

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 24

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**1 MEETING OF SENATE**

The Senate met at 9.30 am. The President (Senator the Honourable John Hogg) took the chair and read prayers.

**2 INCORPORATION OF DOCUMENTS IN HANSARD—STATEMENT BY PRESIDENT**

The President made a statement relating to a point of order raised during debate on 27 August 2008 and the incorporation of documents in Hansard.

**3 NOTICES**

Senator Feeney: To move on the next day of sitting—That the Joint Committee of Public Accounts and Audit be authorised to hold public meetings during the sittings of the Senate, from 11 am to 2 pm, to review reports of the Auditor-General, as follows:

Wednesday, 17 September 2008

Wednesday, 24 September 2008

Wednesday, 12 November 2008. (*general business notice of motion no. 166*)

The Leader of the Australian Greens (Senator Bob Brown): To move on 4 September 2008—That the following bill be introduced: A Bill for an Act to amend the *Broadcasting Services Act 1992* and the *Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Act 2004* to encourage healthier eating habits among children and to prohibit the broadcasting of advertisements for junk food during certain times, and for related purposes. ***Protecting Children from Junk Food Advertising (Broadcasting Amendment) Bill 2008.*** (*general business notice of motion no. 167*)

Senator Xenophon: To move on 4 September 2008—That the following bill be introduced: A Bill for an Act to limit ATM and cash facilities in licensed venues, and for related purposes. ***ATMs and Cash Facilities in Licensed Venues Bill 2008.*** (*general business notice of motion no. 168*)

**4 ORDER OF BUSINESS—REARRANGEMENT**

The Minister for Human Services (Senator Ludwig) moved—That the following government business orders of the day be considered from 12.45 pm till not later than 2 pm today:

No. 5 Protection of the Sea Legislation Amendment Bill 2008.

No. 6 Therapeutic Goods Legislation Amendment (Annual Charges) Bill 2008.

Telecommunications Interception Legislation Amendment Bill 2008.

Question put and passed.

Senator Ludwig moved—That the order of general business for consideration today be as follows:

(a) general business notice of motion no. 159 standing in the name of Senator Parry relating to cost of living pressures; and

(b) orders of the day relating to government documents.

Question put and passed.

## 5 POSTPONEMENTS

The following items of business were postponed:

General business notice of motion no. 123 standing in the name of the Leader of the Family First Party (Senator Fielding) for today, relating to an amendment to the reporting date for the Joint Standing Committee on Electoral Matters inquiry into the Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2008, postponed till 3 September 2008.

General business notice of motion no. 162 standing in the name of Senator Siewert for today, relating to single aged pension, postponed till 1 September 2008.

## 6 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—REFERENCE

Senator O'Brien, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 1—That the following matters be referred to the Rural and Regional Affairs and Transport Committee for inquiry and report by 30 June 2009:

- (a) whether the decision of the Australian Football League (AFL) Board of Commission to prioritise admission to its competition of teams from Western Sydney and the Gold Coast over a proposed team from Tasmania is fair and equitable;
- (b) the capacity of the State of Tasmania to sustain a team in the peak national Australian Rules Football competition;
- (c) the regional implications of the establishment of an AFL team in Tasmania for economic development;
- (d) whether the AFL commissioners' obligations to current supporters of the game override their desire to promote larger television audiences for it; and
- (e) other related matters.

Question put and passed.

## 7 ECONOMICS—STANDING COMMITTEE—REFERENCE

Senator Ellison, at the request of Senator Johnston, amended business of the Senate notice of motion no. 2 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—

- (1) That the following matters relating to the Western Australian gas crisis be referred to the Economics Committee for inquiry and report by 14 October 2008:
  - (a) the economic impact of the Western Australia gas crisis, including but not limited to:
    - (i) the extent of losses faced by business and industry failing to meet production targets due to the lack of gas supplies,
    - (ii) the disproportionate disruption to industry in the south west of Western Australia, and
    - (iii) the nature of contractual arrangements forced on business and industry during the gas crisis and their status since the resumption of gas supplies from Varanus Island; and
  - (b) the government response to the Western Australian gas crisis, including but not limited to:
    - (i) the adequacy of the crisis management response,

