

2008-09

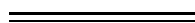
THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 122

MONDAY, 19 OCTOBER 2009



1 The House met, at 12 noon, pursuant to adjournment. The Speaker (Mr Jenkins) took the Chair, and read Prayers.

2 MESSAGES FROM THE SENATE

Messages from the Senate, 17 September 2009, were reported returning the following bills without amendment:

No. 335—International Tax Agreements Amendment (No. 1) 2009.

No. 336—Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment 2009.

No. 337—Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment 2009.

No. 338—Road Transport Reform (Dangerous Goods) Repeal 2009.

3 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:

17 September 2009—Message No. 237—Native Title Amendment 2009.

18 September 2009—Message—

No. 238—Foreign States Immunities Amendment 2009.

No. 239—

Higher Education Support Amendment (2009 Budget Measures) 2009.

National Greenhouse and Energy Reporting Amendment 2009.

Tax Laws Amendment (2009 Measures No. 4) 2009.

No. 240—

Safe Work Australia 2008 [No. 2].

Migration Amendment (Abolishing Detention Debt) 2009 [No. 2].

21 September 2009—Message No. 241—Australian Citizenship Amendment (Citizenship Test Review and Other Measures) 2009.

22 September 2009—Message No. 242—

Military Justice (Interim Measures) (No. 1) 2009.

Military Justice (Interim Measures) (No. 2) 2009.

29 September 2009—Message No. 243—

Automotive Transformation Scheme 2009.

ACIS Administration Amendment 2009.

Uranium Royalty (Northern Territory) 2009.

Therapeutic Goods Amendment (2009 Measures No. 2) 2009.

2 October 2009—Message No. 244—

Customs Amendment (ASEAN-Australia-New Zealand Free Trade Agreement Implementation) 2009.

Customs Tariff Amendment (ASEAN-Australia-New Zealand Free Trade Agreement Implementation) 2009.

6 October 2009—Message No. 245—Freedom of Information (Removal of Conclusive Certificates and Other Measures) 2009.

7 October 2009—Message No. 246—

National Health Security Amendment 2009.

Health Insurance Amendment (Extended Medicare Safety Net) 2009.

8 October 2009—Message No. 247—

Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment 2009.

Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment 2009.

Road Transport Reform (Dangerous Goods) Repeal 2009.

International Tax Agreements Amendment (No. 1) 2009.

4 MESSAGE FROM THE SENATE—FUEL QUALITY STANDARDS AMENDMENT BILL 2009

A message from the Senate was reported returning the following bill with an amendment:

17 September 2009—Message No. 339—Fuel Quality Standards Amendment 2009.

Ordered—That the amendment be considered at a later hour this day.

5 MESSAGE FROM THE SENATE—FEDERAL COURT OF AUSTRALIA AMENDMENT (CRIMINAL JURISDICTION) BILL 2008

A message from the Senate was reported returning the following bill with amendments:

17 September 2009—Message No. 334—Federal Court of Australia Amendment (Criminal Jurisdiction) 2008.

Ordered—That the amendments be considered at a later hour this day.

6 PRIVATE MEMBERS' MOTIONS—PRESENTED BY SPEAKER

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

Mr Randall—National Schools Chaplaincy Program (*see item No. 6, Minutes of Proceedings of the Main Committee*).

Mr Ripoll—Infrastructure projects (*see item No. 7, Minutes of Proceedings of the Main Committee*).

Mrs Moylan—Airservices Australia and Perth Airport (*see item No. 8, Minutes of Proceedings of the Main Committee*).

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

7 BILLS REFERRED TO MAIN COMMITTEE

Ms Hall (Acting Chief Government Whip), by leave, moved—That the following bills be referred to the Main Committee for further consideration:

Australian National Preventive Health Agency 2009; and

Tax Agent Services (Transitional Provisions and Consequential Amendments) 2009.

Question—put and passed.

8 EDUCATION SERVICES FOR OVERSEAS STUDENTS AMENDMENT (RE-REGISTRATION OF PROVIDERS AND OTHER MEASURES) 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 Raguse addressing the House—

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

9 DEATH OF FORMER SENATOR (MR JOHN GORDON EVANS)

The Speaker informed the House of the death, on 2 October 2009, of Mr John (Jack) Gordon Evans, a Senator for the State of Western Australia from 1983 to 1985.

As a mark of respect to the memory of the deceased all Members present stood, in silence.

10 RESIGNATION OF MEMBERS

The Speaker announced that, on Monday 19 October 2009, he had received letters from Dr Nelson, resigning his seat as Member for the electoral division of Bradfield, in the State of New South Wales, and from Mr Costello resigning his seat as Member for the electoral division of Higgins, in the State of Victoria, and that he would be consulting with Party Leaders and independent Members concerning the date of the by-elections.

11 NATURAL EVENTS IN THE PHILIPPINES, VIETNAM, LAOS, CAMBODIA, SAMOA, TONGA AND INDONESIA—STATEMENTS

Mr Rudd (Prime Minister), by indulgence, made a statement on the deaths, injuries, damage and destruction in the Philippines, Vietnam, Laos, Cambodia, Samoa, Tonga and Indonesia caused by recent natural events.

