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1 MEETING OF SENATE

The Senate met at 12.30 pm. The President (Senator the Honourable John Hogg) took the chair and read prayers. (In accordance with precedent, and after consultation with senators, the President had postponed the meeting in exceptional circumstances.)

2 NATIONAL APOLOGY TO THE FORGOTTEN AUSTRALIANS AND FORMER CHILD MIGRANTS

The Leader of the Government in the Senate (Senator Evans), by leave, moved—That the Senate supports the apology given on this day by the Prime Minister, on behalf of the nation, to the Forgotten Australians and former child migrants in the following terms:

We come together today to deal with an ugly chapter in our nation's history.

And we come together today to offer our nation's apology.

To say to you, the Forgotten Australians, and those who were sent to our shores as children without your consent, that we are sorry.

Sorry – that as children you were taken from your families and placed in institutions where so often you were abused.

Sorry – for the physical suffering, the emotional starvation and the cold absence of love, of tenderness, of care.

Sorry – for the tragedy of childhoods lost – childhoods spent instead in austere and authoritarian places, where names were replaced by numbers, spontaneous play by regimented routine, the joy of learning by the repetitive drudgery of menial work.

Sorry – for all these injustices to you as children, who were placed in our care.

As a nation, we must now reflect on those who did not receive proper care.

We look back with shame that many of you were left cold, hungry and alone and with nowhere to hide and nobody to whom to turn.

We look back with shame that many of these little ones who were entrusted to institutions and foster homes – instead, were abused physically, humiliated cruelly and violated sexually.

We look back with shame at how those with power were allowed to abuse those who had none.

And how then, as if this was not injury enough, you were left ill-prepared for life outside – left to fend for yourselves; often unable to read or write; to struggle alone with no friends and no family.

For these failures to offer proper care to the powerless, the voiceless and the most vulnerable, we say sorry.

We reflect too today on the families who were ripped apart, simply because they had fallen on hard times.

Hard times brought about by illness, by death and by poverty.

Some simply left destitute when fathers, damaged by war, could no longer cope.

Again we say sorry for the extended families you never knew.

We acknowledge the particular pain of children shipped to Australia as child migrants – robbed of your families, robbed of your homeland, regarded not as innocent children but regarded instead as a source of child labour.

To those of you who were told you were orphans, brought here without your parents' knowledge or consent, we acknowledge the lies you were told, the lies told to your mothers and fathers, and the pain these lies have caused for a lifetime.

To those of you separated on the dockside from your brothers and sisters; taken alone and unprotected to the most remote parts of a foreign land – we acknowledge today the laws of our nation failed you.

And for this we are deeply sorry.

We think also today of all the families of these Forgotten Australians and former child migrants who are still grieving, families who were never reunited, families who were never reconciled, families who were lost to one another forever.

We reflect too on the burden that is still carried by your own children, your grandchildren, your husbands, your wives, your partners and your friends – and we thank them for the faith, the love and the depth of commitment that has helped see you through the valley of tears that was not of your making.

And we reflect with you as well, in sad remembrance, on those who simply could not cope and who took their own lives in absolute despair.

We recognise the pain you have suffered.

Pain so personal.

Pain so profoundly disabling.

So, let us therefore, together, as a nation, allow this apology to begin healing this pain.

Healing the pain felt by so many of the half a million of our fellow Australians and those who as children were in our care.

And let us also resolve this day, that this national apology becomes a turning point in our nation's story.

A turning point for shattered lives.

A turning point for Governments at all levels and of every political colour and hue, to do all in our power to never let this happen again.

For the protection of children is the sacred duty of us all.

Debate ensued.

Question put and passed.

3 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Farrell, by leave and at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin), moved—That the Legal and Constitutional Affairs Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today.

Question put and passed.

4 **CORPORATIONS AMENDMENT (IMPROVING ACCOUNTABILITY ON TERMINATION PAYMENTS) BILL 2009**

Order of the day read for the consideration of message no. 430 from the House of Representatives in committee of the whole (*see entry no. 45, 29 October 2009*).

In the committee

SCHEDULE OF THE AMENDMENT MADE BY THE SENATE
TO WHICH THE HOUSE OF REPRESENTATIVES HAS DISAGREED

- (1) Schedule 1, page 10 (after line 27), after item 32, insert:

32A At the end of section 200F

Add:

Certain exceptions cease to operate

- (6) Subsections 200F(2), (3) and (4) cease to have effect 36 months after the commencement of Part 1 of Schedule 1 of the *Corporations Amendment (Improving Accountability on Termination Payments) Act 2009*, unless their operation is continued or varied by a subsequent Act of Parliament.

Note: Subsections 200F(2), (3) and (4) provide exceptions to the member approval requirement for benefits that do not exceed one year's base salary.

The Assistant Treasurer (Senator Sherry) moved—That the committee does not insist on its amendment to which the House of Representatives has disagreed.

Debate ensued.

Question put and passed.

Resolution to be reported.

The Acting Deputy President (Senator Barnett) resumed the chair and the Temporary Chair of Committees reported that the committee had considered message no. 430 from the House of Representatives relating to the Corporations Amendment (Improving Accountability on Termination Payments) Bill 2009 and had resolved not to insist on the amendment made by the Senate to which the House had disagreed.

On the motion of Senator Sherry the report from the committee was adopted.

5 **SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (INCOME SUPPORT FOR STUDENTS) BILL 2009**

Order of the day read for the adjourned debate on the motion of the Minister for Defence (Senator Faulkner)—That this bill be now read a second time.

Debate resumed.

At 2 pm: Debate was interrupted while Senator Ronaldson was speaking.

6 **QUESTIONS**

Questions without notice were answered.

7 ECONOMICS—CARBON POLLUTION REDUCTION SCHEME—FRONTIER ECONOMICS REPORT—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

The Assistant Treasurer (Senator Sherry), by leave, made a statement relating to the order of the Senate of 27 October 2009 for the production of documents concerning the Carbon Pollution Reduction Scheme and the Frontier Economics report and tabled the following document:

Economics—Carbon Pollution Reduction Scheme—Frontier Economics report—Assessment of the Frontier Economics proposal to provide intensity based allocations to electricity generators.

