

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 42

TUESDAY, 11 NOVEMBER 2008

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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.

2 GOVERNMENT DOCUMENTS

The following documents were tabled:

- Aboriginal Hostels Limited—Report for the period 1 July 2007 to 28 June 2008.
- Administrative Appeals Tribunal—Report for 2007-08.
- Administrative Review Council—Report for 2007-08.
- Aged Care Commissioner—Report for 2007-08.
- Airservices Australia—
 - Corporate plan July 2008 to June 2013.
 - Equity and diversity program—Progress report for 2007-08.
- Anindilyakwa Land Council—Report for 2007-08.
- Army and Air Force Canteen Service (Frontline Defence Services)—Report for 2007-08.
- Australian Broadcasting Corporation (ABC)—Report for 2007-08.
- Australian Bureau of Statistics—Report for 2007-08.
- Australian Electoral Commission (AEC)—Report for 2007-08.
- Australian Film Commission—Report for 2007-08 [Final report].
- Australian Institute for Teaching and School Leadership Limited (Teaching Australia)—Report for 2007-08.
- Australian Institute of Criminology and Criminology Research Council—Reports for 2007-08.
- Australian Institute of Family Studies—Report for 2007-08.
- Australian Institute of Health and Welfare—Report for 2007-08.
- Australian Institute of Marine Science (AIMS)—Report for 2007-08.
- Australian Law Reform Commission—Report No. 109—Report for 2007-08.
- Australian Pesticides and Veterinary Medicines Authority—Report for 2007-08.
- Australian Research Council—Report for 2007-08.
- Australian Safeguards and Non-Proliferation Office—Report for 2007-08.
- Australian Security Intelligence Organisation (ASIO)—Report for 2007-08.
- Australian Sports Commission—Report for 2007-08, including financial statements for the Australian Sports Foundation Limited.
- Australian Statistics Advisory Council—Report for 2007-08.
- Australian Strategic Policy Institute Limited (ASPI)—Report for 2007-08.
- Australian Wine and Brandy Corporation—Report for 2007-08.
- Bankruptcy Act 1966*—Report for 2007-08 on the operation of the Act.
- Civil Aviation Safety Authority (CASA)—Report for 2007-08.
- Classification Board and Classification Review Board—Reports for 2007-08.
- Commonwealth Ombudsman—Report for 2007-08.

Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2007-08, including financial statements for the Science and Industry Endowment Fund.

Criminal Code Act 1995—Control orders and preventative detention orders—Reports for 2007-08.

Department of Agriculture, Fisheries and Forestry—Report for 2007-08, including financial statements for the Australian Quarantine and Inspection Service, National Residue Survey and Biosecurity Australia.

Department of Broadband, Communications and the Digital Economy—Report for 2007-08 [including erratum].

Department of Innovation, Industry, Science and Research—Report for 2007-08, including IP Australia report for 2007-08.

Department of the Prime Minister and Cabinet—Report for 2007-08.

Export Finance and Insurance Corporation (EFIC)—Report for 2007-08.

Family Court of Australia—

Report for 2006-07—correction.

Report for 2007-08.

Federal Court of Australia—Report for 2007-08.

Federal Magistrates Court of Australia—Report for 2007-08.

Film Australia Limited—Report for 2007-08 [Final report].

Film Finance Corporation Australia Limited—Report for 2007-08 [Final report].

Finance—Issues from the advance to the Finance Minister as a final charge for the year ended 30 June 2008.

Forest and Wood Products Research and Development Corporation—Report for the period 1 July to 31 August 2007 [Final report].

Future Fund Board of Guardians and Future Fund Management Agency (Future Fund)—Report for 2007-08.

Health Services Australia Limited (HSA Group)—Report for 2007-08.

Human Rights and Equal Opportunity Commission—Report for 2007-08.

Indigenous Business Australia—Report for 2007-08.

Insolvency and Trustee Service Australia—Report for 2007-08.

Migration Agents Registration Authority (MARA)—Report for 2007-08.

National Blood Authority—Report for 2007-08.

National Competition Council—Report for 2007-08.

National Gallery of Australia (NGA)—Report for 2007-08.

National Museum of Australia—Report for 2007-08.

National Native Title Tribunal—Report for 2007-08.

National Water Commission—Report for 2007-08.

Native Title Act 1993—Native title representative bodies—Northern Land Council—Report for 2007-08.

Office of Parliamentary Counsel—Report for 2007-08.

Office of the Renewable Energy Regulator—Financial report for 2007-08.

Privacy Act 1988—Report for 2007-08 on the operation of the Act, including financial statements for the Office of the Privacy Commissioner.

Repatriation Medical Authority—Report for 2007-08.

Royal Australian Air Force Veterans' Residences Trust Fund—Report for 2007-08.

Royal Australian Navy Central Canteens Board—Report for 2007-08.

Services Trust Funds—Royal Australian Navy Relief Trust Fund, Australian Military Forces Relief Trust Fund and Royal Australian Air Force Welfare Trust Fund— Reports for 2007-08.

Special Broadcasting Service Corporation (SBS)—Report for 2007-08.

