

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 42

THURSDAY, 8 SEPTEMBER 2005

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1 MEETING OF SENATE

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

2 NOTICES

Senator Bob Brown: To move on 14 September 2005—That the Senate calls on the Government to protect the Recherche Bay forest in Tasmania from logging in order to protect its historic, cultural and natural values for the nation. (*general business notice of motion no. 251*)

The Minister for the Arts and Sport (Senator Kemp): To move on the next day of sitting—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Telecommunications Legislation Amendment (Future Proofing and Other Measures) Bill 2005

Telecommunications (Carrier Licence Charges) Amendment (Industry Plans and Consumer Codes) Bill 2005

Appropriation (Regional Telecommunications Services) Bill 2005-2006.

Document: Senator Kemp tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of certain bills in the 2005 spring sittings.

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

(a) notes that:

- (i) under the *Nuclear Non-Proliferation (Safeguards) Act 1987* and the relevant administrative arrangements, export of uranium from Australia is permitted only to countries that are party to the Nuclear Non-Proliferation Treaty and with which Australia has a bilateral safeguards agreement, and
- (ii) India is not a signatory to the treaty; and therefore

(b) calls on the Government to immediately rule out the export of uranium from Australia to India in order to uphold our international obligations as a signatory to the treaty. (*general business notice of motion no. 252*)

The Chairman of the Standing Committee on Regulations and Ordinances (Senator Watson): To move 15 sitting days after today—That the Maritime Transport Security Amendment Regulations 2005 (No. 1), as contained in Select Legislative Instrument 2005 No. 115 and made under the *Maritime Transport Security Act 2003*, be disallowed.

Senator Watson, by leave, made a statement relating to the notice of motion.

3 ORDER OF BUSINESS—REARRANGEMENT

The Minister for the Arts and Sport (Senator Kemp) moved—That government business order of the day no. 2 (Customs Tariff Amendment Bill (No. 2) 2005) be considered from 12.45 pm till not later than 2 pm today.

Question put and passed.

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

- (a) general business notice of motion no. 246 standing in the name of Senator Carr relating to Senate processes; and
- (b) consideration of government documents.

Question put and passed.

Senator Ferris, by leave and at the request of the Chair of the Economics Legislation Committee (Senator Brandis), moved—That business of the Senate order of the day no. 3, relating to the presentation of the report of the committee on the provisions of the Trade Practices Amendment (National Access Regime) Bill 2005, be postponed till a later hour.

Question put and passed.

4 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Bob Brown for today, proposing the reference of matters to the Community Affairs References Committee, postponed till 12 September 2005.

General business notice of motion no. 238 standing in the name of the Leader of the Australian Democrats (Senator Allison) for today, relating to ethanol in petrol, postponed till 12 September 2005.

5 EDUCATION—INTERNATIONAL LITERACY DAY

Senator Stephens, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 245—That the Senate—

- (a) notes that:
 - (i) 8 September 2005 is International Literacy Day,
 - (ii) marking the beginning of the United Nations Decade of Education and Sustainable Development (2005-2014), the theme of International Literacy Day for 2005 is the role of literacy in sustainable development,
 - (iii) literacy is a key lever of change and a practical tool of empowerment on each of the three main pillars of sustainable development, namely economic development, social development and environmental protection,
 - (iv) worldwide, almost one in every seven people is illiterate, and out of a total of 860 million illiterate adults, more than 500 million are women,
 - (v) worldwide, more than 100 million children are not in school, and
 - (vi) an Organisation for Economic Co-operation and Development (OECD) survey in 2000, *Literacy in the information age: The final report of the International Adult Literacy Survey*, found that approximately 20 per cent of the Australian population was at the lowest level of prose and the OECD listed Australia as one of 14 countries with more than 15 per cent of citizens performing at the lowest prose level; and
- (b) calls on the Government to address this deficiency so that literacy alone is no impediment to an individual's progress or development in Australia.

Question put and passed.