8 MOTIONS TO TAKE NOTE OF ANSWERS

Senator Colbeck moved—That the Senate take note of the answer given by the Assistant Treasurer (Senator Sherry) to a question without notice asked by Senator Colbeck today relating to the Australian Customs patrol vessel, *Oceanic Viking*.

Debate ensued.

Question put and passed.

Senator Milne moved—That the Senate take note of the answer given by the Minister for Climate Change and Water (Senator Wong) to a question without notice asked by Senator Milne today relating to the 2009 Barcelona Climate Change Talks.

Question put and passed.

9 DEATH OF FORMER MEMBER ALLAN WILLIAM MULDER

The Deputy President (Senator Ferguson) informed the Senate of the death, on 7 November 2009, of Allan William Mulder, a member of the House of Representatives for the division of Evans from 1972 to 1975.

10 HEALTH—HEALTH INSURANCE AND MEDICAL SERVICES—DOCUMENTS

Senator Cormann, by leave, tabled the following documents:

Health—Health insurance and medical services—

Health Insurance Act—Health Insurance (Cataract Surgery) Determination 2009 [F2009L04076].

Department of Veterans' Affairs—Fee schedules for medical services—

1 November 2008 to 31 October 2009.

1 November 2009 to 31 October 2010.

11 PETITION

The following petition, lodged with the Clerk by Senator Ronaldson, was received:

From 235 petitioners, requesting that the Senate call on the Government to reconsider the proposed changes to the independent rate of the youth allowance.

12 NOTICES

Notices of motion:

The Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin): To move on the next day of sitting—That the time for the presentation of the report of the Legal and Constitutional Affairs Legislation Committee on the provisions of the Crimes Amendment (Working With Children—Criminal History) Bill 2009 be extended to 19 November 2009. (*general business notice of motion no. 608*)

The Chair of the Legal and Constitutional Affairs References Committee (Senator Barnett): To move on the next day of sitting—That the time for the presentation of the following reports of the Legal and Constitutional Affairs References Committee be extended to 26 November 2009:

- (a) access to justice; and
- (b) Australia's judicial system and the role of judges. (*general business notice of motion no. 609*)

The Chair of the Legal and Constitutional Affairs References Committee (Senator Barnett): To move on the next day of sitting—That the Legal and Constitutional Affairs References Committee be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 17 November 2009, from 4 pm to 5.30 pm, to take evidence for the committee's inquiry into Australia's judicial system and the role of judges. (*general business notice of motion no. 610*)

Senator Cormann: To move on the next day of sitting—That the Senate—

a) Notes that:

- 1) the Rudd Government is ignoring the accelerating crisis in aged care, in particular the serious financial viability challenges faced by aged care providers involved in the provision of high care beds;
- 2) the Government appears to justify its inaction by pointing to advice from the Department of Health and Ageing, also submitted to various Senate committees, that "efficient" aged care providers are financially viable;
- 3) the Senate has sought to verify those claims by seeking access to the de-identified data from the audited General Financial Purpose Accounts, which the Department of Health and Ageing has been collecting from aged care providers since the 2004-05 financial year;
- 4) on 13 August 2009, in answer to question on notice 1688, the Minister indicated that the de-identified data from the General Purpose Accounts was available on the Department of Health and Ageing website – when in fact it wasn't;
- 5) on 19 August 2009 the Senate ordered that the de-identified data from the General Purpose Accounts and associated reports from the years 2005-06 to 2008-09 be laid on the table;
- 6) the Government eventually made the 2006-07 de-identified unit record data available;
- 7) the Government refused to table the remaining information part of the Senate's order, providing the following reasons in a letter dated 20 September 2009:
 - a) information from 05-06 was of 'poor quality' and 'could be misleading and not contribute to the public understanding of these issues';
 - b) Access Economic and KPMG reports of the 2006-07 data were to 'inform the Cabinet's deliberations'; and
 - c) information from 2007-08 is incomplete, awaiting some late returns.

- b) Considers that the above grounds are either not supported by precedent or insufficient justification for the refusal to provide the requested information and documents to the Senate, noting in particular that:
 - 1) the Senate has previously explicitly rejected the proposition that information that may ‘confuse the public debate’ is a sufficient ground not to release information;
 - 2) not every document placed before Cabinet reveals the deliberations of Cabinet, and only if the reports in question revealed Cabinet deliberations would they conform with the recognised ground; and
 - 3) incomplete material can (and should) be tabled with a caveat as to its incompleteness.
- c) Rejects the Ministers grounds for withholding the national de-identified data and associated reports.
- d) Considers publication of the national de-identified data from the audited General Purpose Accounts and associated reports to be in the public interest.
- e) Again orders that there be laid on the table by the Minister representing the Minister for Health and Ageing by no later than 12 pm on 18 November 2009, the following documents:
 - 1) National de-identified data from the audited General Purpose Accounts of aged care providers for:
 - i) 2005-06;
 - ii) 2007-08, including any report/analysis by the department and/or any third party consultant; and
 - 2) the report/analysis by Access Economics and KPMG based on the 2006-07 de-identified unit record data from the audited General Purpose Accounts of aged care providers. (*general business notice of motion no. 611*)

Senator Cormann: To move on the next day of sitting—That the Senate—

- (a) Notes that:
 - 1) the Health Insurance Amendment (Revival of Table Items) Bill 2009 passed the Senate on 28 October 2009;
 - 2) the Clerk of the Senate provided advice that there was no constitutional barrier to the Senate introducing (and passing) this bill;
 - 3) the Minister for Health and Ageing told the House of Representatives on 29 October 2009, that the Government had legal advice that this bill was unconstitutional, that it should not have been introduced in the Senate and had not been appropriately passed;
 - 4) the Minister also told the House of Representatives that the Government, was “happy to provide that legal advice” (9.59am, 29/10/2009);
 - 5) subsequent and repeated requests to obtain a copy of the legal advice the Minister relied upon to make her claims on 29 October 2009 that the bill passed by the Senate was unconstitutional have been unsuccessful;
 - 6) eventually a copy of departmental advice dated 4 November 2009 was provided, advice which clearly had been drafted well after the Minister made her claims based on ‘legal advice’ on 29 October 2009, and after requests for a copy of that legal advice had been put to the Minister.