Sydney Harbour Federation Trust—Report for 2007-08.

Tiwi Land Council—Report for 2007-08.

Tourism Australia—Report for 2007-08.

Workplace Authority—Report for 2007-08.

3 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator McEwen, by leave and on behalf of the Joint Standing Committee on Electoral Matters, moved—That the Joint Standing Committee on Electoral Matters be authorised to hold a public meeting during the sitting of the Senate today, to take evidence for the committee's inquiry into the Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008.

Question put and passed.

4 GREAT BARRIER REEF MARINE PARK AND OTHER LEGISLATION AMENDMENT BILL 2008

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

In the committee

Bill taken as a whole by leave.

Explanatory memoranda: The Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas) tabled supplementary explanatory memoranda [2] relating to the government amendments to be moved to the bill.

Senator Macdonald moved the following amendment:

Schedule 2, item 1, page 12 (after line 10), after subsection 10(6A), insert:

(6B) At least one member must have knowledge of or experience in the tourism industry or another industry associated with the Marine Park.

Debate ensued.

Senator Macdonald, by leave, amended the amendment as follows:

Omit "or another industry".

Debate ensued.

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

The Leader of The Nationals in the Senate (Senator Joyce) moved the following amendments together by leave:

Schedule 6, item 9, page 114 (line 26), omit “searching for, or taking, fish”, substitute “taking fish”.

Schedule 6, item 9, page 114 (line 27), omit “search for, or take, fish”, substitute “take fish”.

Schedule 6, item 9, page 114 (line 29), omit “locating of, or taking of, fish”, substitute “taking of fish”.

Debate ensued.

At 2 pm: The President resumed the chair and the Temporary Chair of Committees (Senator Humphries) reported progress.

5 QUESTIONS

Questions without notice were answered.

Distinguished visitors: The President welcomed members of a parliamentary delegation from the Republic of Kenya led by the Speaker of the National Assembly, the Honourable Kenneth Marende, MP, and, with the concurrence of honourable senators, invited the Speaker to take a seat on the floor of the chamber.

Further questions without notice were answered.

6 MOTIONS TO TAKE NOTE OF ANSWERS

Senator Abetz moved—That the Senate take note of the answers given by the Minister for Innovation, Industry, Science and Research (Senator Carr) to questions without notice asked today.

Debate ensued.

Question put and passed.

Senator Ludlam moved—That the Senate take note of the answer given by the Minister for Broadband, Communications and the Digital Economy (Senator Conroy) to a question without notice asked by Senator Ludlam today relating to Internet filtering.

Question put and passed.

7 DEATH OF FORMER MEMBER CECIL ALLEN BLANCHARD

The Deputy President (Senator Ferguson) informed the Senate of the death, on 25 October 2008, of Cecil Allen Blanchard, a member of the House of Representatives for the division of Moore from 1983 to 1990.

8 NOTICES

Notices of motion:

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

- (a) notes the importance of the Australian National Academy of Music as a unique institution for the cultivation of Australia's finest classical musicians;
- (b) deplures statements by the Minister for the Environment, Heritage and the Arts (Mr Garrett) casting aspersions on the efficiency and effectiveness of the academy; and
- (c) calls on the Government immediately to reinstate Commonwealth funding to the Australian National Academy of Music for the 2008-09 financial year in the amount of \$2 545 000, as originally promised by the Rudd Government. (*general business notice of motion no. 270*)

The Minister for Human Services (Senator Ludwig): To move on the next day of sitting—That the days of meeting of the Senate for 2009 be as follows:

Autumn sittings:

Tuesday, 3 February to Thursday, 5 February
 Monday, 23 February to Thursday, 26 February
 Tuesday, 10 March to Thursday, 12 March
 Monday, 16 March to Thursday, 19 March

Budget sittings:

Tuesday, 12 May to Thursday, 14 May

Winter sittings:

Monday, 15 June to Thursday, 18 June
 Monday, 22 June to Thursday, 25 June

Spring sittings:

Tuesday, 11 August to Thursday, 13 August
 Monday, 17 August to Thursday, 20 August
 Monday, 7 September to Thursday, 10 September
 Monday, 14 September to Thursday, 17 September

Spring sittings (2):

Monday, 26 October to Thursday, 29 October
 Monday, 16 November to Thursday, 19 November
 Monday, 23 November to Thursday, 26 November.

The Minister for Human Services (Senator Ludwig): To move on the next day of sitting—

- (1) That estimates hearings by standing committees for 2009 be scheduled as follows:

2008-09 additional estimates:

Monday, 9 February and Tuesday, 10 February 2009, and, if required, Friday, 13 February 2009 (*Group A*)
 Wednesday, 11 February and Thursday, 12 February 2009, and, if required, Friday, 13 February 2009 (*Group B*).

2009-10 Budget estimates:

Monday, 25 May to Thursday, 28 May 2009, and, if required, Friday, 29 May 2009 (*Group A*)
 Monday, 1 June to Thursday, 4 June 2009, and, if required, Friday, 5 June 2009 (*Group B*)

Monday, 19 October and Tuesday, 20 October 2009 (*supplementary hearings—Group A*)

Wednesday, 21 October and Thursday, 22 October 2009 (*supplementary hearings—Group B*).