- (ii) the adequacy of reliance on one source supplies of gas for domestic markets,
  - (iii) the provision of reliable and affordable supplies of alternative energy,
  - (iv) the feasibility of developing emergency storage facilities of gas in depleted reservoirs or other repositories, and
  - (v) the justification for any refusals to release relevant facts and documents publicly.
- (2) That, in undertaking this inquiry, the committee:
- (a) call for the production by the Western Australian Government of all relevant correspondence, advice and reports; and
  - (b) take evidence in Perth and in major regional centres in Western Australia.

Question put and passed.

**8 BUILDING AND CONSTRUCTION INDUSTRY (RESTORING WORKPLACE RIGHTS) BILL 2008**

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 155—That the following bill be introduced:

A Bill for an Act to repeal the *Building and Construction Industry Improvement Act 2005* and the *Building and Construction Industry Improvement (Consequential and Transitional) Act 2005*.

Question put and passed.

Senator Siewert presented the bill and 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 Siewert moved—That this bill be now read a second time.

Debate adjourned till the next day of sitting, Senator Siewert in continuation.

**9 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator O'Brien, at the request of the Chair of the Rural and Regional Affairs and Transport Committee (Senator Sterle) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 158—That the time for the presentation of the report of the Rural and Regional Affairs and Transport Committee on the implementation, operation and administration of the legislation underpinning Carbon Sink Forests be extended to 3 September 2008.

Question put and passed.

**10 DEATH OF YVONNE BUTLER**

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 160—That the Senate—

- (a) notes with sadness the passing of Yvonne Butler, a Townsville elder and a tireless campaigner for social justice and Indigenous rights;

- (b) acknowledges the important role that Yvonne played in highlighting the injustice done to Aboriginal and Torres Strait Islander workers whose paid labour was controlled by the Government and which was instrumental in the establishment of the inquiry into stolen wages by the Legal and Constitutional Affairs Committee, and also led to an apology and reparations scheme from the Queensland Government;
- (c) recognises Yvonne's bravery in coming forward to tell her story and the stories of her family, the important impact of her tireless efforts to encourage others to do the same and acknowledges the unanimous finding of the committee report, *Unfinished business: Indigenous stolen wages*, that for many Indigenous Australians whose wages and benefits were withheld across Australia this remains unfinished business; and
- (d) offers its condolences to her family and friends.

Question put and passed.

#### 11 EMERGENCY WATER (MURRAY-DARLING BASIN RESCUE) BILL 2008

Senator Xenophon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 161—That the following bill be introduced:

A Bill for an Act to provide for emergency measures to ensure the environmental and economic sustainability of the Murray-Darling Basin, and for related purposes.

Question put and passed.

Senator Xenophon presented the bill and 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 Xenophon moved—That this bill be now read a second time.

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*Explanatory memorandum:* Senator Xenophon, by leave, tabled an explanatory memorandum relating to the bill.

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Debate adjourned till the next day of sitting, Senator Xenophon in continuation.

#### 12 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—REFERENCE

Senator Xenophon, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 3—That the Emergency Water (Murray-Darling Basin Rescue) Bill 2008 be referred to the Rural and Regional Affairs and Transport Committee for inquiry and report by 30 September 2008, together with the reference to that committee agreed to on 27 August 2008.

Question put and passed.

**13 HEALTH—QUEENSLAND—TOWNSVILLE GENERAL HOSPITAL**

Senator Macdonald amended general business notice of motion no. 163 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes that:
  - (i) at 3 pm on Tuesday, 26 August 2008, there were 24 people who could not get a bed at the Townsville General Hospital because of overcrowding,
  - (ii) at the hospital ambulances are being used as makeshift beds in the first recorded case of ‘ramping’,
  - (iii) at 10 am on 26 August 2008 there were 18 patients in the emergency department waiting for inpatient beds, and
  - (iv) in August 2006 the then Labor Premier of Queensland made an election commitment to commence work on a new \$85 million wing at the hospital in the 2007-08 financial year;
- (b) acknowledges that the Government Medicare threshold rebate proposals could throw additional inpatient bed pressure on the Townsville General Hospital already incapable of dealing with current demand; and
- (c) calls on the Commonwealth and Queensland Governments to urgently fund and commence construction of the promised new wing of the Townsville General Hospital.