6 WORLD POVERTY

Senator Stott Despoja, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 244—That the Senate notes:

- (a) the important work being done by the international ‘Make Poverty History’ campaign and the tireless and dedicated work of the many non-government agencies, faith groups, community organisations and individuals working around the world to end poverty;
- (b) the vital importance of meeting the Millennium Development Goals;
- (c) that Australia has the resources, knowledge and opportunity to help end global poverty; and
- (d) that, with commitment and political will, an end to world poverty is an achievable goal.

Question put and passed.

7 FINANCE AND PUBLIC ADMINISTRATION REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

The Chair of the Finance and Public Administration References Committee (Senator Forshaw), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 247—That the time for the presentation of the report of the Finance and Public Administration References Committee on the Gallipoli Peninsula be extended to 12 October 2005.

Question put and passed.

8 FOREIGN AFFAIRS—UNITED STATES OF AMERICA—HURRICANE KATRINA

Senator Bob Brown, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 250—That the Senate—

- (a) expresses its great sympathy for the people of the United States of America (US) after the catastrophe of Hurricane Katrina;
- (b) grieves for those whose lives have been taken or who have suffered loss, and wishes all strength to those working to aid the people of the stricken region; and
- (c) from the other side of our shared planet, wishes the people of the US rapid healing and all possible recovery from the ravages of this terrific storm.

Question put and passed.

9 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

Senator George Campbell, at the request of the Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Hutchins) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 243—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade References Committee on matters specified in paragraphs (a) and (b) of the terms of reference for the inquiry into the Chen Yonglin and Vivian Solon cases and any related matters be extended to 12 September 2005.

Question put and passed.

10 FOREIGN AFFAIRS—CHERNOBYL—NUCLEAR REACTOR ACCIDENT

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 242—That the Senate—

- (a) notes the release of the report, *Chernobyl's legacy: Health, environmental and socio-economic impacts*, by the Chernobyl Forum, initiated by the International Atomic Energy Agency;
- (b) expresses its concern that:
 - (i) 4 000 people may die from radiation exposure from the accident,
 - (ii) approximately 4 000 cases of thyroid cancer, mainly in children and adolescents at the time of the accident, have resulted from contamination,
 - (iii) 100 000 people living in the vicinity of the reactor are still receiving more than the recommended radiation dose limit,
 - (iv) 784 320 hectares of land have been taken out of agricultural production,
 - (v) there is still a highly contaminated 30 kilometre zone around the reactor,
 - (vi) structural elements of the sarcophagus built to contain the damaged reactor have degraded, posing a risk of collapse and the release of radioactive dust,
 - (vii) a plan to dispose of tonnes of high level radioactive waste at and around Chernobyl has yet to be defined, and
 - (viii) the financial cost of the direct damage, the recovery and mitigation operations, and indirect economic losses over the 2 decades since the accident amounts to hundreds of billions of dollars; and
- (c) calls on the Government to heed the extensive environmental, economic and social costs of the Chernobyl nuclear accident and stop the promotion of nuclear power as a clean and safe energy option.

Question put.

The Senate divided—

AYES, 8

Senators—

Allison	Brown, Bob	Murray	Siewert (Teller)
Bartlett	Milne	Nettle	Stott Despoja

NOES, 48

Senators—

Abetz	Ferris (Teller)	Lightfoot	Polley
Adams	Fierravanti-Wells	Ludwig	Ronaldson
Barnett	Fifield	Marshall	Santoro
Bishop	Forshaw	Mason	Scullion
Boswell	Hogg	McEwen	Sherry
Brandis	Humphries	McGauran	Stephens
Brown, Carol	Hurley	McLucas	Sterle
Campbell, George	Hutchins	Moore	Trood
Carr	Johnston	Nash	Watson
Chapman	Joyce	O'Brien	Webber
Faulkner	Kemp	Parry	Wong
Ferguson	Kirk	Payne	Wortley

Question negatived.

11 ENVIRONMENT—WANDELLA STATE FOREST

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 241—That the Senate—

- (a) notes that:
 - (i) the peaceful forest blockade in Wandella State Forest on the far south coast of New South Wales has been in place for 3 months,
 - (ii) there is no record of this forest being logged,
 - (iii) the forest is habitat for the Powerful Owl, a nationally threatened species, and
 - (iv) the catchment provides drinking water for Eurobodalla Shire; and
- (b) congratulates those participating in and supporting the blockade for their brave efforts to protect forests, threatened species and drinking water.