- (2) That the committees consider the proposed expenditure in accordance with the allocation of departments and agencies to committees agreed to by the Senate.
- (3) That committees meet in the following groups:

Group A:

Environment, Communications and the Arts
 Finance and Public Administration
 Legal and Constitutional Affairs
 Rural and Regional Affairs and Transport

Group B:

Community Affairs
 Economics
 Education, Employment and Workplace Relations
 Foreign Affairs, Defence and Trade.

- (4) That the committees report to the Senate on the following dates:
- (a) Tuesday, 17 March 2009 in respect of the 2008-09 additional estimates; and
- (b) Tuesday, 23 June 2009 in respect of the 2009-10 Budget estimates.

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

- (a) notes that:
- (i) the week beginning 16 November 2008 is National Skin Cancer Action Week,
- (ii) Australia has the highest incidence of skin cancer in the world,
- (iii) within Australia, Queensland has the highest rate of skin cancer, followed by Western Australia,
- (iv) skin cancers currently account for 80 per cent of all newly diagnosed cancers,
- (v) more than 1 600 Australians die from skin cancer each year,
- (vi) an estimated 950 000 visits to general practitioners each year are for the treatment of preventable non-melanoma skin cancers, and
- (vii) annually, 281 new melanoma cases, 43 melanoma-related deaths and 2 572 new cases of squamous cell carcinoma are attributable to the use of solarium; and
- (b) calls on the Government to:
- (i) support the recommendations of the Australasian College of Dermatologists and Cancer Council Australia by working with the states towards effecting tighter regulation of solarium, and
- (ii) implement and fund an ongoing national level skin cancer prevention campaign. (*general business notice of motion no. 271*)

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

(a) notes:

- (i) that the recent report by the Select Committee into Housing Affordability in Australia, *A good house is hard to find: Housing affordability in Australia*, indicated that the community housing sector could play a crucial role in the provision and management of affordable housing,
- (ii) that the National Rental Affordability Scheme (NRAS) could be part of a range of measures to increase housing affordability and address homelessness, including increasing government funding for social, community and public housing, improving protection for tenants and reviewing Commonwealth Rent Assistance, and
- (iii) a recent ruling and comments by the Australian Taxation Office (ATO), suggesting that charitable organisations seeking to take part in the NRAS could jeopardise their charitable status; and

(b) calls on the Government to:

- (i) direct the ATO to provide a letter of assurance to NRAS applicants that guarantees their participation in NRAS will not cause the ATO to review or revoke their charitable status,
- (ii) introduce legislative measures to ensure that not-for-profit organisations involved in NRAS do not lose their charitable tax status, and
- (iii) provide a statement of intent from the Treasurer (Mr Swan) to deem the not-for-profit provision of affordable housing as a charitable purpose under tax law. (*general business notice of motion no. 272*)

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

(a) notes the uranium study conducted by NewsPoll for the Australian Conservation Foundation over the weekend of 1 November and 2 November 2008, which shows that:

- (i) Australians are 2:1 against uranium exports to countries with nuclear weapons,
- (ii) 40 per cent of Australians are against the export of Australian uranium to any country for use in nuclear power plants for electricity generation,
- (iii) a majority of Australians in every state are opposed to uranium exports to countries with nuclear weapons or against any uranium exports at all, and
- (iv) results show 48 per cent of women are against uranium exports to any country, and a total of 73 per cent of women are against uranium exports to countries with nuclear weapons that have signed the Nuclear Non-Proliferation Treaty; and

(b) calls on the Government to take this strong indication of public opinion into account as it makes a decision on the clear recommendations provided by the Joint Standing Committee on Treaties on the Australia-Russia uranium agreement signed by former Prime Minister Howard and the then President Putin in 2007. (*general business notice of motion no. 273*)

Notices of motion withdrawn: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Wortley), pursuant to notice of intention given on 10 November 2008, withdrew notices of motion standing in her name as follows:

Business of the Senate notice of motion no. 1 for 8 sitting days after today for the disallowance of the following instrument:

Private Health Insurance (Benefit Requirements) Rules 2008 (No. 2), made under item 3A of the table in section 333-20 of the *Private Health Insurance Act 2007*.

Business of the Senate notices of motion nos 1 and 2 for 9 sitting days after today for the disallowance of the following instruments:

Determination of Fees for Water and Sewerage Services No. 1 of 2008, made under section 9 of the *Christmas Island Act 1958*.

Determination of Fees for Water and Sewerage Services No. 1 of 2008, made under section 12 of the *Cocos (Keeling) Islands Act 1955*.

Business of the Senate notice of motion no. 2 for 10 sitting days after today for the disallowance of the following instrument:

Livestock Export (Merino) Orders (Amendment) No. 1 of 2008, made under regulation 3 of the Export Control (Orders) Regulations 1982.

9 LEAVE OF ABSENCE

Senator Parry, by leave, moved—That leave of absence be granted to Senator Kroger for 11 November and 12 November 2008, for personal reasons.