Question put and passed.

**14 ADMINISTRATION—QUEENSLAND—CAIRNS YACHT CLUB**

Senator Macdonald, also on behalf of Senator Joyce, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 165—That the Senate—

- (a) notes that on 27 August 2008 a petition of 10 300 signatures was presented to the Queensland State Parliament to stop the demolition of the National Trust listed (Endangered Building) and National Estate registered, Cairns Yacht Club; and
- (b) calls on the Minister for the Environment, Heritage and the Arts (Mr Garrett) to accede to the Emergency Listing Request made by the ‘People Against Demolishing the Yacht Club’ for the Cairns Yacht Club under the National Heritage guidelines.

*Statement by leave:* The Minister for Human Services (Senator Ludwig), by leave, made a statement relating to the motion.

Question put and passed. All Australian Greens senators, by leave, recorded their votes for the ayes.

**15 ECONOMICS—STANDING COMMITTEE—REPORT—TAX LAWS AMENDMENT (LUXURY CAR TAX) BILL 2008 AND RELATED BILLS**

Senator O'Brien, at the request of the Chair of the Economics Committee (Senator Hurley), tabled the following report and documents:

Economics—Standing Committee—Tax Laws Amendment (Luxury Car Tax) Bill 2008, A New Tax System (Luxury Car Tax Imposition—General) Amendment Bill 2008, A New Tax System (Luxury Car Tax Imposition—Customs) Amendment Bill 2008 and A New Tax System (Luxury Car Tax Imposition—Excise) Amendment Bill 2008—Report, dated August 2008, Hansard record of proceedings, additional information and submissions.

Report ordered to be printed on the motion of Senator O'Brien.

**16 ECONOMICS—STANDING COMMITTEE—REPORT—PROVISIONS OF SCHEDULES 1 AND 2 OF THE TAX LAWS AMENDMENT (2008 MEASURES NO. 3) BILL 2008**

Senator O'Brien, at the request of the Chair of the Economics Committee (Senator Hurley), tabled the following report and documents:

Economics—Standing Committee—Provisions of Schedules 1 and 2 of the Tax Laws Amendment (2008 Measures No. 3) Bill 2008—Report, dated August 2008 and submissions.

Report ordered to be printed on the motion of Senator O'Brien.

**17 AVIATION LEGISLATION AMENDMENT (2008 MEASURES NO. 1) BILL 2008  
AVIATION LEGISLATION AMENDMENT (INTERNATIONAL AIRLINE LICENCES AND CARRIERS' LIABILITY INSURANCE) BILL 2008  
NATIONAL GREENHOUSE AND ENERGY REPORTING AMENDMENT BILL 2008**

Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:

Message no. 129, dated 27 August 2008—A Bill for an Act to amend legislation relating to aviation, and for related purposes.

Message no. 130, dated 27 August 2008—A Bill for an Act to amend the law relating to aviation, and for related purposes.

Message no. 131, dated 28 August 2008—A Bill for an Act to amend the *National Greenhouse and Energy Reporting Act 2007*, and for related purposes.

The Minister for Human Services (Senator Ludwig) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Ludwig moved—That these bills be now read a second time.

On the motion of Senator Ludwig the debate was adjourned till the next day of sitting.

*Consideration of legislation:* Senator Ludwig moved—That the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

**18 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—  
FAMILY LAW AMENDMENT (DE FACTO FINANCIAL MATTERS AND OTHER  
MEASURES) BILL 2008**

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

Legal and Constitutional Affairs—Standing Committee—Family Law Amendment (De Facto Financial Matters and Other Measures) Bill 2008 [Provisions]—Report, dated August 2008, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

Report ordered to be printed on the motion of Senator O'Brien.

