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1 MEETING OF SENATE

The Senate met at 12.30 pm. The President (Senator the Honourable Paul Calvert) took the chair and read prayers.

2 GOVERNMENT DOCUMENTS

The following government documents were tabled:

Murray-Darling Basin Commission—Report for 2002-03.

Office of the Renewable Energy Regulator—Report for 2003.

Productivity Commission—Report—No. 27—National workers' compensation and occupational health and safety frameworks, 6 March 2004.

3 SHADOW MINISTRY—STATEMENT BY LEAVE

The Leader of the Opposition in the Senate (Senator Faulkner), by leave, made a statement relating to the Opposition shadow ministry.

4 ECONOMICS LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Ferris, by leave and at the request of the Chair of the Economics Legislation Committee (Senator Brandis), moved—That the Economics Legislation Committee be authorised to hold a public meeting during the sitting of the Senate today, from 3.30 pm, to take evidence for the committee's inquiry into the provisions of the Textile, Clothing and Footwear Strategic Investment Program Amendment (Post-2005 scheme) Bill 2004 and a related bill.

Question put and passed.

5 FREE TRADE AGREEMENT—AUSTRALIA AND THE UNITED STATES OF AMERICA—SELECT COMMITTEE—CHANGE IN MEMBERSHIP

The President informed the Senate that he had received a letter requesting a change in the membership of a committee.

The Minister for the Environment and Heritage (Senator Ian Campbell), by leave, moved—That Senator Kirk replace Senator Cook on the Select Committee on the Free Trade Agreement between Australia and the United States of America for the period 3 August to 9 August 2004.

Question put and passed.

**6 US FREE TRADE AGREEMENT IMPLEMENTATION BILL 2004
US FREE TRADE AGREEMENT IMPLEMENTATION (CUSTOMS TARIFF) BILL 2004**

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

Message no. 637, dated 24 June 2004—A Bill for an Act to implement the Australia-United States Free Trade Agreement, and for other purposes.

Message no. 638, dated 24 June 2004—A Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

The Minister for Defence (Senator Hill) 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 Hill moved—That these bills be now read a second time.

Explanatory memorandum: Senator Hill tabled a correction to the explanatory memorandum relating to the US Free Trade Agreement Implementation Bill 2004.

Debate ensued.

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

7 MINISTRY AND MINISTERIAL ARRANGEMENTS—STATEMENT BY LEAVE

The Leader of the Government in the Senate (Senator Hill), by leave, informed the Senate of changes to the third Howard Ministry.

8 QUESTIONS

Questions without notice were answered.

9 UNPARLIAMENTARY LANGUAGE—STATEMENT BY PRESIDENT

The President made a statement relating to unparliamentary language and a matter raised by Senator Cook on 24 June 2004.

10 COMMUNICATIONS—TELSTRA—ANSWERS TO QUESTIONS

Senator Mackay moved—That the Senate take note of the answers given by the Minister for Communications, Information Technology and the Arts (Senator Coonan) to questions without notice asked by Senators Mackay, Lundy and Stephens today relating to the provision of services by Telstra.

Debate ensued.

Question put and passed.

11 TRADE—FREE TRADE AGREEMENT—PHARMACEUTICAL BENEFITS SCHEME—ANSWER TO QUESTION

Senator Ridgeway moved—That the Senate take note of the answer given by the Minister for Defence (Senator Hill) to a question without notice asked by Senator Ridgeway today relating to the Australia-United States free trade agreement and the Pharmaceutical Benefits Scheme.

Question put and passed.

12 DEATH OF FORMER SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE HONOURABLE DR HENRY ALFRED JENKINS, AM

The President informed the Senate of the death, on 27 July 2004, of former Speaker of the House of Representatives, the Honourable Dr Henry Alfred Jenkins, AM.

The Leader of the Government in the Senate (Senator Hill), by leave, moved—That the Senate records its deep regret at the death, on 27 July 2004, of the Honourable Dr Henry Alfred Jenkins, AM, former Speaker of the House of Representatives and member for Scullin, and places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his family in their bereavement.

The motion was supported and all senators present stood in silence—

Question passed.

13 DEATH OF FORMER MEMBER BARRY DOUGLAS SIMON

The President informed the Senate of the death, on 7 July 2004, of Barry Douglas Simon, a member of the House of Representatives for the division of McMillan from 1975 to 1980.

14 PETITIONS

The following 10 petitions, lodged with the Clerk by the senators indicated, were received:

The President, from 11 petitioners, requesting that the Senate take action to ensure that the Government negotiates a fair and equitable maritime boundary with Timor Leste according to current international law and the provisions of the UN Convention on the Law of the Sea.

The President, from 32 petitioners, requesting that the Senate take action to ensure priority funding to public schools to enable them to continue to provide high quality education to all, regardless of wealth, location, ethnicity, religion or special needs.

Senator Allison, from 41 petitioners, requesting that the Senate amend any proposed legislation relating to Medicare to ensure that equitable access to doctors' services is preserved.

Senator Bartlett, from 26 petitioners, requesting that the Senate call on the Government to initiate a Royal Commission into sexual assault and the abuse of children.

Senators Bartlett, O'Brien, Patterson, Ridgeway and Troeth, from 74, 20, 47, 36 and 12 petitioners, respectively, requesting that the Senate oppose any legislation to abolish the Aboriginal and Torres Strait Islander Commission.

Senator Nettle, from 15 petitioners, requesting that the Senate take action to ensure that Mamdouh Habib's rights are acknowledged and that he be returned to Australia and entitled to a civil trial if charged with any crime.

15 NOTICES

The Minister for the Environment and Heritage (Senator Ian Campbell): To move on the next day of sitting—That the following orders operate as temporary orders until the conclusion of the 2004 sittings:

- (1) If a division is called for on Thursday after 4.30 pm, the matter before the Senate shall be adjourned until the next day of sitting at a time fixed by the Senate.
- (2) If objection is made to a motion being taken as a formal motion, a proposal to suspend standing orders to allow the motion to be moved shall not be received by the President and put to the Senate unless 5 senators, including the mover of the motion, rise in their places to indicate support for the suspension motion.