Question put and passed.

10 COMMUNITY AFFAIRS—STANDING COMMITTEE—REFERENCE

Senator Parry, at the request of Senator Heffernan, amended business of the Senate notice of motion no. 1 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the following matter be referred to the Community Affairs Committee for inquiry and report by the last sitting day of 2009:

The impact of the granting of patents in Australia over human and microbial genes and non-coding sequences, proteins, and their derivatives, including those materials in an isolated form, with particular reference to:

- (a) the impact which the granting of patent monopolies over such materials has had, is having, and may have had on:
 - (i) the provision and costs of healthcare,
 - (ii) the provision of training and accreditation for healthcare professionals,
 - (iii) the progress in medical research, and
 - (iv) the health and wellbeing of the Australian people;
- (b) identifying measures that would ameliorate any adverse impacts arising from the granting of patents over such materials, including whether the *Patents Act 1990* should be amended, in light of any matters identified by the inquiry; and
- (c) whether the *Patents Act 1990* should be amended so as to expressly prohibit the grant of patent monopolies over such materials.

Question put and passed.

**11 RENEWABLE ENERGY (ELECTRICITY) AMENDMENT (FEED-IN-TARIFF) BILL 2008—
GENERAL BUSINESS ORDER OF THE DAY DISCHARGED**

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 268—That general business order of the day no. 53, relating to the Renewable Energy (Electricity) Amendment (Feed-in-Tariff) Bill 2008, be discharged from the *Notice Paper*.

Question put and passed.

**12 RENEWABLE ENERGY AMENDMENT (FEED-IN-TARIFF FOR ELECTRICITY)
BILL 2008**

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 269—That the following bill be introduced:

A Bill for an Act to amend the *Renewable Energy (Electricity) Act 2000* to support the greater commercialisation of renewable energy technologies, and for related purposes.

Question put and passed.

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

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

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

13 PLEBISCITE FOR AN AUSTRALIAN REPUBLIC BILL 2008

The Leader of the Australian Greens (Senator Bob Brown), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 252—That the following bill be introduced:

A Bill for an Act to require a plebiscite on whether Australia should become a republic.

Question put and passed.

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

Explanatory memorandum: Senator Bob Brown, by leave, tabled an explanatory memorandum relating to the bill.

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

14 ENVIRONMENT, COMMUNICATIONS AND THE ARTS—STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

The Chair of the Environment, Communications and the Arts Committee (Senator McEwen), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 255—That the Environment, Communications and the Arts Committee be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 12 November 2008, from 12.30 pm to 2 pm, to take evidence for the committee's inquiry into the Broadcasting Legislation Amendment (Digital Television Switch-over) Bill 2008.

Question put and passed.

15 COMMUNITY AFFAIRS—STANDING COMMITTEE—EXTENSION OF TIME TO REPORT

Senator McEwen, at the request of the Chair of the Community Affairs Committee (Senator Moore) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 256—That the time for the presentation of the report of the Community Affairs Committee on the Protecting Children from Junk Food Advertising (Broadcasting Amendment) Bill 2008 be extended to 2 December 2008.

Question put and passed.

16 COMMUNITY AFFAIRS—STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator McEwen, at the request of the Chair of the Community Affairs Committee (Senator Moore) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 257—That the Community Affairs Committee be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 11 November 2008, from 4.30 pm, to take evidence for the committee's inquiry into Government expenditure on Indigenous affairs and social services in the Northern Territory.

Question put and passed.

17 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTINGS

Senator McEwen, at the request of Senator Hutchins and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 258—That the Joint Standing Committee on Electoral Matters be authorised to hold public meetings during the sittings of the Senate, from 12.30 pm to 2 pm, to take evidence for the committee's inquiry into the 2007 Federal Election, including the Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008, as follows:

Tuesday, 11 November and 25 November 2008

Tuesday, 2 December 2008.

Question put and passed.

18 ECONOMICS—STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator McEwen, at the request of the Chair of the Economics Committee (Senator Hurley) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 259—That the Economics Committee be authorised to hold public meetings during the sitting of the Senate on Tuesday, 11 November 2008, as follows:

- (a) from 6.30 pm, to take evidence for the committee's inquiry into disclosure regimes for charities and not-for-profit organisations; and
- (b) from 7 pm, to take evidence for the committee's inquiry into the joint marketing arrangements on the North West Shelf project.

Question put and passed.

19 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—LEAVE TO MEET DURING SITTINGS

Senator McEwen, 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. 260—That the Rural and Regional Affairs and Transport Committee be authorised to hold public meetings during the sittings of the Senate on Wednesday, 12 November 2008, and Thursday, 13 November 2008, from 3.30 pm, to take evidence for the committee's inquiry into the provisions of the Water Amendment Bill 2008.

Question put and passed.

20 NATIONAL BROADBAND NETWORK—SELECT COMMITTEE—LEAVE TO MEET DURING SITTING

Senator McEwen, at the request of the Chair of the Select Committee on the National Broadband Network (Senator Fisher) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 261—That the Select Committee on the National Broadband Network be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 11 November 2008, from 7 pm.