Question put and negatived.

12 WOMEN—REPRODUCTIVE HEALTH SERVICES

The Leader of the Australian Democrats (Senator Allison), by leave, amended general business notice of motion no. 240 to read as follows:

That the Senate—

- (a) recognises that the United Nations (UN) Secretary General's report on achieving the Millennium Development Goals, *In larger freedom*, calls on governments to ensure universal access to reproductive health services;
- (b) acknowledges that, in January 2005, the Prime Minister (Mr Howard) reaffirmed the vision of the International Conference on Population and Development (ICPD) for human development, social justice, economic progress and environmental preservation and called on the international community, national governments and private philanthropic organisations to prioritise the ICPD Program of Action; and
- (c) recognises that access to sexual and reproductive health services is also a critical strategy towards achieving gender equality and women's empowerment, the third of the Millennium Development Goals.

Motion determined as not formal: Senator Allison, also on behalf of Senator McLucas, requested that general business notice of motion no. 240 standing in her name for today, relating to reproductive health services, be taken as formal.

An objection was raised and the motion was not proceeded with as a formal motion.

Proposed suspension of standing orders: Senator Allison, pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent her moving a motion relating to the conduct of the business of the Senate, namely a motion to give precedence to general business notice of motion no. 240.

Debate ensued.

Question put.

The Senate divided—

AYES, 8

Senators—

Allison
Bartlett

Brown, Bob
Milne

Murray
Nettle

Siewert (Teller)
Stott Despoja

NOES, 54

Senators—

Abetz	Ferguson	Kirk	Polley
Adams	Ferris (Teller)	Lightfoot	Ronaldson
Barnett	Fielding	Ludwig	Scullion
Bishop	Fierravanti-Wells	Macdonald, Ian	Sherry
Boswell	Fifield	Marshall	Stephens
Brandis	Forshaw	Mason	Sterle
Brown, Carol	Hill	McEwen	Troeth
Campbell, George	Hogg	McGauran	Trood
Carr	Humphries	McLucas	Watson
Chapman	Hurley	Moore	Webber
Eggleston	Hutchins	Nash	Wong
Ellison	Johnston	O'Brien	Wortley
Evans	Joyce	Parry	
Faulkner	Kemp	Payne	

Question negatived.

13 HEALTH—MEDICAL RESEARCH

Senator Stephens, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 249—That the Senate—

- (a) notes that:
- (i) medical research improves health, creates jobs and results in economic returns to Australia,
 - (ii) the effects of demographic ageing will place unprecedented demands on the Australian health system, and
 - (iii) the 'burden of disease', including pain, suffering and premature death, in Australia already costs 13.7 per cent of the health span of Australians; and
- (b) calls on the Government to act on the recommendations of the Investment Review of Health and Medical Research report by:
- (i) reorganising the National Health and Medical Research Council to administer research funds in a more streamlined and strategic fashion, and
 - (ii) increasing investment in health and medical research to bring Australia up to the Organisation for Economic Co-operation and Development average of 0.2 per cent of gross domestic product.

Question put and negatived.

14 WOMEN—NATIONAL GYNAECOLOGICAL AWARENESS DAY

Statements by leave: Senator George Campbell and the Leader of the Australian Democrats (Senator Allison), by leave, made statements relating to general business notice of motion no. 237.

Senator Allison amended general business notice of motion no. 237 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes that:
- (i) 10 September 2005 is National Gynaecological Awareness Day,

- (ii) gynaecological cancers can be divided into four subgroups – cancer of the cervix, cancer of other parts of the uterus, cancer of the vulva, vagina and placenta, and ovarian cancer,
 - (iii) the overall number of new cases of gynaecological cancers is projected to increase by 15 per cent from 3 886 in 2001 to 4 488 in 2011,
 - (iv) the incidence rate of gynaecological cancers as a group is projected to slowly decrease as a result of the decrease in incidence of cancer of the cervix,
 - (v) the age-standardised rate in 2001 was 38.1 cases per 100 000 women,
 - (vi) this rate is projected to decrease to 34.9 per 100 000 women by 2011, and
 - (vii) the human papilloma virus (HPV) is strongly linked to the incidence of cervical cancer; and
- (b) calls on the Government to promote public awareness of ways to prevent, detect and treat the range of gynaecological conditions.