Senators O'Brien and Collins: To move on the next day of sitting—That the Senate—

- (a) notes that:
 - (i) 4 August is National Aboriginal and Islander Children's Day,
 - (ii) the National Aboriginal and Islander Children's Day is an initiative of the Secretariat of National Aboriginal and Islander Child Care,
 - (iii) National Aboriginal and Islander Children's Day draws attention to the needs of Aboriginal and Torres Strait Islander children,

- (iv) the theme of National Aboriginal and Islander Children's Day 2004 is 'One Childhood – One Chance', and
 - (v) Aboriginal and Torres Strait Islander children are less likely than other Australian children to have access to early childhood programs and services; and
- (b) urges the Government to ensure that all Australian children have equitable access to early childhood programs and services. (*general business notice of motion no. 936*)

The Chair of the Economics Legislation Committee (Senator Brandis): To move on the next day of sitting—That the Economics Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Monday, 9 August 2004, from 3.30 pm, to take evidence for the committee's inquiry into the Superannuation Industry (Supervision) Amendment Regulations 2004 (No. 2) [Statutory Rules 2004 No. 84]. (*general business notice of motion no. 937*)

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Hutchins): To move on the next day of sitting—That the Foreign Affairs, Defence and Trade References Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 5 August 2004, from 9.30 am to 11.30 am, to take evidence for the committee's inquiry into the performance of government agencies in the assessment and dissemination of security threats in South East Asia in the period 11 September 2001 to 12 October 2002. (*general business notice of motion no. 938*)

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Hutchins): To move on the next day of sitting—That the Foreign Affairs, Defence and Trade References Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 5 August 2004, from 4 pm, to take evidence for the committee's inquiry into the effectiveness of the Australian military justice system. (*general business notice of motion no. 939*)

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Hutchins): To move on the next day of sitting—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade References Committee on the performance of government agencies in the assessment and dissemination of security threats in South East Asia in the period 11 September 2001 to 12 October 2002 be extended to 12 August 2004. (*general business notice of motion no. 940*)

The Chair of the Environment, Communications, Information Technology and the Arts References Committee (Senator Cherry): To move on the next day of sitting—That the time for the presentation of the report of the Environment, Communications, Information Technology and the Arts References Committee on competition in broadband services be extended to 12 August 2004. (*general business notice of motion no. 941*)

The Chair of the Environment, Communications, Information Technology and the Arts References Committee (Senator Cherry): To move on the next day of sitting—That the Environment, Communications, Information Technology and the Arts References Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 5 August 2004, from 4.30 pm, to take evidence for the committee's inquiry into budgetary and environmental implications of the Government's Energy White Paper. (*general business notice of motion no. 942*)

The Leader of the Australian Democrats (Senator Bartlett): To move on the next day of sitting—That the Senate—

- (a) notes that 4 July to 11 July 2004 was National Aboriginal and Islander Day Observance Committee (NAIDOC) Week and that this year's theme was 'Self-Determination – Our Community – Our Future – Our Responsibility';
- (b) acknowledges that services to Indigenous people are most effective when controlled and run by Indigenous people and that the Government's proposed abolition of the Aboriginal and Torres Strait Islander Commission and mainstreaming of Indigenous services will further obstruct Indigenous peoples' access to basic rights such as health, education, employment, housing and justice;
- (c) recognises the significance of NAIDOC Week in celebrating Indigenous culture and the individual achievements of Indigenous people throughout the country;
- (d) congratulates the 2004 National NAIDOC award winners including:

Person of the Year:	Aden Ridgeway
Apprentice of the Year:	Neil Joseph Fourmile Jnr
Scholar of the Year:	Kaye Price
Female Elder of the Year:	Merlene Mead
Male Elder of the Year:	Steve Mam
Youth of the Year:	Michael Hayden
Sportsperson of the Year:	Adam Goodes
Artist of the Year:	Jirra Lulla Harvey; and
- (e) calls on the Government to ensure that NAIDOC funding is not affected by the mainstreaming of Indigenous services and programs. (*general business notice of motion no. 943*)

Senator Brown: To move on 10 August 2004—That the Senate calls on the Government to legislate for fixed 3-year parliamentary terms to commence after the next federal election. (*general business notice of motion no. 944*)

Senator Brown: To move on the next day of sitting—That there be laid on the table by the Minister for Defence, no later than 4 pm on Thursday, 5 August 2004, the memorandum of understanding between the Governments of Australia and the United States of America, signed in Washington in July 2004, concerning the program of cooperation on missile defence. (*general business notice of motion no. 945*)

Senator Brown: To move on the next day of sitting—That the Senate calls on the Australian Government to pay the remaining debt owed to Australia's wheat farmers resulting from sales of wheat to Iraq between 1987 and 1990. (*general business notice of motion no. 946*)

Senator Nettle: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Criminal Code Act 1995* to create new offences in relation to industrial manslaughter and causing serious harm, and for related purposes. ***Criminal Code Amendment (Workplace Death and Serious Injury) Bill 2004***. (*general business notice of motion no. 947*)

Senator Brown, at the request of Senator Nettle: To move on the next day of sitting—That the Senate—

- (a) notes:
 - (i) the decision by the University of Sydney to close its nursing faculty and its Orange campus,

- (ii) that there is currently a shortage of nurses in New South Wales and Australia-wide,
 - (iii) that in the Bachelor of Nursing (Indigenous Australian Health), which makes an invaluable contribution to improving Indigenous health, outcomes have not been picked up by another university and may be lost as a result of this closure, and
 - (iv) that there is no indication that the jobs lost through this closure at the University of Sydney will be picked up by other universities; and
- (b) urges the Government to:
- (i) reverse its decision to allow the University of Sydney to close the nursing faculty and sever ties with the Orange campus,
 - (ii) ensure that the Bachelor of Nursing (Indigenous Australian Health) continues to be available to public nursing students, and
 - (iii) address the shortage of nurses by significantly increasing direct public funding to public universities to:
 - (A) enable an expansion of the number of nursing places available, and
 - (B) offer more opportunities for professional development for the existing nursing workforce. (*general business notice of motion no. 948*)

16 LEAVE OF ABSENCE

Senator Mackay, by leave, moved—That leave of absence be granted to Senator Cook for the period 3 August to 12 August 2004, on account of ill health.

Question put and passed.

Senator Ferris, by leave and at the request of Senator Murphy, moved—That leave of absence be granted to Senator Murphy for the period 3 August to 6 August 2004, for health reasons.

Question put and passed.

17 ECONOMICS LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Ferris, by leave and at the request of the Chair of the Economics Legislation Committee (Senator Brandis), moved—That the time for the presentation of the report of the committee on the Superannuation Industry (Supervision) Amendment Regulations 2004 (No. 2) [Statutory Rules 2004 No. 84] be extended to 12 August 2004.

Question put and passed.

18 POSTPONEMENTS

Items of business were postponed as follows:

Business of the Senate notice of motion no. 1 standing in the name of Senator Tierney for today, proposing the reference of a matter to the Employment, Workplace Relations and Education References Committee, postponed till the first sitting day in 2005.

General business notice of motion no. 927 standing in the name of Senator Stott Despoja for today, relating to human rights in Colombia, postponed till 4 August 2004.

General business notice of motion no. 935 standing in the name of Senator Allison for today, relating to the proposed missile defence agreement, postponed till 4 August 2004.

**19 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—
REPORT—WATCHING BRIEF ON THE WAR ON TERRORISM**

The Deputy President (Senator Hogg) tabled the following report received on 29 June 2004:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Watching brief on the war on terrorism—Report, dated June 2004.