Mr Turnbull (Leader of the Opposition), by indulgence, also made a statement on the matter.

12 MATTER REFERRED TO MAIN COMMITTEE

Mr Albanese (Leader of the House), by leave, moved—That further statements by indulgence on recent natural events in the Philippines, Vietnam, Laos, Cambodia, Samoa, Tonga and Indonesia be referred to the Main Committee.

Question—put and passed.

13 QUESTIONS

Questions without notice were asked.

14 DEPARTMENT OF THE HOUSE OF REPRESENTATIVES ANNUAL REPORT—REPORTS OF THE AUDITOR-GENERAL

The Speaker presented the following documents:

Department of the House of Representatives—Report for 2008-09.

Auditor-General—

Australian National Audit Office—Report for 2008-2009.

Audit report No. 6 of 2009–2010—Performance audit—Confidentiality in Government contracts: Senate order for departmental and agency contracts (Calendar year 2008 compliance).

Reports ordered to be made Parliamentary Papers.

15 DOCUMENTS

The following documents were presented:

Australian Office of Financial Management—Report for 2008-09.

Australian Postal Corporation (Australia Post)—Report for 2008-09.

Australian Research Council—Report for 2008-09.

Broadcasting Services Act 1992—Digital television transmission and reception—Report for October 2009.

Civil Aviation Safety Authority—Report for 2008-09.

Commonwealth Ombudsman—Report for 2008-09.

Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2008-09.

Customs Act 1901—Conduct of Customs officers—Report for 2008-09.

Department of Agriculture, Fisheries and Forestry—Report for 2008-09.

Department of Broadband, Communications and the Digital Economy—Report for 2008-09.

Department of Finance and Deregulation—Campaign advertising by Australian Government departments and agencies—Report for 2008-09.

Department of Human Services—Report, incorporating reports of the Child Support Agency and CRS Australia for 2008-09.

Department of the Prime Minister and Cabinet—Report for 2008-09.

Electoral Reform—Green paper—Strengthening Australia's democracy, September 2009.

Finance—Final budget outcome for 2008-09.

Inspector-General of Intelligence and Security—Report for 2008-09.

Medibank Private—Report for 2008-09.

Migration Review Tribunal and Refugee Review Tribunal—Report for 2008-09.

National Competition Council—Report for 2008-09.

NBN Co Limited—Report for 2008-09.

16 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

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

Australian Office of Financial Management—Report for 2008-09.

Australian Postal Corporation (Australia Post)—Report for 2008-09.

Broadcasting Services Act 1992—Digital television transmission and reception—Report for October 2009.

Commonwealth Ombudsman—Report for 2008-09.

Customs Act 1901—Conduct of Customs officers—Report for 2008-09.

Department of Broadband, Communications and the Digital Economy—Report for 2008-09.

Department of Finance and Deregulation—Campaign advertising by Australian Government departments and agencies—Report for 2008-09.

Department of Human Services—Report, incorporating reports of the Child Support Agency and CRS Australia for 2008-09.

Department of the Prime Minister and Cabinet—Report for 2008-09.

Electoral Reform—Green paper—Strengthening Australia's democracy, September 2009.

Finance—Final budget outcome for 2008-09.

Inspector-General of Intelligence and Security—Report for 2008-09.

Medibank Private—Report for 2008-09.

National Competition Council—Report for 2008-09.

NBN Co Limited—Report for 2008-09.

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

17 EDUCATION SERVICES FOR OVERSEAS STUDENTS AMENDMENT (RE-REGISTRATION OF PROVIDERS AND OTHER MEASURES) 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.

Consideration in detail

Bill, by leave, taken as a whole.

Dr Southcott, by leave, moved Opposition amendments (1) and (2) together.

Debate continued.

Amendments negatived.

Dr Southcott moved Opposition amendment (3).

Debate continued.

Question—That the amendment be agreed to—put and passed.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Ms Gillard (Minister for Education), by leave, the bill was read a third time.

18 FEDERAL COURT OF AUSTRALIA AMENDMENT (CRIMINAL JURISDICTION) BILL 2008—SENATE'S AMENDMENTS

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

On the motion of Mr McClelland (Attorney-General), the amendments were agreed to.

19 TRADE PRACTICES AMENDMENT (AUSTRALIAN CONSUMER LAW) 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.

Mrs Moylan addressing the House—

It being 8.30 p.m., the debate was interrupted in accordance with standing order 34, Mrs Moylan 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 the next sitting.

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

Mrs Irwin (Chair) presented petitions and Ministers' responses to petitions previously presented to the House.

Mrs Irwin made a statement in connection with petitions.

21 PROCEDURE—STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Ms Owens (Chair) presented the following documents:

Procedure—Standing Committee—The display of articles: An examination of the practice of the House of Representatives—

Report, September 2009.

Minutes of proceedings.

Report ordered to be made a Parliamentary Paper.

Ms Owens made a statement in connection with the report.