Question put and passed.

15 HEALTH—FOETAL ALCOHOL SPECTRUM DISORDERS

The Leader of the Australian Democrats (Senator Allison) amended general business notice of motion no. 236 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes that:
- (i) 9 September 2005 is International Foetal Alcohol Spectrum Disorders Awareness Day,
 - (ii) foetal alcohol spectrum disorders are arguably the leading cause of preventable disability in childhood in western civilisation, and
 - (iii) foetal alcohol spectrum disorders have an incidence similar to spina bifida and Down Syndrome; and
- (b) acknowledges that the Government:
- (i) developed the Australian Alcohol Guidelines and their wide dissemination throughout the medical population and members of the general public,
 - (ii) provided funding to focus on early intervention in health issues including alcohol and pregnancy, and
 - (iii) funded the promotion of better health outcomes and strengthening Indigenous communities' capability to deal with use and/or misuse of alcohol.

Question put and passed.

16 RELIGIOUS TOLERANCE

Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 248—That the Senate—

- (a) notes:
- (i) comments by the Member for Indi, Ms Sophie Panopoulos, seeking to ban Muslim girls from wearing headscarves at public schools and saying that the wearing of the hijab is 'more an act of rebellion' than religion,
 - (ii) comments by the Member for Mackellar, Ms Bronwyn Bishop, that Muslim girls wearing headscarves is 'an iconic act of defiance',

- (iii) the view of the *Herald Sun* columnist, Mr Andrew Bolt, that such comments are ‘fostering bigotry’, and
- (iv) that the Prime Minister, Mr Howard, has not condemned the comments, but rather ruled out banning headscarves from schools as ‘impractical’;
- (b) expresses the view that the above comments by the Members for Indi and Mackellar are an unacceptable attack on basic religious freedoms that risk fanning discrimination and antagonism in our community; and
- (c) calls on the Prime Minister to unequivocally condemn these comments and categorically disassociate his government from them.

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

17 ASIO, ASIS AND DSD—JOINT STATUTORY COMMITTEE—APPOINTMENT OF MEMBER

The Deputy President (Senator Hogg) informed the Senate that the President had received a letter nominating a senator to be a member of a committee.

The Minister for Fisheries, Forestry and Conservation (Senator Ian Macdonald), by leave, moved—That Senator McGauran be appointed to the Parliamentary Joint Committee on ASIO, ASIS and DSD.

Question put and passed.

18 LEGISLATION COMMITTEES—REPORTS—ANNUAL REPORTS

Pursuant to order, Senator Ferris, at the request of the chairs of the respective committees, tabled the following reports:

Reports on annual reports referred to legislation committees—No. 2 of 2005, dated September 2005—

Employment, Workplace Relations and Education Legislation Committee.

Environment, Communications, Information Technology and the Arts Legislation Committee.

Finance and Public Administration Legislation Committee.

Foreign Affairs, Defence and Trade Legislation Committee.

Legal and Constitutional Legislation Committee.

Rural and Regional Affairs and Transport Legislation Committee.

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

19 HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION

The Minister for Fisheries, Forestry and Conservation (Senator Ian Macdonald), at the request of the Minister for Justice and Customs (Senator Ellison) and pursuant to notice, moved government business notice of motion no. 1—That—

- (1) On Monday, 12 September 2005:
 - (a) the hours of meeting shall be 12.30 pm to 6.30 pm and 7.30 pm to 11.40 pm;
 - (b) the routine of business from 7.30 pm shall be government business only; and
 - (c) the question for the adjournment of the Senate shall be proposed at 11 pm.

- (2) On Tuesday, 13 September 2005:
- (a) the hours of meeting shall be 12.30 pm to 6.30 pm and 7.30 pm to 11.40 pm;
 - (b) the routine of business from 7.30 pm shall be government business only; and
 - (c) the question for the adjournment of the Senate shall be proposed at 11 pm.

Debate ensued.

Question put.