**20 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—CIVIL
AVIATION AMENDMENT (RELATIONSHIP WITH ANTI-DISCRIMINATION
LEGISLATION) BILL 2004**

The Deputy President (Senator Hogg) tabled the following report and documents received on 30 June 2004:

Legal and Constitutional Legislation Committee—Provisions of the Civil Aviation Amendment (Relationship with Anti-discrimination Legislation) Bill 2004—Report, dated June 2004, *Hansard* record of proceedings and submissions [14].

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

**21 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—
REPORT—CORPORATE INSOLVENCY LAWS**

The Deputy President (Senator Hogg) tabled the following report and documents received on 30 June 2004:

Corporations and Financial Services—Joint Statutory Committee—Corporate insolvency laws: A stocktake—Report, dated June 2004, *Hansard* record of proceedings [10 vols], additional information and submissions [58].

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

**22 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—
REPORT—AUSTRALIA'S ENGAGEMENT WITH THE WORLD TRADE ORGANISATION**

The Deputy President (Senator Hogg) tabled the following report and document received on 2 July 2004:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Australia's engagement with the World Trade Organisation—Report, dated June 2004 and *Hansard* record of proceedings.

**23 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING
COMMITTEE—REPORT—ROLE OF THE NATIONAL CAPITAL AUTHORITY**

The Deputy President (Senator Hogg) tabled the following report received on 2 July 2004:

National Capital and External Territories—Joint Standing Committee—A national capital, a place to live: Inquiry into the role of the National Capital Authority—Report, dated July 2004.

24 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE—REPORT—NORFOLK ISLAND

The Deputy President (Senator Hogg) tabled the following report received on 2 July 2004:

National Capital and External Territories—Joint Standing Committee—Norfolk Island: Review of the annual reports of the Department of Transport and Regional Services and the Department of the Environment and Heritage—Report, dated July 2004.

25 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—TELECOMMUNICATIONS (INTERCEPTION) AMENDMENT (STORED COMMUNICATIONS) BILL 2004

The Deputy President (Senator Hogg) tabled the following report and documents received on 22 July 2004:

Legal and Constitutional Legislation Committee—Provisions of the Telecommunications (Interception) Amendment (Stored Communications) Bill 2004—Report, dated July 2004, *Hansard* record of proceedings and submissions [13].

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

26 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION REFERENCES COMMITTEE—INTERIM REPORT—OFFICE OF THE CHIEF SCIENTIST

The Deputy President (Senator Hogg) tabled the following report received on 30 July 2004:

Employment, Workplace Relations and Education References Committee—Office of the Chief Scientist—Interim report, dated 30 July 2004.

27 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—FAMILY LAW AMENDMENT BILL 2004

The Deputy President (Senator Hogg) tabled the following report and documents received on 30 July 2004:

Legal and Constitutional Legislation Committee—Provisions of the Family Law Amendment Bill 2004—Report, dated July 2004, *Hansard* record of proceedings and submissions [10].

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

28 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—GOVERNMENT RESPONSE—395TH REPORT

The Deputy President (Senator Hogg) tabled the following document received on 26 June 2004:

Public Accounts and Audit—Joint Statutory Committee—395th report—Inquiry into the draft Financial Framework Legislation Amendment Bill—Government response.

29 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS REFERENCES COMMITTEE—GOVERNMENT RESPONSE—LIBRARIES IN THE ONLINE ENVIRONMENT

The Deputy President (Senator Hogg) tabled the following document received on 2 July 2004:

Environment, Communications, Information Technology and the Arts References Committee—Report—Libraries in the online environment—Government response, dated June 2004.

30 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—GOVERNMENT RESPONSE—EXAMINATION OF THE GOVERNMENT'S FOREIGN AND TRADE POLICY STRATEGY

The Deputy President (Senator Hogg) tabled the following document received on 20 July 2004:

Foreign Affairs, Defence and Trade References Committee—Report—The (not quite) White Paper: Australia's foreign affairs and trade policy, *Advancing the national interest*—Government response.

31 GOVERNMENT DOCUMENTS

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

Advisory Panel on the Marketing in Australia of Infant Formula—Report for 2002-03. [*Received 30 July 2004*]

Australian intelligence agencies—Inquiry—Report by Philip Flood, AO, July 2004. [*Received 22 July 2004*]

Department of Foreign Affairs and Trade—Transnational terrorism: The threat to Australia—White paper. [*Received 16 July 2004*]

Doping allegations within the Australian Institute of Sport (AIS) Track Sprint Cycling Program—Independent inquiry by the Honourable Robert Anderson, QC—Report to the Australian Sports Commission and Cycling Australia dealing with first three terms of reference, together with an addendum to the report. [*Received 29 July 2004*]

Interactive Gambling Act 2001—Review of the operation of the Act—Report, July 2004. [*Received 16 July 2004*]

Research Involving Human Embryos Act 2002—National Health and Medical Research Council—NHMRC Licensing Committee—Report for the period 1 October 2003 to 31 March 2004. [*Received 30 June 2004*]

Productivity Commission—Report—No. 30—Review of the *Disability Discrimination Act 1992*, 30 April 2004—Volumes 1 and 2. [*Received 14 July 2004*]

32 AUDITOR-GENERAL—AUDIT REPORTS NOS 56, 58 AND 59 OF 2003-04 AND NOS 1 TO 4 OF 2004-05—DOCUMENTS

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

Auditor-General—

Audit reports for 2003-04—

No. 56—Performance audit—Management of the processing of asylum seekers: Department of Immigration and Multicultural and Indigenous Affairs—Corrigenda. [*Received 30 June 2004*]

No. 58—Financial statement audit—Controls structures as part of the audit of financial statements of major Australian Government entities for the year ending 30 June 2004. [*Received 30 June 2004*]

No. 59—Performance audit—Defence's Project Bushranger: Acquisition of infantry mobility vehicles: Department of Defence. [*Received 30 June 2004*]

Audit reports for 2004-05—

No. 1—Performance audit—Sale and leaseback of the Australian Defence College Weston Creek: Department of Defence. [*Received 8 July 2004*]

No. 2—Performance audit—Onshore compliance—Visa overstayers and non-citizens working illegally: Department of Immigration and Multicultural and Indigenous Affairs. [*Received 15 July 2004*]

No. 3—Business support process audit—Management of internal audit in Commonwealth organisations. [*Received 23 July 2004*]

No. 4—Performance audit—Management of customer debt: Centrelink. [*Received 2 August 2004*]

33 ADMINISTRATION—SALE OF COMLAND LIMITED—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

The Deputy President (Senator Hogg) tabled the following documents received on 1 July 2004 pursuant to the order of the Senate of 16 June 2004 for the production of all documents relating to the sale of ComLand Limited to Lend Lease Corporation Limited that relates to the former Australian Defence Industries site at St Marys, New South Wales:

Administration—Sale of ComLand Limited—Copies of—

ComLand stage 1—

ComLand Due Diligence Committee—

Terms of reference.