22 GEOTHERMAL AND OTHER RENEWABLE ENERGY (EMERGING TECHNOLOGIES) AMENDMENT BILL 2009

The order of the day having been read for the second reading—Mrs B. K. Bishop moved—That the bill be now read a second time.

Debate ensued.

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

23 MILLENNIUM DEVELOPMENT GOALS

Ms Owens, pursuant to notice, moved—That the House welcomes the news of recent progress toward the Millennium Development Goals (MDGs), in particular:

- (1) recognises there has been a substantial decline in the proportion of people living on less than US\$1 dollar a day and a substantial increase in the proportion of people with access to clean water;
- (2) acknowledges that despite some progress, a number of MDGs are off track and that a business as usual approach will mean the MDGs will not be met globally by 2015;
- (3) notes its concern that in a world of plenty there are still unacceptably high child and maternal mortality rates in the developing world;
- (4) recognises that progress toward the MDGs is being hampered by the global financial crisis, the global food crisis and the global effects of climate change;
- (5) welcomes Australia's progress on developing a global partnership for development while recognising that our progress falls short of the aspirations we expressed when joining with the nations of the world to set the MDGs; and

- (6) acknowledges Australia needs to turn its aspirations into actions that draw us closer to achieving the MDGs by 2015.

Debate ensued.

Ms Owens, by leave, again addressed the House without closing the debate.

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

24 ADJOURNMENT

It being 9.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at 10 p.m., adjourned until 2 p.m. tomorrow.

DOCUMENTS

The following documents were deemed to have been presented on 19 October 2009:

Acts Interpretation Act—Statement relating to extension of time for presentation of periodic report—*Crimes Act 1914*—Controlled operations—Report for 2008-09.

Aged Care Act—

Determinations—2009 Residential care subsidy—Amount of—Accommodation supplement (No. 2) [F2009L03565].

Concessional resident supplement (No. 2) [F2009L03564].

Hardship supplement (No. 1) [F2009L03556].

Pensioner supplement (No. 2) [F2009L03560].

Respite supplement (No. 2) [F2009L03563].

Transitional accommodation supplement (No. 2) [F2009L03562].

Transitional supplement (No. 2) [F2009L03561].

Principles under section 96-1—2009—

Residential care subsidy—Amendment (No. 1) [F2009L03558].

User rights—Amendments (Nos 2, 3) [F2009L03559], [F2009L03567].

Air Navigation Act—Regulations—Select Legislative Instrument—2009 No. 274 [F2009L03775].

Appropriation Act (No. 3) 2006-2007—Determination to reduce appropriation upon request—2009-10 No. 1 [F2009L03843].

Appropriation Act (No. 3) 2008-2009—Determination to reduce appropriation upon request—2009-10 No. 2 [F2009L03844].

Australian Capital Territory (Planning and Land Management) Act—National Capital Plan—Amendment No. 57—Blocks 12 and 13 Section 9 Barton [F2009L03763].

Australian Citizenship Act 2007—Instrument—2009 No. IMMI 09/095 [F2009L03608].

Australian National University Act—Rules—2009 Examinations (No. 2) [F2009L03720].

Australian Organ and Tissue Donation and Transplantation Authority Act—Regulations—Select Legislative Instrument—2009 No. 269 [F2009L02965].

Australian Prudential Regulation Authority Act—Determinations under section 57—2009 Confidentiality (Nos 15, 16) [F2009L03636], [F2009L03841].

Australian Research Council Act—Determination—2009 No. 69.

Aviation Transport Security Act and Aviation Transport Security (Consequential Amendments and Transitional Provisions) Act—Regulations—Select Legislative Instrument—2009 No. 275 [F2009L03774].

Broadcasting Services Act—Variation—2009 Licence area plan for Launceston Radio (No. 1) [F2009L03738].

Civil Aviation Act—

Civil Aviation Regulations—

Exemptions—2009 Nos CASA EX64, CASA EX67, CASA EX69, CASA EX72, CASA EX73, CASA EX74, CASA EX77, CASA EX78, CASA EX79, CASA EX80 [F2009L03144].

[F2009L03223], [F2009L03527], [F2009L03495], [F2009L03507], [F2009L03517], [F2009L03601], [F2009L03602], [F2009L03630], [F2009L03631].

Instruments—2009 Nos CASA 415, CASA 422, CASA 423, CASA 427, CASA 428, CASA 429, CASA 437, CASA 441 [F2009L03493], [F2009L03508], [F2009L03519], [F2009L03542], [F2009L03552], [F2009L03566], [F2009L03620], [F2009L03633].

Civil Aviation Safety Regulations—

Exemptions—2009 Nos CASA EX55, CASA EX71, CASA EX76 [F2009L02676], [F2009L03715], [F2009L03572].

Airworthiness Directives under—

Part 39-105—

AD/A320—No. 2—Cancellation [F2009L03458].

AD/A330—Nos 107, 109 [F2009L03457], [F2009L03635].

AD/AT 600—No. 4—Amendment (No. 4) [F2009L03644].