Question put and passed.

21 ECONOMICS—STANDING COMMITTEE—EXTENSION OF TIME TO REPORT

Senator McEwen, at the request of the Chair of the Economics Committee (Senator Hurley) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 262—That the time for the presentation of the report of the Economics Committee on matters relating to the gas explosion at Varanus Island, Western Australia be extended to 3 December 2008.

Question put and passed.

22 AGRICULTURAL AND RELATED INDUSTRIES—SELECT COMMITTEE—LEAVE TO MEET DURING SITTING

Senator McEwen, at the request of the Chair of the Select Committee on Agricultural and Related Industries (Senator Heffernan) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 263—That the Select Committee on Agricultural and Related Industries be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 11 November 2008, from 3.30 pm, to take evidence for the committee's inquiry into pricing and supply arrangements in the Australian and global fertiliser market.

Question put and passed.

23 FAMILY AND COMMUNITY SERVICES—ABC LEARNING—CHILD CARE

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 267—That the Senate—

- (a) notes:
 - (i) the Government's recent announcement of a \$22 million package to keep ABC Learning open until the end of 2008, following months of financial woes, and
 - (ii) ABC Learning accounts for more than 100 000 long day-care places;
- (b) recognises that the expertise and experience of those in the sector should be included in planning the response to this crisis; and
- (c) calls on the Government to hold an emergency summit of the key child care providers from around the country, to open up the lines of communication and learn from those who are caring for children, in determining how best to stabilise and improve child care within Australia.

Question put and passed.

24 IMMIGRATION—MOELLER FAMILY

Senator Bernardi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 264—That the Senate—

- (a) notes the Horsham physician Dr Bernhard Moeller, his wife Isabella and their children Lukas, Felix and Sarah have been refused permanent residency in Australia because Lukas Moeller, has Down's Syndrome;
- (b) rejects the notion that those with Down's Syndrome are a burden on society;
- (c) acknowledges the important role that Dr Moeller fulfils as a doctor in a regional community and in the Wimmera Base Hospital which serves more than 50 000 people;
- (d) calls on the Rudd Government to expedite the decision-making process with regard to Dr Moeller and his family's application for permanent residency; and
- (e) condemns the lack of action, advocacy, commonsense and compassion given to the Moeller family by the Rudd Government.

Question put and passed.

25 HEALTH—NATIONAL CLEFT AWARENESS WEEK

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 266—That the Senate—

- (a) notes that:
- (i) the week beginning 9 November 2008 is National Cleft Awareness Week,
 - (ii) one in every 700 babies born in Australia is born with a cleft, either a cleft lip or a cleft palate or a combination of both,
 - (iii) children with a cleft will usually require a range of dental, orthodontic, speech pathology and surgical therapies throughout their lives to support their full participation in society,
 - (iv) in some states, there are waiting lists of between 6 months and 2 years for speech pathology services and children face ongoing educational challenges unless their speech and language needs are addressed, and
 - (v) the shortfall in public speech pathology services has forced families to seek services in the private sector which many families are unable to afford; and
- (b) calls on the Government to:
- (i) provide better support to publicly-funded speech pathology services, and
 - (ii) investigate the costs of including speech pathology services within the existing Medicare Cleft Lip and Cleft Palate Scheme.

Question put and passed.

**26 INDEPENDENT REVIEWER OF TERRORISM LAWS BILL 2008 [NO. 2]—
CONSIDERATION**

Senator Coonan, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 265—

- (1) That so much of the standing orders be suspended as would prevent this resolution having effect.
- (2) That on and from Thursday, 13 November 2008, the Independent Reviewer of Terrorism Laws Bill 2008 [No. 2] have precedence over all government business till determined.

Question put.

The Senate divided—

AYES, 37

Senators—

Abetz	Cormann	Ludlam	Ryan
Adams	Eggleston	Macdonald	Scullion
Barnett	Ellison	Mason	Siewert
Bernardi	Ferguson	McGauran	Troeth
Boswell	Fierravanti-Wells	Milne	Trood
Boyce	Fifield	Minchin	Williams
Brown, Bob	Fisher	Nash	Xenophon
Cash	Hanson-Young	Parry (Teller)	
Colbeck	Humphries	Payne	
Coonan	Joyce	Ronaldson	

NOES, 27

Senators—

Arbib	Conroy	Furner	McLucas
Bilyk	Crossin	Hogg	Moore
Bishop	Farrell	Hurley	Polley
Brown, Carol	Faulkner	Hutchins	Pratt
Cameron	Feeny	Ludwig	Sterle
Carr	Fielding	Marshall	Wortley
Collins	Forshaw	McEwen (Teller)	

Question agreed to.

27 URGENCY MOTION—FAMILY AND COMMUNITY SERVICES—ABC LEARNING—CHILD CARE

The President informed the Senate that he had received a letter from Senator Hanson-Young advising that today she intended to move—That, in the opinion of the Senate, the following is a matter of urgency:

The collapse of ABC Learning and its effect on child care across Australia, which requires an urgent response from the Government including an emergency summit of the key child care providers from around the country, to ensure services to parents and children are available beyond the end of 2008.