Project Westland—Letter from Gilbert + Tobin to Assistant Director, Asset Sales Branch, Department of Finance and Administration, dated 21 January 2004.

Contracts for—

Business advisory services—Commonwealth of Australia represented by the Department of Finance and Administration and Macquarie Bank Limited.

Legal advisory services—Commonwealth of Australia represented by the Department of Finance and Administration and Gilbert + Tobin, dated 9 July 2003.

Independent valuation of the Commonwealth's interests in ComLand—Commonwealth of Australia represented by the Department of Finance and Administration and Rogers Milne Pty Ltd, dated 8 September 2003.

Sale process advisory services—Commonwealth of Australia represented by the Department of Finance and Administration and the Australian Government Solicitor, dated 10 July 2003.

Project ComLand—Project steering committee—Terms of reference.

Proposal for the provision of legal services to the Department of Finance and Administration—Proposal to act as legal advisor for stage 1 of the sale of the Commonwealth's interest in ComLand from Gilbert + Tobin.

Proposal to the Department of Finance and Administration for the provision of sale process adviser services for the sale of ComLand Limited from the Australian Government Solicitor, dated 30 May 2003.

Request for proposal—

Business adviser to the Commonwealth for the sale of ComLand Limited—Letter to Executive Director, Corporate and Structured Finance Group, Macquarie Bank Limited from Branch Manager, Commonwealth Shareholder Advisory Unit, Department of Finance and Administration, dated 24 April 2003.

Legal adviser to the Commonwealth for the sale of ComLand Limited—Letter to Gilbert + Tobin from Branch Manager, Commonwealth Shareholder Advisory Unit, Department of Finance and Administration, dated 24 April 2003.

Sale process adviser to the Commonwealth for the sale of ComLand Limited—Letter to Chief Counsel, Commercial Group, Australian Government Solicitor from Branch Manager, Commonwealth Shareholder Advisory Unit, Department of Finance and Administration, dated 23 May 2003.

Valuation of the Commonwealth's interest in ComLand Limited—Letter to Director, Rogers Milne Pty Ltd from Branch Manager, Commonwealth Shareholder Advisory Unit, Department of Finance and Administration, dated 21 July 2003.

Sale to LLD (ComLand) Pty Limited of ComLand Limited—

Documents for completion—Opinion—Letter to Branch Manager, Commonwealth Shareholder Advisory Unit, Department of Finance and Administration from Gilbert + Tobin, dated 4 June 2004.

Legal opinion on share sale agreement—Letter to Secretary, Department of Finance and Administration from Gilbert + Tobin, dated 21 January 2004.

Opinion on share sale agreement—Letter to Secretary, Department of Finance and Administration from Macquarie Bank Limited, dated 21 January 2004.

Valuation of the Commonwealth's interest in ComLand Limited—

Executive summary of valuation assessments and assessment of St Marys Land Ltd by Rogers Milne Pty Ltd.

Commonwealth policy on the management of land affected by unexploded ordnance, dated 19 May 1999.

Document from Macquarie Bank Limited. [Otherwise unidentifiable]

34 AUSTRALIAN AND PACIFIC PRESIDING OFFICERS AND CLERKS CONFERENCE—DOCUMENT

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

Australian and Pacific Presiding Officers and Clerks Conference, 35th, Melbourne, Victoria, 3 to 10 July 2004—Report by Senator the Honourable Paul Calvert, President of the Senate, dated August 2004.

35 WORLD REFUGEE DAY—DOCUMENT

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

World Refugee Day—Letter to the President of the Senate from the Regional Representative (Michel Gabaudan), United Nations High Commissioner for Refugees responding to the resolution of the Senate of 17 June 2004, dated 25 June 2004.

36 HEALTH—MIDWIFE SERVICES—DOCUMENT

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

Health—Midwife services—Letter to the President of the Senate from the Chief Minister (Clare Martin), Northern Territory Government responding to the resolution of the Senate of 3 March 2004, dated 25 July 2004.

37 ODGERS' AUSTRALIAN SENATE PRACTICE—10TH EDITION (SUPPLEMENT)—DOCUMENT

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

Odgers' Australian Senate Practice—10th edition (Centenary of Federation edition), 2001—Supplement—Updates to 30 June 2004.

38 BUSINESS OF THE SENATE—1 JANUARY TO 30 JUNE 2004—DOCUMENT

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

Business of the Senate—1 January to 30 June 2004.

39 QUESTIONS ON NOTICE—SUMMARY—DOCUMENT

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

Questions on notice—Summary for the period 12 February 2002 to 30 June 2004.

40 WORK OF COMMITTEES—DOCUMENT

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

Work of Committees—Financial year statistics: 1 July 2003 to 30 June 2004; and half-year statistics: 1 January to 30 June 2004.

Document ordered to be printed on the motion of Senator Ferris.

41 AUSTRALIAN INTELLIGENCE AGENCIES—INQUIRY—DOCUMENT

The Leader of the Australian Democrats (Senator Bartlett), by leave, moved—That the Senate take note of the document tabled earlier today (*see entry no. 31*).

Debate ensued.

Debate adjourned till Thursday at general business, Senator Ray in continuation.

42 PRIVILEGES—STANDING COMMITTEE—119TH REPORT

The Chair of the Standing Committee of Privileges (Senator Ray) tabled the following report:

Privileges—Standing Committee—119th report—Possible false or misleading evidence before the Environment, Communications, Information Technology and the Arts Legislation Committee, dated August 2004.

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

Senator Ray, by leave, moved—That the Senate—

(a) endorse the finding contained at paragraph 1.23; and

(b) adopt the recommendation at paragraph 1.30,

of the 119th report of the Committee of Privileges.

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

**43 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS
LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ADDITIONAL
ESTIMATES 2003-04 AND BUDGET ESTIMATES 2004-05**

Senator Ferris, at the request of the Chair of the Environment, Communications, Information Technology and the Arts Legislation Committee (Senator Eggleston), tabled additional information received by the committee (Additional estimates 2003-04—vol. 2 and attachments, vol. 3, vol. 4 and attachments; Budget estimates 2004-05—vol. 1 and attachments).

**44 FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—ADDITIONAL
INFORMATION—ADDITIONAL ESTIMATES 2003-04**

Senator Ferris, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Mason), tabled additional information received by the committee (Additional estimates 2003-04—vols 1 and 2).

**45 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—
REPORT—PARLIAMENTARY DELEGATION TO THE GULF STATES**

Senator Ferris, at the request of the Chair of the Joint Standing Committee on Foreign Affairs, Defence and Trade (Senator Ferguson), tabled the following report:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Parliamentary delegation to the Gulf States, 10 to 23 April 2004: A visit as part of the committee's inquiry into Australia's trade and investment relations with the Gulf States—Report, dated June 2004.

