 to 567/09—

Commonwealth and Immigration Ombudsman's reports.

Government response to Ombudsman's reports.

Regional Forest Agreements—Reports—New South Wales—Eden Region for 2004-05.

North East Region for 2004-05.

Southern Region—

2004-05.

2005-06.

**24 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS**

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

*Migration Act 1958*—Section 486O—Assessment of detention arrangements—2009 Personal identifiers 553/09 to 567/09—

Commonwealth and Immigration Ombudsman's reports.

Government response to Ombudsman's reports.

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

**25 SUSPENSION OF STANDING AND SESSIONAL ORDERS MOVED—EXCEPTIONS TO CONFINING DEBATE TO THE QUESTION**

Mr Albanese (Leader of the House), by leave, moved—That standing order 76 (exceptions to confining debate to the question) be suspended for the duration of the speech later today by the Member for Bradfield on the second reading debate on the International Tax Agreements Amendment Bill (No. 1) 2009, and that the Member speak without limitation of time.

Question—put and passed.

**26 FISCAL POLICY—MINISTERIAL STATEMENT**

Mr Tanner (Minister for Finance and Deregulation), by leave, made a ministerial statement relating to fiscal policy.

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

Mr Tanner, by leave, moved—That so much of the standing and sessional orders be suspended as would prevent Mr Hockey speaking in reply to the ministerial statement for a period not exceeding 14 minutes.

Question—put and passed.

Mr Hockey addressed the House.

**27 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—STIMULUS PACKAGE**

The House was informed that Mr Hockey had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The waste and mismanagement in the Government’s stimulus spending package”.

The proposed discussion having received the necessary support—

Mr Hockey rising to address the House—

Mr McMullan (Parliamentary Secretary for International Development Assistance) moved—That the business of the day be called on.

Question—put and passed.

**28 MESSAGE FROM THE SENATE**

Message No. 328, 16 September 2009, from the Senate was reported returning the Automotive Transformation Scheme Bill 2009 and informing the House that the Senate does not insist upon its amendment disagreed to by the House of Representatives.

**29 PERSONAL PROPERTY SECURITIES 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 McMullan (Parliamentary Secretary for International Development Assistance), by leave, the bill was read a third time.

**30 HIGHER EDUCATION SUPPORT AMENDMENT 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 McMullan (Parliamentary Secretary for International Development Assistance), by leave, the bill was read a third time.

**31 INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL (NO. 1) 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.

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*Documents*

Mr Hockey, by leave, presented the following documents:

Extracts from Hansard—

Hansard Chamber Green Question by Mr Hockey, 16 September 2009, 2.12 p.m.

Question by Mr Rudd and answer by Mr Howard, 30 May 2007, 2.43 p.m.

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Debate continued.

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

Leave granted for third reading to be moved immediately.

On the motion of Dr Emerson (Minister for Competition Policy and Consumer Affairs), the bill was read a third time.

**32 MESSAGE FROM THE SENATE—HEALTH INSURANCE AMENDMENT (EXTENDED MEDICARE SAFETY NET) BILL 2009**

Message No. 329, 16 September 2009, from the Senate was reported returning the Health Insurance Amendment (Extended Medicare Safety Net) Bill 2009 with amendments.

Ordered—That the amendments be considered at the next sitting.

**33 MESSAGE FROM THE SENATE—AUSTRALIAN CITIZENSHIP AMENDMENT (CITIZENSHIP TEST REVIEW AND OTHER MEASURES) BILL 2009**

Message No. 327, 16 September 2009, from the Senate was reported transmitting for the concurrence of the House a Bill for an Act to amend the *Australian Citizenship Act 2007*, and for related purposes.

Bill read a first time.

*Document*

Mr L. D. T. Ferguson (Parliamentary Secretary for Multicultural Affairs and Settlement Services) presented a revised explanatory memorandum to the bill and moved—

That the bill be now read a second time.

Debate, by leave, ensued.

Dr Stone moved, as an amendment—That all words after “That” be omitted with a view to substituting the following words: “the House defers consideration of the bill until the following have occurred:

- (1) the Government redrafts the bill so that it provides a ministerial discretion for those who cannot meet the residency requirements but whose citizenship can be demonstrated to be in the national interest; and
- (2) the Government redrafts the bill so that it provides a ministerial discretion for awarding citizenship to offshore workers who cannot meet the residency requirements, but who can demonstrate significant hardship or disadvantage”.

Debate continued.

Mr Neumann addressing the House—

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**34 ADJOURNMENT**

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

Debate ensuing—

*Petition*

Mr Bradbury presented the following petition approved by the Standing Committee on Petitions:

Democratic Republic of Timor-Leste—Australian honours—22,717 petitioners

*Petition*

Mr Hunt presented the following petition approved by the Standing Committee on Petitions:

Traveston Crossing Dam—5,393 petitioners

Debate continued.

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

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Fran Bailey, \*Ms A. L. Ellis and \*Mr Neville.

\* On leave

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**I. C. HARRIS**  
Clerk of the House of Representatives

2008-09

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

No. 120

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

WEDNESDAY, 16 SEPTEMBER 2009

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1 The Main Committee met at 9.30 a.m.

**2 MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements being made—

*Petition*

Mr Cobb presented the following petition approved by the Standing Committee on Petitions:

Banking facilities in Trundle NSW—386 petitioners.

Members' constituency statements continuing—

*Petition*

Mr Morrison presented the following petition approved by the Standing Committee on Petitions:

National Marriage Day—7,071 petitioners.

Members' constituency statements continued.

**3 PERSONAL PROPERTY SECURITIES 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 the question on the report to be put immediately.

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

**4 FOREIGN AFFAIRS, DEFENCE AND TRADE—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 Mr Bevis—That the House take note of the document (*presented on 25 June 2009*), *viz.*—

Foreign Affairs, Defence and Trade—Joint Standing Committee—Sealing a just outcome: Report from the inquiry into RAAF F-111 Deseal/Reseal workers and their families—Report, June 2009—

Debate resumed.

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

**5 POSTPONEMENT OF ORDER OF THE DAY**

Ordered—That order of the day No. 2, government business, be postponed until a later hour this day.

**6 HIGHER EDUCATION SUPPORT AMENDMENT 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 the question on the report to be put immediately.

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

**7 ADJOURNMENT**

On the motion of Ms George, the Main Committee adjourned at 12.05 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