AD/AT 800—

No. 9—Amendment (No. 4) [F2009L03771].

No. 12 [F2009L03464].

AD/ATR 42—No. 27 [F2009L03768].

AD/B737—

No. 250—Amendment (No. 2) [F2009L03402].

No. 354—Amendment (No. 1) [F2009L03571].

No. 360 [F2009L03766].

AD/B747—

No. 163—Amendment (No. 4) [F2009L03645].

No. 288—Amendment (No. 1) [F2009L03400].

AD/B767—

No. 10—Cancellation [F2009L03646].

No. 11—Cancellation [F2009L03647].

No. 42—Cancellation [F2009L03648].

AD/BEECH 23—

No. 40—Cancellation [F2009L03459].

No. 41—Cancellation [F2009L03460].

AD/BEECH 55—No. 9—Amendment (No. 2)—Cancellation [F2009L03383].

AD/BEECH 300—No. 4—Cancellation [F2009L03650].

AD/BEECH 1900—

No. 3—Cancellation [F2009L03649].

No. 11—Cancellation [F2009L03384].

AD/BELL 206—No. 176—Amendment (No. 1) [F2009L03718].

AD/BELL 407—No. 32—Amendment (No. 1) [F2009L03719].

AD/CL-600—

No. 17—Cancellation [F2009L03643].

No. 80—Amendment (No. 1) [F2009L03446].

Nos 117, 118 [F2009L03369], [F2009L03445].

No. 119—

[F2009L03444].

Amendment (No. 1) [F2009L03390].

No. 120 [F2009L03751].

AD/DHC-8—Nos 150, 151 [F2009L03441], [F2009L03440].

AD/DO 328—No. 71—Amendment (No. 1) [F2009L03651].

AD/ERJ-190—No. 23 [F2009L03652].

AD/F27—

No. 21—Cancellation [F2009L03653].

No. 26—Cancellation [F2009L03654].

No. 27—Cancellation [F2009L03754].

No. 31—Cancellation [F2009L03655].

No. 34—Cancellation [F2009L03753].

No. 38—Cancellation [F2009L03752].

No. 46—Cancellation [F2009L03656].

No. 62—Amendment (No. 2)—Cancellation [F2009L03750].
No. 66—Cancellation [F2009L03749].
No. 70—Cancellation [F2009L03748].
No. 88—Cancellation [F2009L03747].
No. 93—Cancellation [F2009L03746].
No. 99—Cancellation [F2009L03745].
No. 103—Amendment (No. 8) [F2009L03657].
No. 104—Amendment (No. 1)—Cancellation [F2009L03659].
No. 106—Cancellation [F2009L03660].
AD/F100—
No. 92—Cancellation [F2009L03438].
No. 95 [F2009L03437].
AD/G164—No. 5—Amendment (No. 2) [F2009L03365].
AD/GAF-N22—No. 69—Amendment (No. 6) [F2009L03661].
AD/HU 269—
No. 14—Cancellation [F2009L03663].
No. 16—Amendment (No. 4)—Cancellation [F2009L03664].
No. 18—Cancellation [F2009L03666].
AD/HU 369—
No. 8—Cancellation [F2009L03363].
No. 48—Amendment (No. 1) [F2009L03362].
No. 85—Amendment (No. 1)—Cancellation [F2009L03667].
AD/JETSTREAM—No. 95—Amendment (No. 3) [F2009L03436].
AD/PITTS S-2—No. 6—Amendment (No. 1)—Cancellation [F2009L03668].
Part 39-106—
AD/AL 250—
No. 46—Amendment (No. 1)—Cancellation [F2009L03455].
No. 47—Cancellation [F2009L03454].
No. 56—Amendment (No. 1)—Cancellation [F2009L03453].
AD/ARRIEL—No. 35 [F2009L03767].
AD/CON—Nos 89, 90—[F2009L03443], [F2009L03699].
AD/DART—No. 5—Cancellation [F2009L03442].
AD/LYC—No. 117—Amendment (No. 1) [F2009L03435].
AD/PW4000—
No. 11—Amendment (No. 1) [F2009L03769].
Nos 13, 14 [F2009L03434], [F2009L03770].
AD/RB211—No. 42 [F2009L03642].
AD/THIELERT—No. 11—Amendment (No. 3) [F2009L03520].
AD/TPE 331—
No. 4—Cancellation [F2009L03429].
No. 5—Cancellation [F2009L03428].
No. 6—Cancellation [F2009L03427].
No. 7—Cancellation [F2009L03426].
No. 10—Cancellation [F2009L03425].
No. 11—Cancellation [F2009L03424].
No. 12—Cancellation [F2009L03423].
No. 13—Cancellation [F2009L03422].
No. 15—Cancellation [F2009L03421].
No. 16—Cancellation [F2009L03420].
No. 17—Cancellation [F2009L03419].
No. 35—Cancellation [F2009L03412].
Part 39-107—
AD/AIRCON—No. 3—Cancellation [F2009L03456].
AD/PMC—
No. 52—Cancellation [F2009L03772].
No. 53 [F2009L03773].
AD/SUPP—No. 22—Amendment (No. 2) [F2009L03361].