**19 COMMUNITY AFFAIRS—STANDING COMMITTEE—PROPOSED REFERENCE**

Order of the day read for the adjourned debate on the motion of the Leader of the Australian Greens (Senator Bob Brown)—That the following matters be referred to the Community Affairs Committee for inquiry and report by 26 November 2008:

- (a) exemptions for the Exclusive Brethren and its members from Australian laws or administrative decisions;
- (b) public funding, tax or other arrangements which do or may advantage the Exclusive Brethren over other community organisations;
- (c) the activities of the Exclusive Brethren or its members which threaten or harm families, in particular, the best interests of children;
- (d) the covert, as against overt, activities of the Exclusive Brethren or its members in the political process in Australia; and
- (e) any related matters

Debate resumed.

Question put.

The Senate divided—

**AYES, 6**

Senators—

Brown, Bob  
Hanson-Young

Ludlam  
Milne

Siewert (Teller)

Xenophon

**NOES, 49**

Senators—

Abetz  
Adams  
Arbib  
Barnett  
Bilyk  
Birmingham  
Boswell  
Boyce  
Brown, Carol  
Bushby  
Cameron  
Cash  
Colbeck

Eggleston  
Evans  
Farrell  
Feeney  
Ferguson  
Fielding  
Fierravanti-Wells  
Fifield  
Fisher  
Forshaw  
Furner  
Humphries  
Hurley

Hutchins  
Johnston  
Joyce  
Kroger  
Ludwig  
Lundy  
Macdonald  
Mason  
McEwen  
McGauran  
Moore  
Nash  
O'Brien (Teller)

Parry  
Payne  
Polley  
Pratt  
Ryan  
Scullion  
Sterle  
Troeth  
Williams  
Wortley

Question negatived.

**20 COMMITTEE MEMBERSHIP**

A message from the House of Representatives was reported informing the Senate of the appointment of a member of the House of Representatives to a joint committee, as follows:

Message no. 132, dated 28 August 2008—Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity, Mr Chester.

**21 MIGRATION LEGISLATION AMENDMENT BILL (NO. 1) 2008**

Order of the day read for the further consideration of the bill in committee of the whole.

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*In the committee*

Consideration resumed of the bill—and of the amendments moved by the Minister for Immigration and Citizenship (Senator Evans):

Clause 2, page 2 (table item 7), omit the table item, substitute:

- |                                  |  |
|----------------------------------|--|
| 7. Schedule 5,<br>items 1A to 16 | A day or days to be fixed by Proclamation.<br>However, if any of the provision(s) do not commence within the period of 6 months beginning on the day on which this Act receives the Royal Assent, they commence on the first day after the end of that period. |
|----------------------------------|--|

Schedule 1, heading, page 4 (lines 2 and 3), omit “**judicial and**”.

Schedule 1, item 37, page 11 (lines 16 to 19), omit subitem (4).

Schedule 1, item 37, page 11 (line 20), omit the note.

Schedule 2, page 15 (after line 18), after item 8, insert:

**8A At the end of section 64ACD**

Add:

- (4) An operator of an aircraft or ship commits a separate offence under subsection (1) or (2) in relation to each passenger or member of the crew in relation to whom the operator contravenes section 64ACA or 64ACB.

Schedule 2, page 17 (after line 12), after item 16, insert:

**16A At the end of section 245N**

Add:

- (4) An operator of an aircraft or ship commits a separate offence under subsection (1) or (2) in relation to each passenger or member of the crew in relation to whom the operator contravenes subsection 245L(2).

Schedule 5, page 30 (before line 6), before item 1, insert:

**1A Section 3**

Insert:

*Stateless Persons Convention* means the Convention Relating to the Status of Stateless Persons, done at New York on 28 September 1954 [1974] ATS 20.

Note: The text of the Convention is set out in Australian Treaty Series 1974 No. 20. In 2008, the text of a Convention in the Australian Treaty Series was accessible through the Australian Treaties Library on the AustLII website ([www.austlii.edu.au](http://www.austlii.edu.au)).

Schedule 5, item 1, page 30 (line 8), omit “any country and the person”, substitute “any country, or if article 1(2)(iii) of the Stateless Persons Convention applies to the person, and the person”.