The Senate divided—

AYES, 32

Senators—

Abetz	Coonan	Joyce	Patterson
Adams	Eggleston (Teller)	Kemp	Payne
Barnett	Ellison	Lightfoot	Santoro
Boswell	Ferris	Macdonald, Ian	Scullion
Brandis	Fierravanti-Wells	Macdonald, Sandy	Troeth
Campbell, Ian	Fifield	Mason	Trood
Chapman	Heffernan	Nash	Vanstone
Colbeck	Johnston	Parry	Watson

NOES, 30

Senators—

Allison	Forshaw	Milne	Stephens
Bartlett	Hogg	Moore	Sterle
Bishop	Hurley	Murray	Stott Despoja
Brown, Bob	Hutchins	Nettle	Webber (Teller)
Brown, Carol	Kirk	O'Brien	Wong
Carr	Marshall	Polley	Wortley
Evans	McEwen	Sherry	
Faulkner	McLucas	Siewert	

Question agreed to.

**20 TELSTRA (TRANSITION TO FULL PRIVATE OWNERSHIP) BILL 2005
TELECOMMUNICATIONS LEGISLATION AMENDMENT (COMPETITION AND
CONSUMER ISSUES) BILL 2005**

Order of the day read for the further consideration of the bills.

The Minister for Communications, Information Technology and the Arts (Senator Coonan) presented the bills and 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 Coonan moved—That these bills be now read a second time.

Explanatory memoranda: Senator Coonan tabled explanatory memoranda [2] relating to the bills.

Document: Senator Coonan tabled the following document:

Telstra (Transition to Full Private Ownership) Bill 2005 and Telecommunications Legislation Amendment (Competition and Consumer Issues) Bill 2005—Telecommunications for the future—Statement by the Minister for Communications, Information Technology and the Arts (Senator Coonan).

Leave refused: Senator Coonan sought leave to incorporate the second reading speeches in *Hansard*.

An objection was raised and leave was not granted.

Documents: Senator Coonan tabled the following documents:

Second reading speeches relating to the bills.

Debate ensued.

At 12.45 pm: Debate was interrupted while Senator Bob Brown was speaking.

21 CUSTOMS TARIFF AMENDMENT BILL (NO. 2) 2005

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

On the motion of the Parliamentary Secretary (Trade) (Senator Sandy Macdonald) the bill was read a third time.

22 ORDER OF BUSINESS—REARRANGEMENT

The Parliamentary Secretary (Trade) (Senator Sandy Macdonald) moved—That consideration of government business order of the day no. 4 (Asbestos-related Claims (Management of Commonwealth Liabilities) (Consequential and Transitional Provisions) Bill 2005 and a related bill) be called on to enable second reading speeches to be made till not later than 2 pm.

Question put and passed.

23 ASBESTOS-RELATED CLAIMS (MANAGEMENT OF COMMONWEALTH LIABILITIES) (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2005 ASBESTOS-RELATED CLAIMS (MANAGEMENT OF COMMONWEALTH LIABILITIES) BILL 2005

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

Debate resumed.

On the motion of the Parliamentary Secretary (Trade) (Senator Sandy Macdonald) the debate was adjourned till the next day of sitting.

Suspension of sitting: On the motion of Senator Sandy Macdonald the sitting of the Senate was suspended at 1.57 pm till 2 pm.

At 2 pm—

24 QUESTIONS

Questions without notice were answered.

25 UNPARLIAMENTARY LANGUAGE—STATEMENT BY DEPUTY PRESIDENT

The Deputy President (Senator Hogg) made a statement relating to remarks made by the Minister for the Environment and Heritage (Senator Ian Campbell) and a matter raised by Senator Bob Brown during question time on 7 September 2005.

26 COMMUNICATIONS—TELSTRA—ANSWERS TO QUESTIONS

Senator McLucas 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 today relating to Telstra.

Debate ensued.

Question put and passed.

**27 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—
GOVERNMENT RESPONSE—GENERAL AGREEMENT ON TRADE IN SERVICES AND AN
AUSTRALIA-US FREE TRADE AGREEMENT**

The Minister for Immigration and Multicultural and Indigenous Affairs (Senator Vanstone) tabled the following document:

Foreign Affairs, Defence and Trade References Committee—Report—Voting on trade: The General Agreement on Trade in Services and an Australia-US Free Trade Agreement—Government response.