- (b) Orders that there be laid on the table by the Minister representing the Minister for Health and Ageing in the Senate, by no later than 5pm on 17 November 2009, a copy of the legal advice referred to by the Minister on 29 October 2009, indicating that the Health Insurance Amendment (Revival of Table Items) Bill 2009 was unconstitutional. (*general business notice of motion no. 612*)

The Leader of the Opposition in the Senate (Senator Minchin): To move on the next day of sitting—That there be laid on the table by the Minister for Broadband, Communications and the Digital Economy, no later than 10 am on Wednesday, 18 November 2009, a document outlining:

- (a) the selection process undertaken to appoint Mr Mike Kaiser as the Principal – Government Relations and External Affairs for NBN Co., as announced on 13 November 2009, including where and when the position was advertised, when the Minister became aware of the proposed appointment, whether there was any communications between the Prime Minister, the Minister and/or the office of the Prime Minister or the office of the Minister with the Executive Chairman of NBN Co., Mr Mike Quigley, about the appointment and the nature and timing of this communication; and
- (b) the annual starting salary for the position of Principal – Government Relations and External Affairs for NBN Co. (*general business notice of motion no. 613*)

Senator Ronaldson: To move on 24 November 2009—That the definition of *electioneering* in subregulation 3AA(11) in item [1] of Schedule 1 of the Parliamentary Entitlements Amendment Regulations 2009 (No. 1) Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 250 and made under the *Parliamentary Entitlements Act 1990*, be disallowed.

The Leader of the Australian Greens (Senator Bob Brown) and Senator Hanson-Young: To move on the next day of sitting—That the Senate—

- (a) does not support the non-consultative process which has led to the closures of the Tasmanian, South Australian and Northern Territory offices of the National Archives of Australia;
- (b) recognises:
 - (i) the disadvantages that will be faced by researchers, organisations and the general public as a result of the office closures, and
 - (ii) that the number of reading room visits has remained steady over the past 5 years despite an increase in online requests and viewing; and
- (c) calls on the Government to reverse the decision to close the three offices to ensure all Australians have access to the archive collection in their state or territory. (*general business notice of motion no. 614*)

The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That the Senate—

- (a) congratulates the nation of Palau for giving a temporary home to six Uighur men who have been held by the United States of America (US) in Guantanamo Bay prison;
- (b) recognises that the men were cleared of all charges of war crimes and that the US acknowledges they cannot be sent back to China because of the risk of persecution;
- (c) notes the strong and vibrant Uighur community in Australia; and
- (d) calls on the Australian Government to consider the resettlement of the men in Australia. (*general business notice of motion no. 615*)

The Special Minister of State (Senator Ludwig): To move on the next day of sitting—That, on Tuesday, 17 November 2009:

- (a) the hours of meeting shall be 12.30 pm to 6.30 pm and 7 pm to 11.40 pm;
- (b) the routine of business from 7 pm shall be government business only; and
- (c) the question for the adjournment of the Senate shall be proposed at 11 pm.

The Deputy Chair of the Foreign Affairs, Defence and Trade Legislation Committee (Senator Trood): To move on the next day of sitting—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade Legislation Committee on the Defence Amendment (Parliamentary Approval of Overseas Service) Bill 2008 [No. 2] be extended to 25 February 2010. (*general business notice of motion no. 616*)

Senator Siewert: To move on the next day of sitting—That the Senate—

- (a) notes the recent decision by the Northern Territory Government to refuse to provide renal health services to new interstate patients in the border regions of Western Australia and South Australia is leading to significant hardship and poor health outcomes and potentially putting lives at risk;
- (b) raises concern over the plight of Mr Patrick Tjungurrayi, a renown member of the Pupunya Tula group of artists who together raised a million dollars to establish dialysis services in Alice Springs and Kintore, which Patrick is now unable to access;
- (c) calls on the Minister for Health and Ageing, Nicola Roxon, to convene an urgent meeting of the relevant state and territory ministers to negotiate an outcome to this impasse;
- (d) suggests that the Minister consider interim measures to address unmet demand prior to the establishment of the new 15 seat renal unit in Alice Springs, including the provision of additional resources to enable night dialysis; and
- (e) highlights the rising demand for kidney dialysis by Aboriginal Australians in central Australia and other regions and recommends that a longer term planning process is needed to assess and respond to projected growth in the need for renal services. (*general business notice of motion no. 617*)

Senator Cormann, the Leader of the Family First Party (Senator Fielding) and Senator Xenophon: To move on 25 November 2009—That the Health Insurance (Cataract Surgery) Determination 2009, made under subsection 3C(1) of the *Health Insurance Act 1973*, be disallowed.

Senator Milne: To move on the next day of sitting—That there be laid on the table, no later than 4 pm on 18 November 2009, the assessment by Geoscience Australia reportedly identifying prospective sites for underground carbon dioxide storage sites in Victoria, Queensland and Western Australia, referred to in an article, 'New hope for viable clean coal projects' published in *The Australian* on 24 October 2009. (*general business notice of motion no. 618*)

Intention to withdraw: Senator Abetz, pursuant to standing order 78, gave notice of his intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notice of motion no. 2 standing in his name for today for the disallowance of Schedule 2 of the Fair Work Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 164 and made under the *Fair Work Act 2009*.

Senator Abetz, by leave, made a statement relating to the notice of intention.

13 LEAVE OF ABSENCE

Senator O'Brien, by leave, moved—That leave of absence be granted to the following senators:

- (a) Senators Bishop, Cameron, Conroy and Pratt from 16 November to 20 November 2009, on account of parliamentary business overseas;
- (b) Senator Bilyk for 16 November and 17 November 2009, on account of parliamentary business; and
- (c) Senator Carol Brown on 16 November 2009, for personal reasons.

Question put and passed.

Senator Parry, by leave, moved—That leave of absence be granted to Senator Johnston from 16 November to 20 November 2009, on account of parliamentary business overseas.

Question put and passed.

14 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator O'Brien, by leave and at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin), moved—That the time for the presentation of the report of the Legal and Constitutional Affairs Legislation Committee on the provisions of the Personal Property Securities (Consequential Amendments) Bill 2009 be extended to 23 November 2009.

Question put and passed.

15 ECONOMICS REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Parry, by leave and at the request of the Chair of the Economics References Committee (Senator Eggleston), moved—That the time for the presentation of the report of the Economics References Committee on the GROCERYchoice website be extended to 18 November 2009.