Part 39.001(1)—

AD/B737—No. 339—Amendment (No. 1) [F2009L03883].

AD/BAe 146—Nos 139, 140 [F2009L03848], [F2009L03896].

AD/CL-600—

No. 78—Amendment (No. 1) [F2009L03898].

No. 123 [F2009L03904].

AD/EC 135—No. 23 [F2009L03847].

Corporations Act—ASIC Class Orders—2009 Nos 552, 702, 728, 774 [F2009L03603], [F2009L03604], [F2009L03728], [F2009L03613].

Currency Act—Determination—2009 Royal Australian Mint (No. 7) [F2009L03858].

Customs Act—

Orders—

Tariff Concession—

2008 No. 0829223 [F2009L03473].

2009 Nos 0834522, 0838633, 0842570, 0902545, 0904250, 0904257, 0904303, 0905028, 0906062, 0906066, 0906220, 0906324, 0906705, 0906802, 0906869, 0906870, 0906873, 0906874, 0906879, 0906989, 0907081, 0907148, 0907257, 0907284, 0907329, 0907331, 0907332, 0907333, 0907367, 0907794, 0907833, 0907854, 0907880, 0908030, 0908130, 0908198, 0908202, 0908206, 0908207, 0908230, 0908300, 0908358, 0908359, 0908457, 0908466, 0908467, 0908468, 0908469, 0908498, 0908499, 0908520, 0908602, 0908772, 0908866, 0909027, 0909029, 0909065, 0909072, 0909138, 0909248, 0909326, 0909475, 0909591, 0909606, 0909915, 0909920, 0909923, 0909931, 0909936, 0909950, 0910045, 0918400 [F2009L03304], [F2009L03471], [F2009L03318], [F2009L03273], [F2009L03261], [F2009L03262], [F2009L03276], [F2009L03469], [F2009L03690], [F2009L03285], [F2009L03467], [F2009L03275], [F2009L03687], [F2009L03281], [F2009L03271], [F2009L03270], [F2009L03269], [F2009L03267], [F2009L03268], [F2009L03279], [F2009L03263], [F2009L03266], [F2009L03291], [F2009L03282], [F2009L03290], [F2009L03264], [F2009L03265], [F2009L03588], [F2009L03289], [F2009L03675], [F2009L03277], [F2009L03678], [F2009L03575], [F2009L03574], [F2009L03577], [F2009L03293], [F2009L03294], [F2009L03295], [F2009L03296], [F2009L03573], [F2009L03579], [F2009L03580], [F2009L03584], [F2009L03589], [F2009L03583], [F2009L03582], [F2009L03581], [F2009L03586], [F2009L03308], [F2009L03587], [F2009L03591], [F2009L03590], [F2009L03679], [F2009L03677], [F2009L03683], [F2009L03696], [F2009L03694], [F2009L03682], [F2009L03593], [F2009L03689], [F2009L03592], [F2009L03693], [F2009L03695], [F2009L03688], [F2009L03684], [F2009L03685], [F2009L03686], [F2009L03692], [F2009L03691], [F2009L03697], [F2009L03698], [F2009L03488].

Tariff Concession Revocation—2009 Nos 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38 [F2009L03235], [F2009L03236], [F2009L03237], [F2009L03238], [F2009L03239], [F2009L03240], [F2009L03241], [F2009L03242], [F2009L03246], [F2009L03247], [F2009L03248], [F2009L03249], [F2009L03250], [F2009L03251], [F2009L03252], [F2009L03253], [F2009L03254], [F2009L03255], [F2009L03306], [F2009L03310].

Regulations—Select Legislative Instruments—2009 Nos 255, 277, 278 [F2009L03713], [F2009L03740], [F2009L03741].

Dairy Produce Act—Regulations—Select Legislative Instrument—2009 No. 252 [F2009L03739].

Defence Act—Determinations under Section 58B—2009 Nos 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66.

Defence Force Discipline Act—Rules—Select Legislative Instrument—2009 No. 248 [F2009L03638].

Environment Protection and Biodiversity Conservation Act—Instruments under—
Section 184—2009—

6 September [F2009L03518].

23 September [F2009L03710].

Section 303DC—2009—

11 September [2] [F2009L03605], [F2009L03606].

23 September [F2009L03709].

14 October [2] [F2009L03952], [F2009L03953].

Section 303EC—9 September 2009 [F2009L03548].

Extradition Act—Regulations—Select Legislative Instruments—2009 Nos 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267 [F2009L03623], [F2009L03612], [F2009L03614], [F2009L03615],

[F2009L03624], [F2009L03625], [F2009L03611], [F2009L03616], [F2009L03618], [F2009L03626], [F2009L03621], [F2009L03622].

Fair Work Act—Direction under section 704—Direction to inspectors—31 August 2009 [F2009L03487].

Federal Court of Australia Act—Rules of Court—Select Legislative Instrument—2009 No. 251 [F2009L03724].