Schedule 5, item 2, page 30 (lines 11 and 12), omit “any country”, substitute “any country, or if article 1(2)(iii) of the Stateless Persons Convention applies to the person”.

Schedule 5, item 14, page 32 (line 9), omit “items 1 to 13”, substitute “items 1A to 13”.

Debate resumed.

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

Question—That the bill, as amended, be agreed to—divided in respect of Schedule 1, items 30 to 35 and 41, and Schedule 5, item 11.

Question—That Schedule 1, items 30 to 35 and 41, and Schedule 5, item 11 stand as printed—put and negatived.

Bill, as amended, agreed to.

Bill to be reported with amendments.

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The Acting Deputy President (Senator Hutchins) resumed the chair and the Temporary Chair of Committees reported accordingly.

On the motion of Senator Evans the report from the committee was adopted and the bill read a third time.

## 22 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Immigration and Citizenship (Senator Evans) moved—That intervening business be postponed till after consideration of government business order of the day no. 3 (National Health Amendment (Pharmaceutical and Other Benefits—Cost Recovery) Bill 2008).

Question put and passed.

## 23 NATIONAL HEALTH AMENDMENT (PHARMACEUTICAL AND OTHER BENEFITS—COST RECOVERY) BILL 2008

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

Debate resumed.

Question put.

The Senate divided—

AYES, 36

Senators—

Arbib	Crossin	Hutchins	Polley
Bilyk	Farrell	Ludlam	Pratt
Bishop	Faulkner	Lundy	Sherry
Brown, Bob	Feeney	Marshall	Siewert
Brown, Carol	Forshaw	McEwen (Teller)	Stephens
Cameron	Furner	McLucas	Sterle
Carr	Hanson-Young	Milne	Wong
Collins	Hogg	Moore	Wortley
Conroy	Hurley	O'Brien	Xenophon

NOES, 36

Senators—

Abetz	Cash	Fisher	Minchin
Adams (Teller)	Colbeck	Heffernan	Nash
Barnett	Coonan	Humphries	Parry
Bernardi	Eggleston	Johnston	Payne
Birmingham	Ellison	Joyce	Ronaldson
Boswell	Ferguson	Kroger	Ryan
Boyce	Fielding	Macdonald	Troeth
Brandis	Fierravanti-Wells	Mason	Trood
Bushby	Fifield	McGauran	Williams

The ayes and noes were equal and so the question was negatived.

—  
*After 12.45 pm—*

**24 PROTECTION OF THE SEA LEGISLATION AMENDMENT BILL 2008**

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

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Parliamentary Secretary for Social Inclusion and the Voluntary Sector (Senator Stephens) the bill was read a third time.

**25 THERAPEUTIC GOODS LEGISLATION AMENDMENT (ANNUAL CHARGES) BILL 2008**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Parliamentary Secretary for Social Inclusion and the Voluntary Sector (Senator Stephens) the bill was read a third time.

**26 TELECOMMUNICATIONS INTERCEPTION LEGISLATION AMENDMENT BILL 2008**

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

Message no. 133, dated 28 August 2008—A Bill for an Act to amend the law relating to surveillance and the interception of telecommunications, and for related purposes.

The Parliamentary Secretary for Social Inclusion and the Voluntary Sector (Senator Stephens) 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 Stephens moved—That this bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of Senator Stephens the bill was read a third time.

**27 ORDER OF BUSINESS—REARRANGEMENT**

The Parliamentary Secretary for Social Inclusion and the Voluntary Sector (Senator Stephens) moved—That government business order of the day no. 4 (Great Barrier Reef Marine Park and Other Legislation Amendment Bill 2008) be called on immediately and considered till not later than 2 pm.

Question put and passed.

**28 GREAT BARRIER REEF MARINE PARK AND OTHER LEGISLATION AMENDMENT BILL 2008**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas)—That this bill be now read a second time.

Debate resumed.

*At 2 pm:* Debate was interrupted while Senator Boswell was speaking.

**29 QUESTIONS**

Questions without notice were answered.