Question put and passed.

16 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the names of Senators Boswell and Macdonald for today, proposing the disallowance of the Proclamation dated 14 May 2009 [Coral Sea Conservation Zone], postponed till 17 November 2009.

Business of the Senate order of the day no. 4, proposing the disallowance of the Threat Abatement Plan for disease in natural ecosystems caused by *Phytophthora cinnamomi* (2009), postponed till 17 November 2009.

General business notice of motion no. 527 standing in the name of Senator Xenophon for today, proposing the introduction of the Water Licence Moratorium Bill 2009, postponed till 2 February 2010.

17 FINANCE AND PUBLIC ADMINISTRATION REFERENCES COMMITTEE—REFERENCE

Senator Ludlam, also on behalf of Senator Xenophon and the Leader of the Family First Party (Senator Fielding), pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 3—

- (1) That the following matter be referred to the Finance and Public Administration References Committee for inquiry and report by the first day of sitting in 2010:
A process for determining public interest immunity claims made by the government in response to orders of the Senate or of Senate committees for the production of information and documents.
- (2) That the committee consider whether the following proposed order of the Senate would provide a suitable process:

INDEPENDENT ARBITRATION OF PUBLIC INTEREST IMMUNITY CLAIMS**PROPOSED RESOLUTION OF THE SENATE**

- (1) If:
 - (a) the Senate orders that a minister produce documents; and
 - (b) the minister responsible for producing the documents considers that there may be reasons why the documents should not be produced,
a minister shall make a statement to the Senate, on or before the date specified by the Senate for the production of the documents, setting out why it may not be in the public interest for the documents to be produced.
- (2) If:
 - (a) a minister makes a statement under paragraph (1); or
 - (b) a committee makes a report to the Senate under paragraph (5) of the order of the Senate of 13 May 2009,
and the Senate does not, within two sitting days after the statement or the report is made, by resolution accept the reasons given by the minister in the statement or as set out in the report of the committee, the statement or the report shall be referred to the independent arbitrator in accordance with this order.
- (3) Where the reasons set out in the statement or the report consist of, or include, a claim that documents or information are commercially confidential, the independent arbitrator in respect of that claim is the Auditor-General.
- (4) Where other reasons are given the statement or report shall be referred to an independent arbitrator appointed by resolution of the Senate.
- (5) The independent arbitrator shall, as soon as practicable, report to the Senate on whether the reasons given for withholding the documents or information are justified.
- (6) Where the independent arbitrator reports that reasons given for the withholding of information or documents are not justified, the documents or information shall be produced in accordance with the order of the Senate or the requirement of the committee, subject to any further order of the Senate.

Question put and passed.

Statements by leave: Senators O'Brien and Ludlam, by leave, made statements relating to the motion.

18 NOTICE OF MOTION WITHDRAWN

Senator Parry, at the request of Senator Humphries, withdrew general business notice of motion no. 508 standing in the name of Senator Humphries for today, relating to former child migrants and children harmed by institutional care.

19 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—IMMIGRATION—BORDER PROTECTION

The Deputy President (Senator Ferguson) informed the Senate that Senator Parry had proposed that the following matter of public importance be submitted to the Senate for discussion:

The Rudd Labor Government's failed border protection policy

The proposal was supported by four senators and the matter was discussed.

20 NOTICE

Senator Siewert gave a notice of motion as follows: To move on 18 November 2009—

- (1) That the following bills:

Health Legislation Amendment (Midwives and Nurse Practitioners) Bill 2009

Midwife Professional Indemnity (Run-off Cover Support Payment) Bill 2009

Midwife Professional Indemnity (Commonwealth Contribution) Scheme Bill 2009,

be again referred to the Community Affairs Legislation Committee, together with the Government amendments to the bills circulated on 28 October 2009, for inquiry and report by 1 February 2010.

- (2) In undertaking this inquiry, the committee shall consider:

- (a) whether the consequences of the Government's amendments for professional regulation of midwifery will give doctors medical veto over midwives' ability to renew their licence to practice;
- (b) whether the Government's amendments' influence on the health care market will be anti-competitive;
- (c) whether the Government's amendments will create difficulties in delivering intended access and choice for Australian women;
- (d) why the Government's amendments require 'collaborative arrangements' that do not specifically include maternity service providers including hospitals;
- (e) whether the Government's amendments will have a negative impact on safety and continuity of care for Australian mothers; and
- (f) any other related matter.

21 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—GOVERNMENT RESPONSE—FRANCHISING CODE OF CONDUCT

The Acting Deputy President (Senator Crossin) tabled the following document received on 5 November 2009:

Corporations and Financial Services—Joint Statutory Committee—Report—Opportunity not opportunism: Improving conduct in Australian franchising—Government response.

22 ECONOMICS—STANDING COMMITTEE—GOVERNMENT RESPONSE—DEFINITION OF UNCONSCIONABLE CONDUCT FOR THE PURPOSES OF PART IVA OF THE TRADE PRACTICES ACT 1974

The Acting Deputy President (Senator Crossin) tabled the following document received on 5 November 2009:

Economics—Standing Committee—Report—The need, scope and content of a definition of unconscionable conduct for the purposes of Part IVA of the *Trade Practices Act 1974*—Government response.

23 GOVERNMENT DOCUMENTS

The Acting Deputy President (Senator Crossin) tabled the following documents received on the dates indicated:

Acts Interpretation Act—Statements pursuant to subsection 34C(6) relating to the extension of specified period for presentation of reports—

Australian Sports Anti-Doping Authority—Report for 2008-09. [*Received 2 November 2009*]

Australian Sports Commission—Report for 2008-09. [*Received 2 November 2009*]

Auditing and Assurance Standards Board—Report for 2008-09. [*Received 4 November 2009*]

Australian Accounting Standards Board—Report for 2008-09. [*Received 4 November 2009*]

Australian National Maritime Museum—Report for 2008-09. [*Received 30 October 2009*]

Australian Reinsurance Pool Corporation—Report for 2008-09. [*Received 5 November 2009*]

Australian Securities and Investments Commission (ASIC)—Report for 2008-09. [*Received 5 November 2009*]

Companies Auditors and Liquidators Disciplinary Board (CALDB)—Report for 2008-09. [*Received 30 October 2009*]