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

46 DOCUMENTS

The following documents were tabled by the Clerk:

A New Tax System (Goods and Services Tax) Act—

A New Tax System (Goods and Services Tax) (Exempt Taxes, Fees and Charges) Determination 2004.

A New Tax System (Goods and Services Tax) (Flying School Training Courses) Determination 2004.

GST-free Supply (Drugs and Medicinal Preparations) Determination 2004 (No. 2).

Regulations—Statutory Rules 2004 No. 218.

Aboriginal and Torres Strait Islander Heritage Protection Act—Regulations—Statutory Rules 2004 No. 176.

ACIS Administration Act—

ACIS Stage 2 Motor Vehicle Producer Research and Development Scheme 2004.

Permission to apply for registration in the national interest, dated 27 July 2004.

Aged Care Act—

Accreditation Grant Amendment Principles 2004 (No. 1).

Classification Amendment Principles 2004 (No. 1).

Committee Amendment Principles 2004 (No. 1).

Determinations under section—

44-3—ACA Ch. 3 No. 7/2004.

44-6—ACA Ch. 3 No. 8/2004.

44-8A—ACA Ch. 3 No. 18/2004.
44-12—ACA Ch. 3 No. 9/2004.
44-13—ACA Ch. 3 No. 10/2004.
44-14—ACA Ch. 3 No. 11/2004.
44-16—ACA Ch. 3 No. 12/2004.
44-19—ACA Ch. 3 No. 13/2004.
44-28—ACA Ch. 3 No. 14/2004.
44-29—ACA Ch. 3 No. 15/2004.
48-1—ACA Ch. 3 No. 16/2004.
52-1—ACA Ch. 3 No. 17/2004, ACA Ch. 3 No. 19/2004 and ACA Ch. 3 No. 20/2004.

Residential Care Subsidy Amendment Principles 2004 (No. 1).

Residential Care Subsidy Amendment Principles 2004 (No. 2).

Residential Care Subsidy Amendment Principles 2004 (No. 3).

Residential Care Subsidy Amendment Principles 2004 (No. 4).

User Rights Amendment Principles 2004 (No. 1).

Agricultural and Veterinary Chemicals Code Act—Regulations—Statutory Rules 2004 Nos 224 and 225.

Air Navigation Act—Regulations—Statutory Rules 2004 Nos 207 and 215.

Air Navigation Act, Airports Act and Civil Aviation Act—Regulations—Statutory Rules 2004 No. 222.

Air Services Act—Direction under section 18—Instrument No.—

MAVN09/04.

MTR03/04.

Australian Communications Authority Act—Telecommunications (Freephone and Local Rate Numbers Auctions – Registration Charge) Determination 2004 (No. 2).

Australian Federal Police Act, Jury Exemption Act, Privacy Act and Public Order (Protection of Persons and Property) Act—Regulations—Statutory Rules 2004 No. 221.

Australian Prudential Regulation Authority Act—

Australian Prudential Regulation Authority (Commonwealth Costs) Determination 2004.

Determination that information is non-confidential, dated 17 June 2004.

Non-Confidentiality Determination No. 2 of 2004.

Variation of two instruments fixing charges to be paid to APRA, dated 15 July 2004.

Australian Radiation Protection and Nuclear Safety Act—Regulations—Statutory Rules 2004 No. 213.

Australian Radiation Protection and Nuclear Safety (Licence Charges) Act—Regulations—Statutory Rules 2004 No. 214.

Australian Securities and Investments Commission Act—Regulations—Statutory Rules 2004 No. 210.

Australian Sports Drug Agency Act—Australian Sports Drug Agency Regulations—

Australian Sports Drug Agency Drug Testing (Scheme A) Amendment Orders 2004 (No. 1).

Australian Sports Drug Agency Drug Testing (Scheme B) Amendment Orders 2004 (No. 1).

Statutory Rules 2004 No. 226.

Authorised Deposit-taking Institutions Supervisory Levy Imposition Act—Authorised Deposit-taking Institutions Supervisory Levy Imposition Determination 2004.

Authorised Non-operating Holding Companies Supervisory Levy Imposition Act—Authorised Non-operating Holding Companies Supervisory Levy Imposition Determination 2004.

Broadcasting Services Act—Broadcasting Services (Events) Notice (No. 1) 2004 (Amendment No. 1 of 2004).

Child Support (Assessment) Act—Regulations—Statutory Rules 2004 No. 177.

Civil Aviation Act—Regulations—

Airworthiness Directives—Part—

105, dated 4, 9 [2], 15, 17, 18, 21 [6], 22, 23 [27], 24 [2] and 25 [4] June 2004.

106, dated 23 June 2004.

107, dated 23, 24 and 25 June 2004.

Statutory Rules 2004 Nos 211, 216, 217 and 230.

Class Ruling—

CR 2003/87 (Notice of Withdrawal).

CR 2004/60-CR 2004/80.

Commonwealth Authorities and Companies Act—Notice under paragraphs 45(1)(b) and (f)—Disposal of shares and cessation of membership of Comland Ltd.

Corporations Act—Regulations—Statutory Rules 2004 Nos 145, 149 and 208.

Corporations (Fees) Act—Regulations—Statutory Rules 2004 No. 209.

Corporations (Review Fees) Act—Regulations—Statutory Rules 2004 No. 196.

Crimes Act—Regulations—Statutory Rules 2004 No. 164.

Crimes (Overseas) Act—Regulations—Statutory Rules 2004 No. 140.

Currency Act—

Currency (Perth Mint) Determination 2004 (No. 2).

Currency (Royal Australian Mint) Determination 2004 (No. 5).

Currency (Royal Australian Mint) Determination 2004 (No. 6).

Customs Act—

CEO Instrument of Approval No. 2 of 2004.

Regulations—Statutory Rules 2004 Nos 141, 142 and 165.

Defence Act—

Determinations under section—

58B—Defence Determinations 2004/24-2004/27.

58H—Defence Force Remuneration Tribunal—Determinations Nos 6 and 7 of 2004.

Regulations—Statutory Rules 2004 No. 173.

Defence Act, Naval Defence Act and Air Force Act—Regulations—Statutory Rules 2004 No. 174.

Defence Force Retirement and Death Benefits Act—Regulations—Statutory Rules 2004 No. 175.

Diplomatic Privileges and Immunities Act—Diplomatic Privileges and Immunities Regulations—

Certificates under regulation 5A, dated 22 June 2004 [2].

Statutory Rules 2004 No. 220.

Electronic Transactions Act—Regulations—Statutory Rules 2004 No. 171.