**30 MOTIONS TO TAKE NOTE OF ANSWER**

Senator Johnston moved—That the Senate take note of the answer given by the Minister for Innovation, Industry, Science and Research (Senator Carr) to a question without notice asked by Senator Cash today relating to the proposed condensate tax and the North West Shelf project.

Debate ensued.

Question put and passed.

Senator Siewert moved—That the Senate take note of the answer given by the Minister for Immigration and Citizenship (Senator Evans) to a question without notice asked by Senator Siewert today relating to welfare payments and truancy.

Question put and passed.

**31 DEPARTMENT OF THE SENATE—SENATORS’ AND MEMBERS’ TRAVELLING ALLOWANCE—DOCUMENT**

The Deputy President (Senator Ferguson) tabled the following document:

Department of the Senate—Travelling allowance payments to senators and members, 1 July 2007 to 30 June 2008, dated August 2008.

**32 DEPARTMENT OF THE SENATE—TRAVEL EXPENDITURE—DOCUMENT**

The Deputy President (Senator Ferguson) tabled the following document:

Department of the Senate—Travel expenditure, 1 July 2007 to 30 June 2008, dated August 2008.

**33 PARLIAMENTARY ZONE—CAPITAL WORKS PROPOSAL—DOCUMENTS**

The Minister for Broadband, Communications and the Digital Economy (Senator Conroy) tabled the following documents:

Parliament Act—Parliamentary Zone—Proposal, together with supporting documentation, relating to the design of the Pavement Artwork at Reconciliation Place.

*Notice of motion:* Senator Conroy, by leave, gave a notice of motion as follows: To move on 3 September 2008—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the National Capital Authority for capital works within the Parliamentary Zone, being the design of the Pavement Artwork at Reconciliation Place.

**34 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 (Commonwealth-State Financial Arrangements) Act—Determination of the Final Per Capita Relativities for 2007-08 [F2008L03229]\*.

*Appropriation Act (No. 1) 2007-2008*—Determination to reduce appropriations upon request (No. 3 of 2008-2009) [F2008L03155]\*.

*Appropriation Act (No. 3) 2003-2004*—Determination to reduce appropriations upon request (No. 4 of 2008-2009) [F2008L03190]\*.

Australian Participants in British Nuclear Tests (Treatment) Act—Instrument No. R17/2008—Treatment Principles (Australian Participants in British Nuclear Tests) 2006 (Incorporated Documents Update) Instrument 2008 [F2008L03189]\*.

Australian Prudential Regulation Authority Act—Australian Prudential Regulation Authority (Confidentiality) Determination No. 10 of 2008—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 [F2008L03192]\*.

Civil Aviation Act—

Civil Aviation Regulations—Instrument No. CASA 425/08—Instructions – use of Global Positioning System (GPS) [F2008L03053]\*.

Civil Aviation Safety Regulations—Airworthiness Directives—Part 105—  
AD/B737/341—Cracking of Cutout in Web of Body Station Frame  
[F2008L03197]\*.  
AD/GBK 117/6 Amdt 5—Main Rotor Blade [F2008L03196]\*.  
AD/HU 369/121—Vertical Stabilizer Control System Adapter Tubes  
[F2008L03219]\*.