The proposal was supported by four senators.

Senator Hansen-Young moved the motion.

Debate ensued.

Question put and passed.

28 AUDITOR-GENERAL—AUDIT REPORT NO. 8 OF 2008-09—DOCUMENT

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

Auditor-General—Audit report no. 8 of 2008-09—Performance audit—National Marine Unit—Australian Customs Service.

29 DOCUMENTS

The following documents were tabled by the Clerk:

Parliamentary Entitlements Act—Parliamentary Entitlements Regulations—Advice of decision to pay assistance under Part 3, dated 31 October 2008.

Sydney Airport Curfew Act—Dispensation Report 12/08.

30 COMMITTEE MEMBERSHIP

The Acting Deputy President (Senator Troeth) informed the Senate that the President had received letters requesting changes in the membership of committees.

The Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas), by leave, moved—That senators be discharged from and appointed to committees as follows:

Education, Employment and Workplace Relations—Standing Committee—

Appointed—

Substitute member: Senator Milne to replace Senator Siewert for the committee's inquiry into Australia's research and training capacity in the area of climate change

Participating member: Senator Siewert

Fuel and Energy—Select Committee—

Discharged—Senator Fielding

Appointed—Participating member: Senator Fielding

Rural and Regional Affairs and Transport—Standing Committee—

Appointed—

Substitute member: Senator Siewert to replace Senator Milne for the committee's inquiry into the provisions of the Water Amendment Bill 2008

Participating member: Senator Milne.

Question put and passed.

Messages from the House of Representatives were reported informing the Senate of changes in the membership of joint committees, as follows:

Message no. 188, dated 10 November 2008—Public Accounts and Audit—Joint Statutory Committee—Mrs BK Bishop and Mr Briggs in place of Mr Baldwin and Mr Morrison.

Message no. 189, dated 10 November 2008—Foreign Affairs, Defence and Trade—Joint Standing Committee—Mrs Markus in place of Mr Robb.

Message no. 190, dated 10 November 2008—Australian Crime Commission—Joint Statutory Committee—Ms Ley in place of Mr Pyne.

Message no. 191, dated 10 November 2008—Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—Ms Ley in place of Mr Pyne.

Message no. 192, dated 11 November 2008—Treaties—Joint Standing Committee—Mr Briggs in place of Mr Andrews.

Message no. 193, dated 11 November 2008—Migration—Joint Standing Committee—Dr Stone in place of Mr Randall.

Message no. 194, dated 11 November 2008—Corporations and Financial Services—Joint Statutory Committee—Mr Pearce in place of Mr Keenan.

31 GREAT BARRIER REEF MARINE PARK AND OTHER LEGISLATION AMENDMENT BILL 2008

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

In the committee

Consideration resumed of the bill, as amended—and of the amendments moved by the Leader of The Nationals in the Senate (Senator Joyce) (see entry no. 4).

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

On the motion of the Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas) the following amendment was debated and agreed to:

Schedule 6, item 9, page 114 (line 23) to page 115 (line 4), omit the item, substitute:

9 Subsection 3(1)

Insert:

fishing means any of the following:

- (a) taking fish;
- (b) attempting to take fish;
- (c) engaging in any activity (including searching for fish, using fishing apparatus and using fish aggregating devices) in connection with taking, or attempting to take, fish.

On the motion of Senator McLucas the following amendments, taken together by leave, were debated and agreed to:

Schedule 6, page 115 (after line 4), after item 9, insert:

9A Subsection 3(1)

Insert:

geological storage operations means:

- (a) operations to inject and store a gas substance in part of a geological formation; or
- (b) operations preparing for or incidental to operations mentioned in paragraph (a).

Schedule 6, item 24, page 117 (line 28), omit “**or drilling**”, substitute “**or geological storage operations**”.

Schedule 6, item 24, page 118 (line 1), after “operations”, insert “or geological storage operations”.

Schedule 6, item 24, page 118 (line 27), omit “**or drilling**”, substitute “**or geological storage operations**”.

Schedule 6, item 24, page 118 (line 29), after “operations”, insert “or geological storage operations”.

On the motion of Senator Macdonald, also on behalf of Senator Boswell, the following amendment was debated and agreed to:

Schedule 6, item 24, page 126 (after line 13), after Division 3, insert:

Division 3A—Convictions under former section 38CA

38CC Convictions under former section 38CA

- (1) Despite any other Commonwealth law or any State law or Territory law, if a person was convicted for an offence under section 38CA of the *Great Barrier Reef Marine Park Act 1975*:
 - (a) that occurred during the period 1 July 2004 to 14 December 2006; and
 - (b) that did not attract a monetary penalty exceeding \$5,000;
 that conviction is for all purposes to be treated as a spent conviction under Part VIIC of the *Crimes Act 1914*.
- (2) For the avoidance of doubt, a conviction referred to in subsection (1) is to be treated as a spent conviction whether or not the waiting period for the offence under Part VIIC of the *Crimes Act 1914* has ended.
- (3) Despite Division 3 of Part VIIC of the *Crimes Act 1914*, the exclusions provided by Division 6 of Part VIIC of the *Crimes Act 1914* do not apply in relation to a conviction referred to in subsection (1).