Environment Protection and Biodiversity Conservation Act—Instruments amending list of—

Exempt native specimens under section 303DB, dated 7 May 2004.

Threatened species under section 178, dated 22 June 2004 [2].

Export Market Development Grants Act—

Determination 2/2004—Determination of the Initial Payment Ceiling Amount for Grant Year 2003-04.

Export Market Development Grants (Associate and Fit and Proper Person) Guidelines 2004.

Extradition Act—Regulations—Statutory Rules 2004 Nos 166-169.

Farm Household Support Act—

Farm Help Advice and Training Scheme Amendment 2004 (No. 1).

Farm Help Re-establishment Grant Scheme Amendment 2004 (No. 1).

Regulations—Statutory Rules 2004 No. 206.

Federal Court of Australia Act—Rules of Court—Statutory Rules 2004 No. 219.

Financial Sector (Collection of Data) Act—

Financial Sector (Collection of Data) Determination No. 2 of 2004—Determination of reporting standards MRS 120.0, MRS 130.0, MRS 130.1, MRS 130.2, MRS 130.3, MRS 140.0, MRS 140.1, MRS 140.2, MRS 140.3, MRS 140.4, MRS 150.0, MRS 160.0, MRS 210.0, MRS 300.0, MRS 310.0, MRS 310.2 and MRS 310.3.

Financial Sector (Collection of Data) Determination No. 3 of 2004—Determination of reporting standards GRS 800.1, GRS 800.2 and GRS 800.3.

Financial Sector (Collection of Data) Determination No. 4 of 2004—Determination of reporting standards LOLRS 800.1, LOLRS 800.2 and LOLRS 800.3.

Financial Sector (Collection of Data) Determination No. 5 of 2004—Variation of reporting standards ARS 110.0, ARS 112.2, ARS 221.0 (2003), ARS 320.0 (2003), ARS 322.0, ARS 323.0 and ARS 396.0.

Financial Sector (Collection of Data) Determination No. 6 of 2004—Variation of reporting standard SRS 010.

Financial Sector (Collection of Data) Determination No. 7 of 2004—Variation of reporting standards SRS 100.0, SRS 110.0, SRS 110.1, SRS 110.2, SRS 120.0, SRS 200.0, SRS 210.0, SRS 210.1, SRS 210.2, SRS 220.0, SRS 230.0, SRS 240.0, SRS 250.0, SRS 260.0, SRS 300.0, SRS 310.0, SRS 310.1, SRS 310.2, SRS 320.0, SRS 330.0, SRS 340.0, SRS 350.0 and reporting requirement guides [3].

Fisheries Management Act—Australian Fisheries Management Authority Temporary Order No. 2 of 2004.

General Insurance Supervisory Levy Imposition Act—General Insurance Supervisory Levy Imposition Determination 2004.

Goods and Services Tax Ruling—

GSTR 2000/4 (Notice of Withdrawal) and GSTR 2000/26 (Addendum).

GSTR 2004/5.

Great Barrier Reef Marine Park Act—Regulations—Statutory Rules 2004 No. 143.

Health Insurance Act—

Health Insurance (Allied Health and Dental Services) Determination HS/06/2004.

Health Insurance Regulations—

Health Insurance (Requirements for Allied Health Professionals) Determination 2004.

Statutory Rules 2004 Nos 180, 181, 183, 184 and 229.

Health Insurance Commission Act—Regulations—Statutory Rules 2004 No. 182.

Hearing Services Administration Act—Hearing Services Rules of Conduct Amendment Rules 2004 (No. 2).

Higher Education Funding Act—Determination under section—

15—Determination T26-2003.

16—Determination T27-2003.

Higher Education Support Act—

Administration Guidelines, dated 17 June 2004.

Student Learning Entitlement Guidelines, dated 21 July 2004.

Higher Education Support (Transitional Provisions and Consequential Amendments) Act—Transitional Arrangements for Students Guidelines, dated 13 July 2004.

Income Tax Assessment Act 1936—Regulations—Statutory Rules 2004 No. 146.

Industrial Chemicals (Notification and Assessment) Act—Regulations—Statutory Rules 2004 No. 158.

Insurance Act—Insurance (Prudential Standards) Determination No. 1 of 2004—Variation of Prudential Standard (Guidance Note GGN 110.4).

International Transfer of Prisoners Act—Regulations—Statutory Rules 2004 No. 170.

Life Insurance Supervisory Levy Imposition Act—Life Insurance Supervisory Levy Imposition Determination 2004.

Maintenance Orders (Commonwealth Officers) Act—Regulations—Statutory Rules 2004 No. 172.

Maritime Transport Security Act—Regulations—Statutory Rules 2004 No. 195.

Medical Indemnity Act—Regulations—Statutory Rules 2004 No. 202.

Medical Indemnity (Prudential Supervision and Product Standards) Act—Regulations—Statutory Rules 2004 Nos 150 and 205.

Medical Indemnity (Run-off Cover Support Payment) Act—Regulations—Statutory Rules 2004 No. 204.

Medical Indemnity (UMP Support Payment) Act—Regulations—Statutory Rules 2004 No. 203.

Migration Act—

Notices under subsection—

96(1)—Pool mark, dated 1 April [2]; and 17 June 2004.

96(2)—Pass mark, dated 1 April [2]; and 17 June 2004.

- Regulations—Statutory Rules 2004 No. 191 and 223.
- Statements for period 1 January to 30 June 2004 under sections—
- 33 [2].
 - 48B [14].
 - 91L.
 - 91L and 48B.
 - 345.
 - 351 [99].
 - 417 [234].
- Migration Act, Immigration (Education) Act and Migration Agents Registration Application Charge Act—Regulations—Statutory Rules 2004 No. 192.
- Military Rehabilitation and Compensation Act—
- Military Rehabilitation and Compensation (Members) Determination 2004 (No. 1).
 - Military Rehabilitation and Compensation (Pay-related Allowances) Determination 2004 (No. 1).
 - Regulations—Statutory Rules 2004 No. 156.
- Military Rehabilitation and Compensation (Consequential and Transitional Provisions) Act—Regulations—Statutory Rules 2004 No. 157.
- Miscellaneous Taxation Ruling MT 93/1 (Notice of Withdrawal).
- Motor Vehicle Standards Act—
- Motor Vehicle Standards (Approval to Place Used Import Plates) Determination 2004 (No. 2).
 - Motor Vehicle Standards (Placement of Used Import Plates) Determination 2004 (No. 1).
- National Health Act—
- Determinations AOS 6/2004-AOS 11/2004.
 - Regulations—Statutory Rules 2004 Nos 185-187.
- National Residue Survey (Excise) Levy Act—Regulations—Statutory Rules 2004 No. 139.
- Occupational Health and Safety (Commonwealth Employment) Act—Regulations—Statutory Rules 2004 No. 227.
- Occupational Health and Safety (Maritime Industry) Act—Regulations—Statutory Rules 2004 No. 228.
- Passports Act—Regulations—Statutory Rules 2004 Nos 144 and 212.
- Patents Act—Regulations—Statutory Rules 2004 No. 193.
- Primary Industries (Customs) Charges Act—Regulations—Statutory Rules 2004 No. 161.
- Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2004 No. 162.
- Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 2004 No. 163.
- Private Health Insurance (ACAC Review Levy) Act—Regulations—Statutory Rules 2004 No. 188.
- Private Health Insurance (Council Administration Levy) Act—Regulations—Statutory Rules 2004 No. 189.