Financial Management and Accountability Act—Determinations—Transfer of functions from—AFPCS to FWA—2009 No. 13 [F2009L03610].

BA to DAFF—2009 No. 11 [F2009L03521].

DEEWR to SWA—2009 No. 12 [F2009L03522].

DITRD LG to ATSB—2009 No. 14 [F2009L03845].

Regulations—Select Legislative Instrument—2009 No. 268 [F2009L03726].

Fisheries Management Act—

Bass Strait Central Zone Scallop Fishery Management Plan 2002—Direction—2009 Closures (No. 2) [F2009L03533].

Direction—2009 North west slope fishery (Area closure) (No. 2) [F2009L03842].

Eastern Tuna and Billfish Fishery Management Plan 2005—Temporary Order—2009 [F2009L03707].

Northern Prawn Fishery Management Plan 1995—Direction—2009 No. NPF 130 [F2009L03641].

Regulations—Select Legislative Instruments—2009 Nos 253, 254 [F2009L03789], [F2009L03790].

Food Standards Australia New Zealand Act—Variation to the Australia New Zealand Food Standards Code—2009 Amendment (No. 112) [F2009L03550].

Foreign Acquisitions and Takeovers Act—Regulations—Select Legislative Instrument—2009 No. 245 [F2009L03549].

Foreign States Immunities Act—Regulations—Select Legislative Instrument—2009 No. 249 [F2009L03708].

Freedom of Information Act—Regulations—Select Legislative Instrument—2009 No. 276 [F2009L03778].

Fringe Benefits Tax Assessment Act—Regulations—Select Legislative Instrument—2009 No. 246 [F2009L03532].

Health Insurance Act—

Declarations—2009 QAA Nos 2, 3 [F2009L03723], [F2009L03735].

Determinations under—

Section 3C—2009—

Allied health services (No. 2) [F2009L03704].

Positron emission tomography—Facilities (No. 2) [F2009L03702].

Section 10B—2009 Extended Medicare Safety Net [F2009L03861].

Regulations—Select Legislative Instruments—2009 Nos 236, 270, 271, 272 [F2009L02964], [F2009L03138], [F2009L03137], [F2009L03329].

Higher Education Support Act—VET provider—Notices of approval—2009 Nos 35, 36, 37 [F2009L03526], [F2009L03734], [F2009L03743].

Imported Food Control Act—Regulations—Select Legislative Instrument—2009 No. 235 [F2009L03524].

Income Tax Assessment Act 1997—Regulations—Select Legislative Instrument—2009 No. 247 [F2009L03523].

Industry Research and Development Act—Directions—2009 Re-tooling for Climate Change Program (No. 1) [F2009L03525].

Interstate Road Transport Act—Determinations—2009—Routes for—

B-double vehicles carrying higher mass limits under the Federal Interstate Registration Scheme (FIRS) (No. 2) [F2009L03628].

B-doubles not operating at higher mass limits under the Federal Interstate Registration Scheme (FIRS) (No. 1) [F2009L03627].

Vehicles, other than B-doubles and rigid truck and trailer combinations, carrying higher mass limits under the Federal Interstate Registration Scheme (FIRS) (No. 1) [F2009L03629].

Migration Act—

Direction under section 499—2009 No. 42.

Migration Agents Regulations—Migration Agents (Continuing professional development) Notices—2009—