Customs Act—Tariff Concession Orders—

0800981 [F2008L03009]\*.  
0802073 [F2008L03010]\*.  
0802635 [F2008L03012]\*.  
0804267 [F2008L03102]\*.  
0804284 [F2008L03207]\*.  
0804285 [F2008L03101]\*.  
0804286 [F2008L03106]\*.  
0804289 [F2008L03096]\*.  
0804294 [F2008L03097]\*.  
0804329 [F2008L03208]\*.  
0806080 [F2008L03103]\*.  
0806082 [F2008L03107]\*.  
0806085 [F2008L03110]\*.  
0806089 [F2008L03108]\*.  
0806298 [F2008L03114]\*.  
0806299 [F2008L03118]\*.  
0806361 [F2008L03113]\*.  
0806480 [F2008L03133]\*.  
0806481 [F2008L03132]\*.  
0806482 [F2008L03117]\*.  
0806483 [F2008L03116]\*.  
0806486 [F2008L03112]\*.  
0806491 [F2008L03111]\*.  
0806496 [F2008L03130]\*.  
0806527 [F2008L03115]\*.  
0806623 [F2008L03122]\*.  
0806940 [F2008L03129]\*.  
0807191 [F2008L03147]\*.  
0807267 [F2008L03137]\*.  
0807295 [F2008L03136]\*.  
0807377 [F2008L03135]\*.  
0807440 [F2008L03121]\*.  
0807511 [F2008L03120]\*.  
0807512 [F2008L03153]\*.  
0807600 [F2008L03152]\*.  
0807602 [F2008L03151]\*.  
0807603 [F2008L03141]\*.  
0807798 [F2008L03140]\*.  
0807819 [F2008L03139]\*.  
0807824 [F2008L03138]\*.

0807948 [F2008L03146]\*.  
 0807950 [F2008L03119]\*.  
 0807952 [F2008L03145]\*.  
 0807991 [F2008L03144]\*.  
 0808038 [F2008L03156]\*.  
 0808039 [F2008L03125]\*.  
 0808177 [F2008L03143]\*.  
 0808190 [F2008L03150]\*.  
 0808303 [F2008L03210]\*.  
 0808539 [F2008L03161]\*.  
 0808661 [F2008L03123]\*.  
 0809491 [F2008L03160]\*.

Defence Force Discipline Act—Select Legislative Instrument 2008 No. 172—  
 Australian Military Court Amendment Rules 2008 (No. 2) [F2008L03188]\*.

Veterans' Entitlements Act—

Instrument No. R16/2008—Veterans' Entitlements (Treatment Principles –  
 Incorporated Documents Update) Instrument 2008 [F2008L03187]\*.

Statements of Principles concerning—

Animal Envenomation No. 66 of 2008 [F2008L03182]\*.  
 Animal Envenomation No. 67 of 2008 [F2008L03183]\*.  
 Ascariasis No. 62 of 2008 [F2008L03178]\*.  
 Ascariasis No. 63 of 2008 [F2008L03179]\*.  
 Fibromuscular Dysplasia No. 60 of 2008 [F2008L03176]\*.  
 Fibromuscular Dysplasia No. 61 of 2008 [F2008L03177]\*.  
 Hepatitis B No. 52 of 2008 [F2008L03167]\*.  
 Hepatitis B No. 53 of 2008 [F2008L03168]\*.  
 Hepatitis C No. 54 of 2008 [F2008L03169]\*.  
 Hepatitis C No. 55 of 2008 [F2008L03170]\*.  
 Hepatitis D No. 56 of 2008 [F2008L03172]\*.  
 Hepatitis D No. 57 of 2008 [F2008L03173]\*.  
 Hookworm Disease No. 64 of 2008 [F2008L03180]\*.  
 Hookworm Disease No. 65 of 2008 [F2008L03181]\*.  
 Malignant Neoplasm of the Brain No. 58 of 2008 [F2008L03174]\*.  
 Malignant Neoplasm of the Brain No. 59 of 2008 [F2008L03175]\*.

\* Explanatory statement tabled with legislative instrument.

### 35 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

The following documents were tabled pursuant to the order of the Senate of 20 June 2001, as amended:

Departmental and agency contracts for 2008—Letters of advice—

Agriculture, Fisheries and Forestry portfolio agencies.  
 Education, Employment and Workplace Relations portfolio agencies.  
 Health and Ageing portfolio agencies.

**36 COMMITTEE MEMBERSHIP**

The Deputy President (Senator Ferguson) informed the Senate that the President had received a letter requesting changes in the membership of a committee.

The Minister for Broadband, Communications and the Digital Economy (Senator Conroy), by leave, moved—That Senator Lundy be discharged from and Senator Furner be appointed to the Community Affairs Committee.

Question put and passed.