- Private Health Insurance (Reinsurance Trust Fund Levy) Act—Regulations—Statutory Rules 2004 No. 190.
- Product Grant and Benefit Ruling PGBR 2004/1.
- Product Ruling—
Notice of Withdrawal—PR 2003/45 and PR 2003/69.
PR 2004/24 (Addendum), PR 2004/72 (Addendum), PR 2004/78 and PR 2004/79.
- Public Works Committee Act—Regulations—Statutory Rules 2004 No. 178.
- Quarantine Act—Quarantine Amendment Proclamation 2004 (No. 3).
- Registration of Deaths Abroad Act—Regulations—Statutory Rules 2004 No. 179.
- Remuneration Tribunal Act—Determination—
2004/16: Remuneration and Allowances for Holders of Public Offices.
2004/17: Judicial and related offices – remuneration and allowances.
- Retirement Savings Accounts Act—Regulations—Statutory Rules 2004 Nos 147 and 197.
- Retirement Savings Account Providers Supervisory Levy Imposition Act—Retirement Savings Account Providers Supervisory Levy Imposition Determination 2004.
- Safety, Rehabilitation and Compensation Act—
Safety, Rehabilitation and Compensation (Definition of Commonwealth authority) Notice 2004.
Safety, Rehabilitation and Compensation (Licence Eligibility) Notice 2004.
- Superannuation Act 1976*—Declarations—Statutory Rules 2004 Nos 138 and 231.
- Superannuation Act 1990*—
Declaration—Statutory Rules 2004 No. 232.
Twenty-Second Amending Deed under section 5, dated 5 July 2004.
- Superannuation Contributions Determinations SCD 2004/1-SCD 2004/5.
- Superannuation (Government Co-contribution for Low Income Earners) Act—Regulations—Statutory Rules 2004 No. 151.
- Superannuation Guarantee Determination SGD 2004/1.
- Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 2004 Nos 148 and 152-155.
- Superannuation (Productivity Benefit) Act—
Declarations—Statutory Rules 2004 Nos 198-200.
Determination—Statutory Rules 2004 No. 201.
- Superannuation Supervisory Levy Imposition Act—Superannuation Supervisory Levy Imposition Determination 2004.
- Sydney Airport Curfew Act—Dispensations granted under section 20—Dispensation No. 7/04 [5 dispensations].
- Taxation Determinations—
LCTD 2004/1.
Notice of Withdrawal—
TD 24 and TD 43.
TD 92/149.
TD 93/238 and TD 93/239.
TD 94/78.
TD 2004/17-TD 2004/31.

Taxation Rulings—

Old Series—IT 242 (Notice of Withdrawal) and IT 2363 (Notice of Partial Withdrawal).

TR 93/16 (Addendum).

TR 1999/6 (Addendum).

TR 2000/18 (Addendum).

TR 2004/6-TR 2004/8.

Telecommunications Act—Telecommunications Numbering Plan Variation 2004 (No. 5).

Telecommunications (Carrier Licence Charges) Act—

Telecommunications (Annual Carrier Licence Charge) Determination 2004.

Telecommunications (Carrier Licence Application Charge) Determination 2004.

Telecommunications (Costs Attributable to Telecommunications Functions and Powers) Determination 2004.

Telecommunications (Recovery of ITU Budget Contribution) Determination 2004.

Telecommunications (Consumer Protection and Service Standards) Act—Telecommunications Universal Service Obligation (Eligible Revenue) Amendment Determination 2004 (No. 1).

Therapeutic Goods Act—

Regulations—Statutory Rules 2004 No. 159.

Therapeutic Goods (Emergency) Exemption 2004 (No. 1).

Therapeutic Goods (Emergency) Exemption 2004 (No. 2).

Therapeutic Goods Order No. 69A.

Therapeutic Goods (Charges) Act—Regulations—Statutory Rules 2004 No. 160.

Trade Marks Act—Regulations—Statutory Rules 2004 No. 194.

47 GOVERNOR-GENERAL'S PROCLAMATIONS—COMMENCEMENT OF PROVISIONS OF ACTS

Proclamations by His Excellency the Governor-General were tabled, notifying that he had proclaimed the following provisions of Acts to come into operation on the dates specified:

Agricultural and Veterinary Chemicals Legislation Amendment (Name Change) Act 2004—Items 1 to 459 of Schedule 1—30 July 2004 (*Gazette* No. GN 30, 28 July 2004).

Australian Federal Police and Other Legislation Amendment Act 2004—Items 1 to 7 of Schedule 1—1 July 2004 (*Gazette* No. GN 26, 30 June 2004).

Australian Sports Drug Agency Amendment Act 2004—Schedule 1—30 July 2004 (*Gazette* No. GN 28, 14 July 2004).

Corporate Law Economic Reform Program (Audit Reform and Corporate Disclosure) Act 2004—Schedule 3—26 July 2004 (*Gazette* No. GN 28, 14 July 2004).

Farm Household Support Amendment Act 2004—Schedule 2—1 July 2004 (*Gazette* No. S 229, 25 June 2004).

Tourism Australia Act 2004—Sections 3 to 64—1 July 2004 (*Gazette* No. GN 26, 30 June 2004).

**48 ELECTORAL AND REFERENDUM AMENDMENT (ENROLMENT INTEGRITY AND OTHER MEASURES) BILL 2004
WORKPLACE RELATIONS AMENDMENT (CODIFYING CONTEMPT OFFENCES) BILL 2003**

Messages from the House of Representatives were reported agreeing to the amendments made by the Senate to the following bills:

Message no. 649, dated 26 June 2004—Electoral and Referendum Amendment (Enrolment Integrity and Other Measures) Bill 2004.

Message no. 650, dated 26 June 2004—Workplace Relations Amendment (Codifying Contempt Offences) Bill 2003.

49 SURVEILLANCE DEVICES BILL (NO. 2) 2004

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

Message no. 635, dated 24 June 2004—A Bill for an Act to set out the powers of Commonwealth law enforcement agencies with respect to surveillance devices, and for related purposes.

The Minister for Finance and Administration (Senator Minchin) 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 Minchin moved—That this bill be now read a second time.

On the motion of Senator Mackay the debate was adjourned.