Corporations and Markets Advisory Committee—Report for 2008-09. [*Received 4 November 2009*]

Cotton Research and Development Corporation—Report for 2008-09. [*Received 12 November 2009*]

Department of Immigration and Citizenship—Report for 2008-09, including report on the operation of the *Immigration (Education) Act 1971*. [*Received 30 October 2009*]

Department of Infrastructure, Transport, Regional Development and Local Government—Report for 2008-09. [*Received 30 October 2009*]

Department of the Environment, Water, Heritage and the Arts—Reports for 2008-09—

Volume 1—Department of the Environment, Water, Heritage and the Arts. [*Received 30 October 2009*]

Volume 2—Legislation. [*Received 30 October 2009*]

Department of the Treasury—Report for 2008-09. [*Received 30 October 2009*]

Executive Director of Township Leasing—Report for 2008-09. [*Received 30 October 2009*]

Family Court of Australia—Report for 2008-09. [*Received 30 October 2009*]

Financial Reporting Council—Report for 2008-09 on auditor independence. [*Received 13 November 2009*]

Financial Reporting Panel—Report for 2008-09. [*Received 4 November 2009*]

Gene Technology Regulator—Quarterly report for the period 1 April to 30 June 2009. [*Received 13 November 2009*]

Grape and Wine Research and Development Corporation—Report for 2008-09. [*Received 5 November 2009*]

Land and Water Resources Research and Development Corporation (Land & Water Australia)—Report for 2008-09. [*Received 12 November 2009*]

National Breast and Ovarian Cancer Centre—Report for the period 1 January to 30 June 2009. [*Received 30 October 2009*]

National Gallery of Australia—Report for 2008-09. [*Received 30 October 2009*]

National Health and Medical Research Council (NHMRC)—Report for 2008-09. [*Received 30 October 2009*]

Native Title Act 1993—Native title representative bodies—Northern Land Council—Report for 2008-09. [*Received 30 October 2009*]

Private Health Insurance Administration Council—Report for 2008-09. [*Received 6 November 2009*]

Professional Services Review—Report for 2008-09. [*Received 30 October 2009*]

Royal Australian Mint—Report for 2008-09. [*Received 30 October 2009*]

Rural Industries Research and Development Corporation (RIRDC)—Report for 2008-09. [*Received 5 November 2009*]

Sugar Research and Development Corporation—Report for 2008-09. [*Received 12 November 2009*]

Superannuation Complaints Tribunal—Report for 2008-09. [*Received 13 November 2009*]

Takeovers Panel—Report for 2008-09. [*Received 30 October 2009*]

24 AUDITOR-GENERAL—AUDIT REPORT NO. 9 OF 2009-10—DOCUMENT

The Acting Deputy President (Senator Crossin) tabled the following document received on 5 November 2009:

Auditor-General—Audit report no. 9 of 2009-10—Performance audit—Airservices Australia's upper airspace management contracts with the Solomon Islands Government—Airservices Australia; Department of Infrastructure, Transport, Regional Development and Local Government.

25 AUDITOR-GENERAL—AUDIT REPORT NO. 10 OF 2009-10—DOCUMENT

The Acting Deputy President (Senator Crossin) tabled the following document:

Auditor-General—Audit report no. 10 of 2009-10—Performance audit—Processing of incoming international air passengers—Australian Customs and Border Protection Service.

26 ENVIRONMENT—MONTARA OIL SPILL—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

Pursuant to the order of the Senate of 29 October 2009, the Assistant Treasurer (Senator Sherry) tabled the following documents:

Environment—Montara oil spill—

A rapid assessment of the impacts of the Montara oil leak on birds, cetaceans and marine reptiles, dated 23 October 2009.

Statement responding to the resolution of the Senate of 29 October 2009.

27 DOCUMENTS

The following documents were tabled by the Clerk:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number]

A New Tax System (Family Assistance) (Administration) Act—A New Tax System (Family Assistance) (Administration) (Release of Protected Information) (DEEWR) Determination 2009 (No. 1) [F2009L04160]*.

Acts Interpretation Act—Statements pursuant to subsection 34C(6) relating to the extension of specified period for presentation of reports—

Tiwi Land Council—Report for 2008-09.

Torres Strait Regional Authority—Report for 2008-09.

Wreck Bay Aboriginal Community Council—Report for 2008-09.

Airports Act—Select Legislative Instrument 2009 No. 290—Airports (Control of On-Airport Activities) Amendment Regulations 2009 (No. 1) [F2009L04010]*.

Australian Citizenship Act—Select Legislative Instrument 2009 No. 288—Australian Citizenship Amendment Regulations 2009 (No. 1) [F2009L04035]*.

Australian Communications and Media Authority Act—Australian Communications and Media Authority (Development of Technical Standards for Domestic Digital Television Reception Equipment) Direction No. 1 of 2009 [F2009L04140]*.

Australian Meat and Live-stock Industry Act—

Australian Meat and Live-stock (Beef Export to the USA – Quota Year 2010) Order 2009 [F2009L04159]*.

Australian Meat and Live-stock Industry (Sheepmeat and Goatmeat Export to the European Union – Quota Year 2010) Order 2009 [F2009L04117]*.

Census and Statistics Act—Select Legislative Instrument 2009 No. 313—Census (2006) Amendment Regulations 2009 (No. 1) [F2009L04136]*.

Civil Aviation Act—

Civil Aviation Regulations—Instruments Nos CASA—

371/09—Instructions – use of RNAV (GNSS) approaches by RNP-capable aircraft [F2009L03136]*.

477/09—Direction – number of cabin attendants [F2009L03961]*.

478/09—Instructions – GLS approach procedures [F2009L03949]*.

492/09—Directions – for determining maximum weight [F2009L04069]*.

EX86/09—Exemption – flight training using ultralight aeroplanes registered with Recreational Aviation Australia Incorporated at West Sale Aerodrome [F2009L03930]*.

EX87/09—Exemption – from standard take-off minima – Jetstar [F2009L03946]*.

EX88/09—Exemption – from standard take-off and landing minima – Jetstar [F2009L03947]*.

EX89/09—Exemption – flight training using ultralight aeroplanes registered with Recreational Aviation Australia Incorporated at West Sale Aerodrome [F2009L03943]*.