*General business was called on.*

**37 FAMILY AND COMMUNITY SERVICES—COST OF LIVING PRESSURES**

Senator Bernardi, at the request of Senator Parry and pursuant to notice, moved general business notice of motion no. 159—That the Senate notes:

- (a) that many Australians are worse off today than they were in 2007;
- (b) that many Australians are experiencing difficulties due to increasing cost of living pressures; and
- (c) the Government's failure to address these difficulties.

Debate ensued.

*At 6 pm:* Debate was interrupted while Senator O'Brien was speaking.

**38 QUESTION TIME—STATEMENT BY PRESIDENT**

The President made a statement relating to a question without notice asked by Senator Abetz during question time today and to standing order 72.

Senator Abetz, by leave, moved—That the Senate take note of the statement.

Debate ensued.

Question put and passed.

*General business concluded.*

**39 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—ORDERS OF THE DAY—CONSIDERATION**

The following orders of the day relating to committee reports and government responses were considered:

Foreign Affairs, Defence and Trade—Standing Committee—Report—Australia's involvement in peacekeeping operations. Motion of Senator Nash to take note of report debated and agreed to.

Environment, Communications and the Arts—Standing Committee—Report—Save Our Solar (Solar Rebate Protection) Bill 2008 [No. 2]. Motion of the chair of the committee (Senator McEwen) to take note of report debated. Debate adjourned till the next day of sitting, Senator Birmingham in continuation.

Economics—Standing Committee—Report—Trade Practices (Creeping Acquisitions) Amendment Bill 2007 [2008]. Motion of the Leader of the Family First Party (Senator Fielding) to take note of report agreed to.

Legal and Constitutional Affairs—Standing Committee—Report—Rights of the Terminally Ill (Euthanasia Laws Repeal) Bill 2008. Motion of the chair of the committee (Senator Crossin) to take note of report agreed to.

Environment, Communications and the Arts—Standing Committee—Report—Sexualisation of children in the contemporary media. Motion of the chair of the committee (Senator McEwen) to take note of report agreed to.

Community Affairs—Standing Committee—Report—A matter relating to the PET review of 2000. Motion of the chair of the committee (Senator Moore) to take note of report agreed to.

Community Affairs—Standing Committee—Report—Ready-to-drink alcohol beverages. Motion of the chair of the committee (Senator Moore) to take note of report agreed to.

Environment, Communications and the Arts—Standing Committee—Report—The effectiveness of the broadcasting codes of practice. Motion of the chair of the committee (Senator McEwen) to take note of report agreed to.

Electoral Matters—Joint Standing Committee—Advisory report—Schedule 1 of the Tax Laws Amendment (2008 Measures No. 1) Bill 2008. Motion of Senator Carol Brown to take note of report agreed to.

Legal and Constitutional Affairs—Standing Committee—Report—Stolen Generation Compensation Bill 2008. Motion of the chair of the committee (Senator Crossin) to take note of report agreed to.

Housing Affordability in Australia—Select Committee—Report—A good house is hard to find: Housing affordability in Australia. Motion of the chair of the committee (Senator Payne) to take note of report agreed to.

Privileges—Standing Committee—133rd report—Possible false or misleading evidence before the Legal and Constitutional Affairs Committee. Motion of the chair of the committee (Senator Brandis)—That the Senate endorse the finding at paragraph 1.31 of the 133rd report of the Committee of Privileges—agreed to.

Community Affairs—Standing Committee—Report—A decent quality of life: Inquiry into the cost of living pressures on older Australians. Motion of the chair of the committee (Senator Moore) to take note of report agreed to.

#### 40 AUDITOR-GENERAL'S REPORTS—ORDERS OF THE DAY—CONSIDERATION

The following order of the day relating to reports of the Auditor-General was considered:

Auditor-General—Audit report no. 2 of 2008-09—Performance audit—Tourism Australia. Motion of Senator Nash to take note of document agreed to.

Orders of the day nos 1 to 21 relating to reports of the Auditor-General were called on but no motion was moved.

#### 41 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.23 pm till Monday, 1 September 2008 at 12.30 pm.

**42 ATTENDANCE**

Present, all senators except Senator Cormann.

**HARRY EVANS**  
Clerk of the Senate