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

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

Senator McLucas moved—That this bill be now read a third time.

Debate ensued.

Question put and passed.

Bill read a third time.

32 TRADE PRACTICES AMENDMENT (CLARITY IN PRICING) 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.

The Senate resolved itself into committee for the consideration of the bill.

In the committee

Bill, taken as a whole by leave, debated and agreed to.

Bill to be reported without amendment.

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

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

**33 NATIONAL FUELWATCH (EMPOWERING CONSUMERS) BILL 2008
NATIONAL FUELWATCH (EMPOWERING CONSUMERS) (CONSEQUENTIAL
AMENDMENTS) BILL 2008**

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

Debate resumed.

At 6.50 pm: Debate was interrupted while the Leader of The Nationals in the Senate (Senator Joyce) was speaking.

34 GOVERNMENT DOCUMENTS—CONSIDERATION

The following government documents tabled earlier today (*see entry no. 2*) were considered:

Department of the Prime Minister and Cabinet—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2007-08, including financial statements for the Science and Industry Endowment Fund. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Forest and Wood Products Research and Development Corporation—Report for the period 1 July to 31 August 2007 [Final report]. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Innovation, Industry, Science and Research—Report for 2007-08, including IP Australia report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Bureau of Statistics—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Statistics Advisory Council—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

National Gallery of Australia (NGA)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Commonwealth Ombudsman—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Office of the Renewable Energy Regulator—Financial report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Aboriginal Hostels Limited—Report for the period 1 July 2007 to 28 June 2008. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

National Competition Council—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Institute of Family Studies—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Export Finance and Insurance Corporation (EFIC)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Safeguards and Non-Proliferation Office—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Strategic Policy Institute Limited (ASPI)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Criminal Code Act 1995—Control orders and preventative detention orders—Reports for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Federal Magistrates Court of Australia—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Institute of Criminology and Criminology Research Council—Reports for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Classification Board and Classification Review Board—Reports for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Family Court of Australia—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

National Blood Authority—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Institute of Health and Welfare—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Future Fund Board of Guardians and Future Fund Management Agency (Future Fund)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Film Finance Corporation Australia Limited—Report for 2007-08 [Final report]. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Film Australia Limited—Report for 2007-08 [Final report]. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Film Commission—Report for 2007-08 [Final report]. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

National Water Commission—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Sydney Harbour Federation Trust—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Law Reform Commission—Report No. 109—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Anindilyakwa Land Council—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Tiwi Land Council—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Native Title Act 1993—Native title representative bodies—Northern Land Council—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Pesticides and Veterinary Medicines Authority—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Agriculture, Fisheries and Forestry—Report for 2007-08, including financial statements for the Australian Quarantine and Inspection Service, National Residue Survey and Biosecurity Australia. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Security Intelligence Organisation (ASIO)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Administrative Appeals Tribunal—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Bankruptcy Act 1966—Report for 2007-08 on the operation of the Act. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Insolvency and Trustee Service Australia—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Special Broadcasting Service Corporation (SBS)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Broadcasting Corporation (ABC)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Health Services Australia Limited (HSA Group)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Research Council—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Institute for Teaching and School Leadership Limited (Teaching Australia)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Wine and Brandy Corporation—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Institute of Marine Science (AIMS)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Repatriation Medical Authority—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Electoral Commission (AEC)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Administrative Review Council—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Family Court of Australia—Report for 2006-07—correction. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Sports Commission—Report for 2007-08, including financial statements for the Australian Sports Foundation Limited. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Services Trust Funds—Royal Australian Navy Relief Trust Fund, Australian Military Forces Relief Trust Fund and Royal Australian Air Force Welfare Trust Fund— Reports for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Army and Air Force Canteen Service (Frontline Defence Services)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Royal Australian Navy Central Canteens Board—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

National Museum of Australia—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Broadband, Communications and the Digital Economy—Report for 2007-08 [including erratum]. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Office of Parliamentary Counsel—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Federal Court of Australia—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

National Native Title Tribunal—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Human Rights and Equal Opportunity Commission—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Privacy Act 1988—Report for 2007-08 on the operation of the Act, including financial statements for the Office of the Privacy Commissioner. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Royal Australian Air Force Veterans' Residences Trust Fund—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Workplace Authority—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Aged Care Commissioner—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Tourism Australia—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Airservices Australia—Equity and diversity program—Progress report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Civil Aviation Safety Authority (CASA)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Migration Agents Registration Authority (MARA)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Finance—Issues from the advance to the Finance Minister as a final charge for the year ended 30 June 2008. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Indigenous Business Australia—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Airservices Australia—Corporate plan July 2008 to June 2013. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

The following orders of the day relating to government documents were considered:

Australian Maritime Safety Authority—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Commissioner for Superannuation (ComSuper)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Nuclear Science and Technology Organisation (ANSTO)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Repatriation Commission, Military Rehabilitation and Compensation Commission, National Treatment Monitoring Committee and the Department of Veterans' Affairs—Reports for 2007-08, including financial statements for the Defence Service Homes Insurance Scheme. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Climate Change—Report for period 3 December 2007 to 30 June 2008. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian National Maritime Museum—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Director of National Parks—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Veterans' Affairs—Data matching program—Report on progress 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Learning and Teaching Council (formerly The Carrick Institute for Learning and Teaching in Higher Education Limited)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

National Offshore Petroleum Safety Authority (NOPSA)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Gene Technology Regulator—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Defence Housing Australia—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Dairy Adjustment Authority—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of the Treasury—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Financial Reporting Council—Report for 2007-08 on auditor independence. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Financial Reporting Council, Australian Accounting Standards Board and Auditing and Assurance Standards Board—Reports for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Social Security Appeals Tribunal—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Rural Industries Research and Development Corporation (RIRDC)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Land and Water Resources Research and Development Corporation (Land & Water Australia)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Commonwealth Grants Commission—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Securities and Investments Commission (ASIC)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2007-08. [Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Foreign Affairs and Trade—Reports for 2007-08—

Volume 1—Department of Foreign Affairs and Trade.

Volume 2—Australian Agency for International Development (AusAID).

—Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian War Memorial—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Bureau of Meteorology—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

National Library of Australia—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australia Council for the Arts (Australia Council)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Centre for International Agricultural Research—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Human Services—Report for 2007-08, including financial statements for CRS Australia. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Communications and Media Authority—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Royal Australian Mint—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Companies Auditors and Liquidators Disciplinary Board (CALDB)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Financial Reporting Panel—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Reinsurance Pool Corporation (ARPC)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Corporations and Markets Advisory Committee—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

National Australia Day Council Limited—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Reward Investment Alliance (ARIA)—Report for 2007-08, including financial statements for Commonwealth Superannuation Scheme, Public Sector Superannuation Scheme and Public Sector Superannuation Accumulation Plan. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Seafarers Safety, Rehabilitation and Compensation Authority (Seacare)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Comcare—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Safety, Rehabilitation and Compensation Commission (SRCC)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Aged Care Standards and Accreditation Agency Ltd—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Cancer Australia—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Finance and Deregulation—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Airservices Australia—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Infrastructure, Transport, Regional Development and Local Government—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Professional Services Review—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

National Residue Survey—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Wet Tropics Management Authority—Report for 2007-08, including State of the Wet Tropics report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Bundanon Trust Limited—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australia Business Arts Foundation Ltd—Financial statements for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Public Lending Right Committee—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Trade Commission (Austrade)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Customs Service—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Medicare Australia—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Food Standards Australia New Zealand—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Commission for Law Enforcement Integrity—Report of the Integrity Commissioner for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Superannuation Complaints Tribunal—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Office of Financial Management (AOFM)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Takeovers Panel—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Immigration and Citizenship—Report for 2007-08, including report on the operation of the *Immigration (Education) Act 1971*. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Resources, Energy and Tourism—Report for the period 3 December 2007 to 30 June 2008. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Veterans' Review Board—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Health and Ageing—Report for 2007-08, including financial statements for the Therapeutic Goods Administration. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Defence Force Remuneration Tribunal—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Commonwealth Services Delivery Agency (Centrelink)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Defence—Reports for 2007-08—

Volume 1—Department of Defence, including report on the administration and operation of the *Defence Force (Home Loans Assistance) Act 1990*.

Volume 2—Defence Materiel Organisation.

—Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Industrial Chemicals (Notification and Assessment) Act 1989—Report for 2007-08 on the operation of the National Industrial Chemicals Notification and Assessment Scheme (NICNAS). Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Sports Anti-Doping Authority—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Office of the Official Secretary to the Governor-General—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Hearing Services (Australian Hearing)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of the Environment, Water, Heritage and the Arts—Reports for 2007-08—

Volume 1—Department of the Environment, Water, Heritage and the Arts.

Volume 2—Legislation.

—Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Supervising Scientist—Report for 2007-08 on the operation of the *Environment Protection (Alligator Rivers Region) Act 1978*. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Department of Education, Employment and Workplace Relations—Report for 2007-08—Volumes 1 and 2. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Gene Technology Regulator—Quarterly report for the period 1 April to 30 June 2008. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Productivity Commission—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Family Law Council—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Office of the Director of Public Prosecutions (DPP)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Grains Research and Development Corporation (GRDC)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Grape and Wine Research and Development Corporation—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Government Solicitor (AGS)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Albury-Wodonga Development Corporation—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

National Transport Commission (NTC Australia)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Australian Prudential Regulation Authority (APRA)—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Private Health Insurance Administration Council—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Coal Mining Industry (Long Service Leave Funding) Corporation—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

Migration Review Tribunal and Refugee Review Tribunal—Report for 2007-08. Motion to take note of document moved by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.

35 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 8.46 pm till Wednesday, 12 November 2008 at 9.30 am.

36 ATTENDANCE

Present, all senators except Senators Birmingham, Kroger* and O'Brien* (* on leave).

HARRY EVANS
Clerk of the Senate