Attendance at a seminar, workshop, conference or lecture, No. MN38-09c [F2009L03595].
 Miscellaneous activities, No. MN38-09f [F2009L03596].
 Private study of audio, video or written material, No. MN38-09b [F2009L03594].
Pro bono activities, No. MN38-09g [F2009L03597].
 Regulations—Select Legislative Instruments—2009 Nos 237, 273 [F2009L03528], [F2009L03759].
 Motor Vehicle Standards Act—Determination—2009 Vehicle standard (Australian design rule 84/00 Front underrun impact protection) [F2009L03609].
 Nation Building Program (National Land Transport) Act—
 Determination—2009 Conditions applying to payments under Part 8 [F2009L03617].
 Instrument—2009 Variation of the nation building program roads to recovery list (No. 3) [F2009L03733].
 National Health Act—
 Amendment declarations and amendment determinations under section 85—2009 Nos PB 86, PB 96 [F2009L03544], [F2009L03829].
 Amendment determinations under—
 section 84AF—2009 Nos PB 88, PB 98 [F2009L03543], [F2009L03798].
 sections 85, 85A and 88—2009 Nos PB 87, PB 97 [F2009L03545], [F2009L03821].
 section 85AB—2009 No. PB 99 [F2009L03802].
 sections 85AB and 85AC—2009 No. PB 89 [F2009L03540].
 section 85B—2009 Nos PB 90, PB 100 [F2009L03537], [F2009L03820].
 section 93—2009 No. PB 91 [F2009L03541].
 section 99ADB—2009 Nos PB 95, PB 105 [F2009L03722], [F2009L03737].
 Amendment special arrangements under section 100—2009 Nos PB 92, PB 93, PB 94, PB 101, PB 102 [F2009L03547], [F2009L03546], [F2009L03701], [F2009L03885], [F2009L03892].
 Determination under section 9B—2009 Immunisation program—Designated vaccines (No. 2) [F2009L03765].
 National Transport Commission Act—Regulations—Select Legislative Instruments—2009 Nos 238, 239, 240, 241, 242 [F2009L03553], [F2009L03554], [F2009L03555], [F2009L03569], [F2009L03570].
 Navigation Act and Protection of the Sea (Prevention of Pollution from Ships) Act—Marine Orders—2009 No. 3 [F2009L03640].
 Parliamentary Entitlements Act—Regulations—Select Legislative Instrument—2009 No. 250 [F2009L03706].
 Private Health Insurance Act—Rules—2009—
 Benefit requirements—Amendment (No. 5) [F2009L03599].
 Complying product (No. 2) [F2009L03600].
 Insurer obligations [F2009L03634].
 Prostheses—Amendment (No. 3) [F2009L03777].
Protection of the Sea Legislation Amendment Act 2008—Proclamation under subsection 2 (1) fixing 13 October 2009 as the day on which Schedule 1 to the Act commences [F2009L03731].
 Protection of the Sea (Oil Pollution Compensation Fund) Act—Regulations—Select Legislative Instruments—2009 Nos 243, 244 [F2009L03536], [F2009L03539].
 Radiocommunications Act—
 Advisory guidelines—2009 Managing interference to apparatus licensed receivers—3.4 GHz band—Amendment (No. 1) [F2009L03576].
 Determination—2009 Licence conditions (Fixed licence)—Amendment (No. 1) [F2009L03578].
 Remuneration Tribunal Act—Remuneration Tribunal—Determinations—2009 Nos 13, 14, 15, 16, 17, 18, 19 [F2009L03658], [F2009L03676], [F2009L03673], [F2009L03680], [F2009L03665], [F2009L03674], [F2009L03846].
 Social Security Act—
 Determinations—2009—
 Australian Government disaster recovery payments—
 Nos 6, 7 [F2009L03837], [F2009L03838].
 Amount of payment for disasters outside Australia [F2009L03836].
 Exempt lump sum—
 Dependant pension lump sum payment and closure—FaHCSIA [F2009L03607].
 Dependents' pension lump sum payment and closure—DEEWR (No. 1) [F2009L03619].
 Foreign currency exchange rate (No. 2) [F2009L03510].

Specification—2009 Waiver of debts (Small APRA funds)—FaHCSIA [F2009L03948].

Social Security (Administration) Act—Determination—2009 Declared relevant Northern Territory areas—Various (No. 10) [F2009L03736].

Taxation Administration Act—
 Determinations—
 1992—No. TD 156 (Addendum).
 1993—No. TD 62 (Withdrawal).
 2009—
 GSTD—No. 2.
 TD—No. 19.

Guidelines—2009 Private ancillary fund [F2009L03700].

Rulings—
 2006—CR—No. 84 (Withdrawal).
 2007—CR—Nos 16 (Addendum), 17 (Addendum).
 2008—
 CR—No. 91 (Addendum).
 PR—Nos 63 (Withdrawal), 65 (Withdrawal), 72 (Withdrawal).
 2009—
 CR—Nos 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61.
 PR—Nos 18 (Withdrawal), 20 (Withdrawal), 22 (Withdrawal), 49, 50.
 TR—No. 6.
 Old series—IT—No. 2181 (Withdrawal).

Telecommunications Act 1997—
 Declaration—2009 Types of cabling work—Amendment (No. 1) [F2009L03730].
 Rules—2009 Telecommunications cabling provider—
 Amendment (No. 1) [F2009L03729].
 Arrangements for operation of the registration system (No. 3) [F2009L03732].
 Therapeutic Goods Act—Notices—2009 Listing (Nos 5, 6) [F2009L03632], [F2009L03872].
 Veterans' Entitlements Act—Instrument under section 90—2009 Treatment principles—Community care at home approved under the *Aged Care Act 1997* for former prisoners of war and Victoria Cross recipients (No. R53) [F2009L03776].

ATTENDANCE

All Members attended (at some time during the sitting) except *Ms A. L. Ellis, Mr Hawker, Mr Hockey, Mr Keenan, Mrs Mirabella, *Mr Neville, Mr Oakeshott, Mr Price and Mr Robert.

* On leave

I. C. HARRIS
 Clerk of the House of Representatives

2008-09

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 122

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

MONDAY, 19 OCTOBER 2009

1 The Main Committee met at 4 p.m.

2 MEMBERS' CONSTITUENCY STATEMENTS

Members' constituency statements being made—

Document

Mr Broadbent, by leave, presented the following documents:

Medicare office for Moe, Victoria—Letters from Moe and District Residents Association to CEO Medicare, 27 April and 6 July 2009 [2].

Members' constituency statements continued.

3 AUSTRALIAN NATIONAL PREVENTIVE HEALTH AGENCY 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.

Ms Neal addressing the Main Committee—

It being 6.40 p.m., the debate was interrupted in accordance with standing order 192, Ms Neal 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 the next sitting.