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

**50 TEXTILE, CLOTHING AND FOOTWEAR STRATEGIC INVESTMENT PROGRAM AMENDMENT (POST-2005 SCHEME) BILL 2004
CUSTOMS TARIFF AMENDMENT (TEXTILE, CLOTHING AND FOOTWEAR POST-2005 ARRANGEMENTS) BILL 2004**

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

Message no. 642, dated 25 June 2004—A Bill for an Act to amend the *Textile, Clothing and Footwear Strategic Investment Program Act 1999*, and for related purposes.

Message no. 643, dated 25 June 2004—A Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

The Minister for Finance and Administration (Senator Minchin) 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 Minchin moved—That these bills be now read a second time.

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

**51 WORKPLACE RELATIONS AMENDMENT (PROTECTING SMALL BUSINESS EMPLOYMENT) BILL 2004
ANTI-TERRORISM BILL (NO. 2) 2004**

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

Message no. 646, dated 25 June 2004—A Bill for an Act to amend the *Workplace Relations Act 1996*, and for related purposes.

Message no. 651, dated 3 August 2004—A Bill for an Act relating to associating with terrorist organisations, the transfer of prisoners, and for other purposes.

The Minister for Finance and Administration (Senator Minchin) 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 Minchin moved—That these bills be now read a second time.

Explanatory memorandum: Senator Minchin tabled a revised explanatory memorandum relating to the Anti-terrorism Bill (No. 2) 2004.

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

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

Question put and passed.

52 GOVERNOR-GENERAL'S MESSAGES—ASSENT TO LAWS

Messages from His Excellency the Governor-General were reported, informing the Senate that he had assented to the following laws:

25 June 2004—Message—

No. 32—

Aged Care Amendment Act 2004 (Act No. 82, 2004)

Tax Laws Amendment (2004 Measures No. 2) Act 2004 (Act No. 83, 2004)

Tax Laws Amendment (Medicare Levy and Medicare Levy Surcharge) Act 2004 (Act No. 84, 2004).

No. 33—

Appropriation Act (No. 5) 2003-2004 (Act No. 85, 2004)

Appropriation Act (No. 6) 2003-2004 (Act No. 86, 2004)

Parliamentary Superannuation and Other Entitlements Legislation Amendment Act 2004 (Act No. 87, 2004).

29 June 2004—Message—

No. 34—

Appropriation Act (No. 1) 2004-2005 (Act No. 88, 2004)

Appropriation Act (No. 2) 2004-2005 (Act No. 89, 2004)

Appropriation (Parliamentary Departments) Act (No. 1) 2004-2005 (Act No. 90, 2004).

No. 35—

Excise and Other Legislation Amendment (Compliance Measures) Act 2004 (Act No. 91, 2004)
Superannuation Laws Amendment (2004 Measures No. 1) Act 2004 (Act No. 92, 2004)
Superannuation Laws Amendment (2004 Measures No. 2) Act 2004 (Act No. 93, 2004)
Veterans' Entitlements Amendment (Direct Deductions and Other Measures) Act 2004 (Act No. 94, 2004).

No. 36—

Tax Laws Amendment (2004 Measures No. 1) Act 2004 (Act No. 95, 2004)
New International Tax Arrangements (Participation Exemption and Other Measures) Act 2004 (Act No. 96, 2004)
Agriculture, Fisheries and Forestry Legislation Amendment (Export Control) Act 2004 (Act No. 97, 2004)
Corporations (Fees) Amendment Act (No. 1) 2004 (Act No. 98, 2004).

30 June 2004—Message—

No. 37—

Australian Energy Market Act 2004 (Act No. 99, 2004)
Veterans' Entitlements (Clarke Review) Act 2004 (Act No. 100, 2004)
Taxation Laws Amendment Act (No. 1) 2004 (Act No. 101, 2004)
Superannuation Legislation Amendment (Choice of Superannuation Funds) Act 2004 (Act No. 102, 2004).

No. 38—

Corporate Law Economic Reform Program (Audit Reform and Corporate Disclosure) Act 2004 (Act No. 103, 2004)
Anti-terrorism Act 2004 (Act No. 104, 2004)
Tax Laws Amendment (2004 Measures No. 3) Act 2004 (Act No. 105, 2004)
Superannuation Budget Measures Act 2004 (Act No. 106, 2004)
Extension of Charitable Purpose Act 2004 (Act No. 107, 2004)
Trade Practices Amendment (Australian Energy Market) Act 2004 (Act No. 108, 2004).

13 July 2004—Message—

No. 39—

Family and Community Services and Veterans' Affairs Legislation Amendment (Sugar Reform) Act 2004 (Act No. 109, 2004)
Industrial Chemicals (Notification and Assessment) Amendment (Low Regulatory Concern Chemicals) Act 2004 (Act No. 110, 2004)
Customs Legislation Amendment (Airport, Port and Cargo Security) Act 2004 (Act No. 111, 2004)
Workplace Relations Amendment (Codifying Contempt Offences) Act 2004 (Act No. 112, 2004)
Trade Practices Amendment (Personal Injuries and Death) Act (No. 2) 2004 (Act No. 113, 2004).

No. 40—

Higher Education Legislation Amendment Act (No. 2) 2004 (Act No. 114, 2004)
Electoral and Referendum Amendment (Enrolment Integrity and Other Measures) Act 2004 (Act No. 115, 2004)

Family and Community Services and Veterans' Affairs Legislation Amendment (Income Streams) Act 2004 (Act No. 116, 2004)
Health Legislation Amendment (Podiatric Surgery and Other Matters) Act 2004 (Act No. 117, 2004)
Treasury Legislation Amendment (Professional Standards) Act 2004 (Act No. 118, 2004)
National Health Amendment (Pharmaceutical Benefits—Budget Measures) Act 2004 (Act No. 119, 2004).

53 US FREE TRADE AGREEMENT IMPLEMENTATION BILL 2004

US FREE TRADE AGREEMENT IMPLEMENTATION (CUSTOMS TARIFF) BILL 2004

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

Debate resumed.

At 6.50 pm: Debate was interrupted while Senator McGauran was speaking.

54 GOVERNMENT DOCUMENTS—CONSIDERATION

The following government document tabled earlier today (*see entry no. 31*) was considered:

Doping allegations within the Australian Institute of Sport (AIS) Track Sprint Cycling Program—Independent inquiry by the Honourable Robert Anderson, QC—Report to the Australian Sports Commission and Cycling Australia dealing with first three terms of reference, together with an addendum to the report. Motion to take note of document moved by the Leader of the Opposition in the Senate (Senator Faulkner), debated and agreed to.

55 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 8.14 pm till Wednesday, 4 August 2004 at 9.30 am.

56 ATTENDANCE

Present, all senators except Senators Cook*, Evans, Harradine, Lees and Murphy* (* on leave).

HARRY EVANS
Clerk of the Senate