EX94/09—Exemption – bungee jumping [F2009L04038]*.

EX96/09—Exemption – solo flight training using ultralight aeroplanes registered with the RAA at Coffs Harbour Aerodrome [F2009L04087]*.

Civil Aviation Safety Regulations—

Airworthiness Directives—

AD/ARRIEL/17 Amdt 3—Engine – Gas Generator Second Stage Turbine [F2009L04120]*.

AD/B747/379—Airworthiness Limitations & Inspections – Fuel Tank Systems [F2009L04195]*.

AD/BAe 146/79—Nose Landing Gear Oleo [F2009L04127]*.

AD/DAUPHIN/98—Vertical Gyro Unit Data Output – Operational Limitation/Procedure [F2009L04134]*.

AD/F50/101—Engine Controls – Automatic Flight-Idle Stop Control Unit [F2009L04130]*.

AD/F406/19—Flap Push Rod Assemblies [F2009L04129]*.

AD/THIELERT/13—Engine/Propeller – Constant Speed Unit – Propeller Control Valve [F2009L04070]*.

Instrument No. CASA EX97/09—Exemption – to produce a modification or replacement part [F2009L04114]*.

Commissioner of Taxation—Public Rulings—

Class Ruling CR 2009/62.

Product Rulings—PR 2009/55-PR 2009/57.

Corporations (Aboriginal and Torres Strait Islander) Act—Select Legislative Instrument 2009 No. 285—Corporations (Aboriginal and Torres Strait Islander) Amendment Regulations 2009 (No. 1) [F2009L04041]*.

Corporations Act—

AASB 2009-10—Amendments to Australian Accounting Standards – Classification of Rights Issues [F2009L04126]*.

Regulation impact statement and Auditing Standards—

ASA 101—Preamble to Australian Auditing Standards [F2009L04062]*.

ASA 102—Compliance with Ethical Requirements when Performing Audits, Reviews and Other Assurance Engagements [F2009L04059]*.

ASA 200—Overall Objectives of the Independent Auditor and the Conduct of an Audit in Accordance with Australian Auditing Standards [F2009L04064]*.

ASA 210—Agreeing the Terms of Audit Engagements [F2009L04078]*.

ASA 220—Quality Control for an Audit of a Financial Report and Other Historical Financial Information [F2009L04066]*.

ASA 230—Audit Documentation [F2009L04074]*.

ASA 240—The Auditor's Responsibilities Relating to Fraud in an Audit of a Financial Report [F2009L04075]*.

ASA 250—Consideration of Laws and Regulations in an Audit of a Financial Report [F2009L04105]*.

ASA 260—Communication with Those Charged with Governance [F2009L04067]*.

ASA 265—Communicating Deficiencies in Internal Control to Those Charged with Governance and Management [F2009L04068]*.

ASA 300—Planning an Audit of a Financial Report [F2009L04077]*.

ASA 315—Identifying and Assessing the Risks of Material Misstatement through Understanding the Entity and Its Environment [F2009L04079]*.

ASA 320—Materiality in Planning and Performing an Audit [F2009L04080]*.

ASA 330—The Auditor’s Responses to Assessed Risks [F2009L04081]*.

ASA 402—Audit Considerations Relating to an Entity Using a Service Organisation [F2009L04082]*.

ASA 450—Evaluation of Misstatements Identified during the Audit [F2009L04083]*.

ASA 502—Audit Evidence—Specific Considerations for Litigation and Claims [F2009L04086]*.

ASA 505—External Confirmations [F2009L04088]*.

ASA 520—Analytical Procedures [F2009L04090]*.

ASA 540—Auditing Accounting Estimates, Including Fair Value Accounting Estimates, and Related Disclosures [F2009L04092]*.

ASA 550—Related Parties [F2009L04093]*.

ASA 560—Subsequent Events [F2009L04094]*.

ASA 710—Comparative Information—Corresponding Figures and Comparative Financial Reports [F2009L04103]*.

ASA 720—The Auditor’s Responsibilities Relating to Other Information in Documents Containing an Audited Financial Report [F2009L04104]*.

ASA 800—Special Considerations—Audits of Financial Reports Prepared in Accordance with Special Purpose Frameworks [F2009L04106]*.

ASQC 1—Quality Control for Firms that Perform Audits and Reviews of Financial Reports and Other Financial Information, and Other Assurance Engagements [F2009L04063]*.

ASRE 2410—Review of a Financial Report Performed by the Independent Auditor of the Entity [F2009L04107]*.

Customs Act—

CEO Instruments of Approval Nos—

2 of 2009—Incoming passenger card (English) [F2009L03862]*.

5 of 2009—Incoming passenger card (simplified Chinese) [F2009L03865]*.

7 of 2009—Incoming passenger card (Greek) [F2009L03867]*.

Tariff Concession Orders—

0906217 [F2009L03894]*.

0907878 [F2009L03681]*.

0909954 [F2009L03903]*.

0909961 [F2009L03905]*.

0910047 [F2009L03915]*.

0910066 [F2009L03899]*.

0910068 [F2009L03900]*.

0910069 [F2009L03914]*.

0910169 [F2009L03882]*.

0910175 [F2009L03901]*.

0910398 [F2009L03877]*.

0910415 [F2009L03912]*.

0910417 [F2009L03884]*.
0910420 [F2009L03891]*.
0910430 [F2009L03881]*.
0910538 [F2009L03916]*.
0910603 [F2009L03895]*.
0910617 [F2009L03918]*.
0910641 [F2009L03906]*.
0910738 [F2009L03907]*.
0910797 [F2009L03917]*.
0910926 [F2009L03880]*.
0910927 [F2009L03910]*.
0910963 [F2009L03897]*.
0911059 [F2009L03913]*.
0911060 [F2009L03908]*.
0911062 [F2009L03909]*.
0911064 [F2009L03879]*.
0911117 [F2009L03878]*.
0911154 [F2009L03911]*.

Environment Protection and Biodiversity Conservation Act—

Adoption of State or Territory Plans as Recovery Plans, dated 6 November 2009 [F2009L04165]*.

Amendments of lists of—

Exempt native specimens—

EPBC303DC/SFS/2009/32 [F2009L04071]*.

EPBC303DC/SFS/2009/33 [F2009L04072]*.