**28 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—
GOVERNMENT RESPONSE—INQUIRY INTO AUSTRALIA'S RELATIONSHIP WITH
INDONESIA**

The Minister for Immigration and Multicultural and Indigenous Affairs (Senator Vanstone) tabled the following document:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Near neighbours – Good neighbours: An inquiry into Australia's relationship with Indonesia—Government response, dated September 2005.

**29 ECONOMICS LEGISLATION COMMITTEE—REPORT—TRADE PRACTICES
AMENDMENT (NATIONAL ACCESS REGIME) BILL 2005**

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

Economics Legislation Committee—Provisions of the Trade Practices Amendment (National Access Regime) Bill 2005—Report, dated September 2005, Hansard record of proceedings and submissions [16].

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

30 DOCUMENTS

The following documents were tabled by the Clerk:

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

Acts Interpretation Act—Statement pursuant to subsection 34C(7) relating to the delay in presentation of a report—Army and Air Force Canteen Service Board of Management (trading as Frontline Defence Services)—Report for 2003-04.

Broadcasting Services Act—Notice of Reservation of Capacity for National Radio Broadcasting Services (No. 1) 2005 [F2005L02491]*.

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives—Part 105—

AD/CASA/26 Amdt 1—Steering System Hydraulic Installation [F2005L02508]*.

AD/S-PUMA/58 Amdt 1—Swashplate Bearing Attaching Screws [F2005L02510]*.

Customs Act—CEO Instruments of Approval Nos—

45 of 2005 [F2005L02490]*.

46 of 2005 [F2005L02496]*.

48 of 2005 [F2005L02498]*.

Defence Act—Determinations under section 58B—Defence Determinations—2005/34—Remote locality conditions of service.

2005/35—Conditions of service – Woomera, Port Wakefield, Antarctic and attendance allowances.

Social Security Act—

Family and Community Services (Tasmanian Motor Accidents Insurance Board ‘Future Care Payments’) Determination 2005 [F2005L02463]*.

Family and Community Services (Victorian Transport Accident Commission ‘Attendant Care Service’ and ‘Post Acute Support’) Determination 2005 [F2005L02464]*.

Social Security (Tasmanian Motor Accidents Insurance Board ‘Future Care Payments’ Exemption) (DEWR) Determination 2005 [F2005L02460]*.

Social Security (Victorian Transport Accident Commission ‘Attendant Care Service’ and ‘Post Acute Support’ Exemption) (DEWR) Determination 2005 [F2005L02456]*.

* Explanatory statement tabled with legislative instrument.

31 INDEXED LISTS OF DEPARTMENTAL AND AGENCY FILES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

The following document was tabled pursuant to the order of the Senate of 30 May 1996, as amended:

Indexed lists of departmental and agency files for the period 1 January to 30 June 2005—Statement of compliance—Department of Health and Ageing.

32 COMMITTEES—APPOINTMENT OF MEMBER

The Acting Deputy President (Senator Chapman) informed the Senate that the President had received a letter nominating a senator to be a member of various committees.

The Minister for Immigration and Multicultural and Indigenous Affairs (Senator Vanstone), by leave, moved—That Senator Parry be appointed as a participating member of the following committees:

- Community Affairs Legislation and References Committees.
- Economics Legislation and References Committees.
- Finance and Public Administration Legislation and References Committees.
- Legal and Constitutional Legislation and References Committees.

Question put and passed.

General business was called on.

33 PARLIAMENT—SENATE—PROCESSES AND PROCEDURES

Senator Carr, pursuant to notice, moved general business notice of motion no. 246—That the Senate condemns the Government's arrogant abuse of its Senate majority in subverting the Senate's processes and procedures.

Debate ensued.

At 6 pm: Debate was interrupted while Senator Santoro was speaking.

34 GOVERNMENT DOCUMENTS—CONSIDERATION

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

National Oceans Office—Report for 2003-04. Motion to take note of document debated and agreed to.