4 MEMBERS' STATEMENTS

Members' statements being made—

Document

Ms Parke, by leave, presented the following document:

Deaths in custody—(*Receipt of document as a petition subject to approval by the Standing Committee on Petitions*).

Members' statements continuing—

Document

Mr Simpkins, by leave, presented the following document:

Homelessness and young people—(*Receipt of document as a petition subject to approval by the Standing Committee on Petitions*).

Members' statements continuing—

Petitions

Mr Bevis presented the following petitions approved by the Standing Committee on Petitions:

Carbon Pollution Reduction Scheme Bill 2009—134 petitioners; and

Parallel import restrictions on books—2,097 petitioners.

Members' statements continued.

5 CLEAN ENERGY SECURITY BILL 2009

The order of the day having been read for the second reading—Mr Tuckey moved—That the bill be now read a second time.

Debate ensued.

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.

6 NATIONAL SCHOOLS CHAPLAINCY PROGRAM

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

- (1) notes that in 2007, the Coalition Government initiated the National Schools Chaplaincy Program (NSCP);
- (2) acknowledges the important role of school chaplains in supporting the personal, spiritual and emotional wellbeing of students at schools throughout Australia;
- (3) recognises that school chaplains provide essential services to students of all ages, staff and the wider school community, assisting them resolve emotional, social and everyday issues and build relationships;
- (4) notes that the Government's failure to renew existing contracts awarded under the NSCP will impact student welfare, personal and academic development and place additional pressure on school resources; and
- (5) calls on the Government to:
 - (a) extend the NSCP beyond the life of the existing contracts due to expire in 2010;
 - (b) support an extension of the program to make chaplains available to more schools; and
 - (c) acknowledge that failing to renew funding for this widely accessed service will disadvantage students (*see item No. 6, 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.

7 INFRASTRUCTURE PROJECTS

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

- (1) notes that:
 - (a) a comprehensive and accessible rail transport system is an important link in the Australian transport chain that joins communities and strengthens industry; and
 - (b) the Australian Government has invested an unprecedented \$26.4 billion in road and rail infrastructure through the Nation Building Program over the six year period from 2008-09 to 2013-14; and
- (2) supports:
 - (a) the Australian Government's budget announcement of more than \$25 billion for key road, rail and port projects;
 - (b) fiscal strategies and major infrastructure projects that aim to create jobs and boost long term productivity; and
 - (c) the continued encouragement of private involvement in delivering new infrastructure (*see item No. 6, Votes and Proceedings*)—

Debate resumed.

Document

Mr Morrison, by leave, presented the following document:

Meeting the 2050 freight challenge—Infrastructure Partnerships Australia—2009.

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.

8 AIRSERVICES AUSTRALIA AND PERTH AIRPORT

The order of the day having been read for the resumption of the debate on the motion of Mrs Moylan—
That the House:

- (1) notes that:
- (a) substantial changes to air flight paths were made by Airservices Australia in November 2008 in relation to Perth Airport;
 - (b) Airservices Australia is a corporation which receives income from airlines and other corporate clients, and that it has control over the location of and changes to flight paths;
 - (c) although the Perth Airport Noise Management Committee was advised that a Western Australian Air Route Review had commenced, the committee members were not advised of the commencement of the changes or the selection of the final flight paths;
 - (d) Airservices Australia stated that the rationale for the changes to flight paths related to the Civil Aviation Safety Authority (CASA) Safety Review and were required due to the need to “maintain safety, reduce complexity and cope with the rapid and predicted continued increase in air traffic”;
 - (e) Perth Airport has already exceeded traffic levels not expected until 2015;
 - (f) prior to the changes, the CASA Safety Review and the noise impact statements were not made available to the committee;
 - (g) there is no evidence of an open, accountable and effective public consultation process by Airservices Australia prior to the changes occurring; and
 - (h) there has been:
 - (i) a high level of public disquiet about the changes that have been made and the lack of public consultation; and
 - (ii) no revision of the Noise Abatement Procedures since 2004; and
- (2) calls on the Government to:
- (a) examine whether there is a conflict of interest in Airservices Australia’s roles that may impact on the public;
 - (b) implement an inquiry into the legislative arrangements governing airports with particular reference to the establishment of an open and accountable public consultation process before changes are made to aircraft flight paths;
 - (c) establish a nationally consistent approach to the management of increased air traffic and changes to air flight paths with reference to noise abatement issues; and
 - (d) consider appointing an Airport Ombudsman to provide an independent agency to examine public grievances in the management of changes to airport operations and their effect on the public (*see item No. 6, Votes and Proceedings*)—

Debate resumed.

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

9 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—

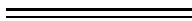
Debate ensued.

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

10 ADJOURNMENT

On the motion of Mrs Irwin, the Main Committee adjourned at 9.28 p.m.

The Deputy Speaker fixed 9.30 a.m. on Wednesday, 21 October 2009 for the next meeting of the Main Committee.



B. C. WRIGHT
Clerk of the Main Committee