EPBC303DC/SFS/2009/38 [F2009L04203]*.

EPBC303DC/SFS/2009/39 [F2009L04204]*.

Threatened species, dated 20 October 2009 [F2009L04194]*.

Select Legislative Instrument 2009 No. 301—Environment Protection and Biodiversity Conservation Amendment Regulations 2009 (No. 2) [F2009L04164]*.

Extradition Act—Select Legislative Instrument 2009 No. 281—Extradition (Macedonia) Amendment Regulations 2009 (No. 1) [F2009L04007]*.

Food Standards Australia New Zealand Act—Australia New Zealand Food Standards Code – Amendment No. 113 – 2009 [F2009L04112]*.

Health Insurance Act—

Health Insurance (Cataract Surgery) Determination 2009 [F2009L04076]*.

Health Insurance (Gippsland and South Eastern New South Wales Mobile MRI Service) Determination 2009 [F2009L04065]*.

Health Insurance (Radiation Oncology) Determination 2009 [F2009L04073]*.

Select Legislative Instruments 2009 Nos—

286—Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2009 (No. 4) [F2009L03534]*.

305—Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2009 (No. 5) [F2009L03988]*.

Higher Education Support Act—

Commonwealth Grant Scheme Guidelines No. 1—Amendment No. 6 [F2009L04058]*.

Declaration of List of Other Grants (Research) under Division 41 for 2010 [F2009L04116]*.

VET Provider Approval No. 40 of 2009—Phoenix Institute of Victoria Pty Ltd [F2009L04056]*.

Indigenous Education (Targeted Assistance) Act—Select Legislative Instrument 2009 No. 284—Indigenous Education (Targeted Assistance) Amendment Regulations 2009 (No. 1) [F2009L03990]*.

Insurance Act—Select Legislative Instrument 2009 No. 297—Insurance Amendment Regulations 2009 (No. 1) [F2009L04055]*.

International Transfer of Prisoners Act—Select Legislative Instrument 2009 No. 282—International Transfer of Prisoners (Vietnam) Regulations 2009 [F2009L04006]*.

Jervis Bay Territory Acceptance Act—Leases Amendment Ordinance 2009 (No. 1) [F2009L04008]*.

Judiciary Act—Select Legislative Instrument 2009 No. 315—High Court Amendment Rules 2009 (No. 1) [F2009L04135]*.

Maritime Transport and Offshore Facilities Security Act—Select Legislative Instrument 2009 No. 291—Maritime Transport and Offshore Facilities Security Amendment Regulations 2009 (No. 2) [F2009L04049]*.

Migration Act—Migration Regulations—

Instruments IMMI—

09/097—Specification of addresses [F2009L03977]*.

09/098—Determination of daily maintenance amounts for persons in detention [F2009L03974]*.

09/116—Refund of visa application charges [F2009L03978]*.

09/117—Access to movement records [F2009L03975]*.

09/118—Exemptions to the English language requirement for the Temporary Business (Long Stay) Visa [F2009L03973]*.

09/120—Regional certifying bodies and regional postcodes [F2009L03976]*.

09/121—Specification of addresses [F2009L03971]*.

09/127—Classes of persons [F2009L04128]*.

Select Legislative Instrument 2009 No. 289—Migration Amendment Regulations 2009 (No. 13) [F2009L04027]*.

Military Rehabilitation and Compensation Act—Select Legislative Instrument 2009 No. 283—Military Rehabilitation and Compensation Amendment Regulations 2009 (No. 1) [F2009L03995]*.

Military Superannuation and Benefits Act—Military Superannuation and Benefits (Delayed Payment of Benefits) Determination 2009 [F2009L04057]*.

National Health Act—

Instrument No. PB 103 of 2009—Amendment determination – Pharmaceutical Benefits – Early Supply [F2009L04036]*.

Select Legislative Instrument 2009 No. 287—National Health Amendment Regulations 2009 (No. 2) [F2009L03535]*.

National Transport Commission Act—Select Legislative Instruments 2009 Nos—

292—National Transport Commission (Model Amendments Regulations: Australian Vehicle Standards Rules – Package No. 6) Regulations 2009 [F2009L04052]*.

- 293—National Transport Commission (Model Amendments Regulations 2008 (Twin Steer Mass and Loading Limits)) Regulations 2009 [F2009L04051]*.
- 294—National Transport Commission (Model Law on Engine Brake Noise Limits) Regulations 2009 [F2009L04050]*.
- Primary Industries (Excise) Levies Act—Select Legislative Instrument 2009 No. 280—Primary Industries (Excise) Levies Amendment Regulations 2009 (No. 4) [F2009L04024]*.
- Private Health Insurance Act—Private Health Insurance (Benefit Requirements) Amendment Rules 2009 (No. 7) [F2009L04109]*.
- Public Service Act—Amendment Determination, dated 29 October 2009 [F2009L04108]*.
- Remuneration Tribunal Act—Determinations—
- 2009/21: Remuneration and Allowances for Holders of Public Office [F2009L04054]*.
 - 2009/22: Remuneration and Allowances for Holders of Public Office and Judicial and Related Offices [F2009L04200]*.
- Social Security Act—
- Social Security (Australian Government Disaster Recovery Payment) Determination 2009 (No. 8) [F2009L04138]*.
 - Social Security (Waiver of Debts – Small APRA Funds) (DEEWR) Specification 2009 (No. 1) [F2009L04113]*.
- Social Security (Administration) Act—Social Security (Administration) (Declared relevant Northern Territory areas – Various) Determination 2009 (No. 11) [F2009L04029]*.
- Superannuation Industry (Supervision) Act—Select Legislative Instrument 2009 No. 295—Superannuation Industry (Supervision) Amendment Regulations 2009 (No. 5) [F2009L04000]*.
- Superannuation (Unclaimed Money and Lost Members) Act—Unclaimed Money Days and Scheduled Statement Days [F2009L04037]*.
- Tax Agent Services Act—Select Legislative Instrument 2009 No. 314—Tax Agent Services Regulations 2009 [F2009L04020]*.
- Therapeutic Goods Act—
- Therapeutic Goods Information Specification 2009 [F2009L04131]*.
 - Therapeutic Goods (Listing) Notice 2009 (No. 7) [F2009L04197]*.
- Veterans' Entitlements Act—Statements of Principles concerning—
- Adrenal Insufficiency No. 74 of 2009 [F2009L04045]*.
 - Adrenal Insufficiency No. 75 of 2009 [F2009L04046]*.
 - Hypopituitarism No. 76 of 2009 [F2009L04047]*.
 - Hypopituitarism No. 77 of 2009 [F2009L04048]*.
 - Malignant Neoplasm of the Ovary No. 70 of 2009 [F2009L04040]*.
 - Malignant Neoplasm of the Ovary No. 71 of 2009 [F2009L04042]*.
 - Panic Disorder No. 68 of 2009 [F2009L04031]*.
 - Panic Disorder No. 69 of 2009 [F2009L04032]*.
 - Scrub Typhus No. 72 of 2009 [F2009L04043]*.
 - Scrub Typhus No. 73 of 2009 [F2009L04044]*.