Sydney Harbour Federation Trust—Report for 2003-04. Motion to take note of document called on. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Refugee Review Tribunal—Report for 2003-04. Motion of Senator Bartlett to take note of document called on. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Aboriginals Benefit Account—Report for 2003-04. Motion of Senator Bartlett to take note of document debated. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

General business concluded.

35 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—ORDERS OF THE DAY—CONSIDERATION

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

Foreign Affairs, Defence and Trade References Committee—Report—Duties of Australian personnel in Iraq. Motion of Senator Hogg to take note of report agreed to.

Environment, Communications, Information Technology and the Arts References Committee—Report—The performance of the Australian telecommunications regulatory regime. Motion of the chair of the committee (Senator Bartlett) to take note of the report debated. Debate adjourned till the next day of sitting, Senator Bartlett in continuation.

National Capital and External Territories—Joint Standing Committee—Report—Antarctica: Australia's pristine frontier—Report on the adequacy of funding for Australia's Antarctic Program. Motion of the chair of the committee (Senator Lightfoot) to take note of report agreed to.

Regulations and Ordinances—Standing Committee—112th report—40th Parliament report. Motion to take note of report called on. Debate adjourned till the next day of sitting, Senator Bartlett in continuation.

Community Affairs References Committee—Report—Quality and equity in aged care. Motion of the chair of the committee (Senator Marshall) to take note of report called on. On the motion of Senator Moore debate was adjourned till the next day of sitting.

Community Affairs References Committee—Report—The cancer journey: Informing choice—Report on the inquiry into services and treatment options for persons with cancer. Motion to take note of report called on. Debate adjourned till the next day of sitting, Senator Adams in continuation.

Migration—Joint Standing Committee—Report—Inspections of Baxter Immigration Detention Facility and Port Augusta Residential Housing Project, April 2005. Motion of Senator Kirk to take note of report called on. Debate adjourned till the next day of sitting, Senator Bartlett in continuation.

Public Accounts and Audit—Joint Statutory Committee—Report 403—Access of Indigenous Australians to law and justice services. Motion of Senator Watson to take note of report agreed to.

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

The following orders of the day relating to reports of the Auditor-General were considered:

Auditor-General—Audit report no. 30 of 2004-05—Performance audit—Regulation of Commonwealth radiation and nuclear activities: Australian Radiation Protection and Nuclear Safety Agency. Motion of Senator Bartlett to take note of document debated. Debate adjourned till the next day of sitting, Senator Forshaw in continuation.

Auditor-General—Audit report no. 38 of 2004-05—Performance audit—Payment of goods and services tax to the states and territories. Motion of Senator Bartlett to take note of document called on. Debate adjourned till the next day of sitting, Senator Bartlett in continuation.

Auditor-General—Audit report no. 45 of 2004-05—Performance audit—Management of selected Defence system program offices: Department of Defence. Motion of Senator Bishop to take note of document called on. On the motion of Senator Moore debate was adjourned till the next day of sitting.

Auditor-General—Audit report no. 48 of 2004-05—Performance audit—Internationalisation of Australian education and training: Department of Education, Science and Training. Motion of Senator Moore to take note of document agreed to.

Auditor-General—Audit report no. 49 of 2004-05—Business support process audit—Administration of fringe benefits tax. Motion of Senator Moore to take note of document called on. On the motion of Senator Bartlett debate was adjourned till the next day of sitting.

Auditor-General—Audit report no. 51 of 2004-05—Performance audit—DEWR's oversight of Job Network services to job seekers: Department of Employment and Workplace Relations; Centrelink. Motion of Senator Moore to take note of document debated. Debate adjourned till the next day of sitting, Senator Wong in continuation.

Auditor-General—Audit report no. 58 of 2004-05—Performance audit—Helping carers: the National Respite for Carers Program: Department of Health and Ageing. Motion of Senator Moore to take note of document debated. Debate adjourned till the next day of sitting, Senator McLucas in continuation.

37 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.40 pm till Monday, 12 September 2005 at 12.30 pm.

38 ATTENDANCE

Present, all senators except Senators Calvert*, Crossin, Lundy and Ray* (* on leave).

HARRY EVANS
Clerk of the Senate