Governor-General's Proclamations—Commencement of provisions of Acts

Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Act 2009—Schedule 1—9 November 2009 [F2009L04034].*

Migration Amendment (Abolishing Detention Debt) Act 2009—Schedule 1—9 November 2009 [F2009L04033].*

Safe Work Australia Act 2008—sections 3 to 73—1 November 2009 [F2009L03902].*

Therapeutic Goods Amendment (Medical Devices and Other Measures) Act 2009—Schedule 3—1 December 2009 [F2009L03387].*

* Explanatory statement tabled with legislative instrument.

28 FINANCE—FUTURE FUND—TELSTRA SHARES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

The following documents were tabled pursuant to the order of the Senate of 26 October 2009:

Finance—Future Fund—Telstra shares—

Letter from the Chairman of the Australian Securities and Investments Commission (Mr D'Aloisio) to the Minister for Financial Services, Superannuation and Corporate Law (Mr Bowen), dated 12 November 2009.

Response to the resolution of the Senate of 26 October 2009 from the Future Fund.

29 TAX LAWS AMENDMENT (2009 MEASURES NO. 5) BILL 2009

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

Message no. 432, dated 29 October 2009—A Bill for an Act to amend the law relating to taxation, and for other purposes.

The Assistant Treasurer (Senator Sherry) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

Senator Sherry moved—That this bill be now read a second time.

Explanatory memorandum: Senator Sherry tabled a correction to the explanatory memorandum relating to the bill.

On the motion of Senator Sherry the debate was adjourned and the resumption of the debate made an order of the day for a later hour.

**30 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—REPORT—
CRIMES LEGISLATION AMENDMENT (SERIOUS AND ORGANISED CRIME) BILL
(NO. 2) 2009**

Pursuant to order, Senator Farrell, at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin), tabled the following report and documents:

Legal and Constitutional Affairs Legislation Committee—Crimes Legislation Amendment (Serious and Organised Crime) Bill (No. 2) 2009 [Provisions]—Report, dated November 2009, Hansard record of proceedings, additional information and submissions.

Report ordered to be printed on the motion of Senator Farrell.

**31 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—REPORT—
TELECOMMUNICATIONS (INTERCEPTION AND ACCESS) AMENDMENT BILL 2009**

Pursuant to order, Senator Farrell, at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin), tabled the following report and documents:

Legal and Constitutional Affairs Legislation Committee—Telecommunications (Interception and Access) Amendment Bill 2009 [Provisions]—Report, dated November 2009, additional information and submissions.

Report ordered to be printed on the motion of Senator Farrell.

**32 EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION
COMMITTEE—REPORT—FAIR WORK AMENDMENT (STATE REFERRALS AND
OTHER MEASURES) BILL 2009**

Pursuant to order, Senator Farrell, at the request of the Chair of the Education, Employment and Workplace Relations Legislation Committee (Senator Marshall), tabled the following report:

Education, Employment and Workplace Relations Legislation Committee—Fair Work Amendment (State Referrals and Other Measures) Bill 2009 [Provisions]—Report, dated November 2009.

Report ordered to be printed on the motion of Senator Farrell.

**33 ECONOMICS LEGISLATION COMMITTEE—REPORT—TAX LAWS AMENDMENT
(2009 BUDGET MEASURES NO. 2) BILL 2009 AND INCOME TAX (TFN WITHHOLDING
TAX (ESS)) BILL 2009**

Pursuant to order, Senator Farrell, at the request of the Chair of the Economics Legislation Committee (Senator Hurley), tabled the following report and documents:

Economics Legislation Committee—Tax Laws Amendment (2009 Budget Measures No. 2) Bill 2009 [Provisions] and Income Tax (TFN Withholding Tax (ESS)) Bill 2009 [Provisions]—Report, dated November 2009, Hansard record of proceedings, additional information and submissions.

Report ordered to be printed on the motion of Senator Farrell.

Senator Eggleston, by leave, moved—That the Senate take note of the report.

Question put and passed.

34 GOVERNOR-GENERAL'S MESSAGE—ASSENT TO LAWS

A message from Her Excellency the Governor-General was reported, informing the Senate that she had assented to the following laws:

6 November 2009—Message No. 44—

Federal Court of Australia Amendment (Criminal Jurisdiction) Act 2009 (Act No. 106, 2009)

Fuel Quality Standards Amendment Act 2009 (Act No. 107, 2009)

Corporations Legislation Amendment (Financial Services Modernisation) Act 2009 (Act No. 108, 2009).

35 SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (INCOME SUPPORT FOR STUDENTS) BILL 2009

Order of the day read for the adjourned debate on the motion of the Minister for Defence (Senator Faulkner)—That this bill be now read a second time.

Debate resumed.

Senator Hanson-Young moved the following amendment:

At the end of the motion, add “but the Senate calls on the Government to commit to an increase in the 2010-11 Budget to bring Youth Allowance in line with other social welfare payments such as Newstart, which provides a maximum fortnightly payment of \$456”.

Debate ensued.

At 9.50 pm: Debate was interrupted while Senator Macdonald was speaking.

36 ADJOURNMENT

The Acting Deputy President (Senator Moore) proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 10.29 pm till Tuesday, 17 November 2009 at 12.30 pm.

37 ATTENDANCE

Present, all senators except Senators Bilyk*, Bishop*, Carol Brown*, Cameron*, Conroy*, Johnston* and Pratt* (* on leave).

HARRY EVANS
Clerk of the Senate