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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 **FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Sterle, by leave and at the request of the Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Hutchins), moved—That the Foreign Affairs, Defence and Trade References Committee be authorised to hold a public meeting during the sitting of the Senate today, from 5 pm, to take evidence for the committee's inquiry into naval shipbuilding in Australia.

Question put and passed.

3 **BROADCASTING LEGISLATION AMENDMENT BILL (NO. 1) 2005 [2006]**

Order of the day read for the adjourned debate on the motion—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.

Explanatory memorandum: The Minister for Communications, Information Technology and the Arts (Senator Coonan) tabled a supplementary explanatory memorandum relating to the government amendment to be moved to the bill.

Question—That the bill be agreed to—divided in respect of Schedule 1, item 3.

Schedule 1, item 3 debated.

Question—That Schedule 1, item 3 stand as printed—put and negatived.

Senator Conroy moved the following amendments together by leave:

Schedule 1, page 4 (after line 12), after item 6, insert:

6A Paragraph 5A(d) of Schedule 4

Repeal the paragraph.

Schedule 1, page 4 (after line 12), after item 6, insert:

6B Subclauses 5A(2) and (3) of Schedule 4

Repeal the subclauses.

Debate ensued.

Question—That the amendments be agreed to—put and negatived. All Australian Greens senators, by leave, recorded their votes for the ayes.

The Leader of the Australian Greens (Senator Bob Brown) moved the following amendments together by leave:

Clause 3, page 1 (line 9) to page 2 (line 2), omit the clause, substitute:

3 Schedule(s)

- (1) Each Act, and each legislative instrument, that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.
- (2) The amendment of any legislative instrument under subsection (1) does not prevent the instrument, as so amended, from being amended or repealed by the authorised maker.

Page 8 (after line 20), at the end of the bill, add:

Schedule 2—Amendment of Children’s Television Standards

Children’s Television Standards 2005

1 At the end of CTS 10

Add:

- ; (e) advertise food or beverages unless the Minister for Health, having authorised by determination in writing, with such determination to be tabled in both Houses of Parliament together with a statement of reasons, that such an advertisement is beneficial to the health of children.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 6

Senators—

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

NOES, 48

Senators—

Abetz	Eggleston (Teller)	Lightfoot	Ray
Adams	Faulkner	Ludwig	Ronaldson
Bernardi	Ferris	Lundy	Scullion
Bishop	Fierravanti-Wells	Mason	Sherry
Brandis	Fifield	McEwen	Stephens
Brown, Carol	Forshaw	McGauran	Sterle
Campbell, George	Hogg	McLucas	Troeth
Carr	Humphries	Moore	Trood
Colbeck	Hurley	Nash	Watson
Conroy	Hutchins	O’Brien	Webber
Coonan	Johnston	Parry	Wong
Crossin	Kirk	Payne	Wortley

Question negatived.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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

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

Suspension of sitting: On the motion of Senator Coonan the sitting of the Senate was suspended at 1.55 pm till 2 pm.

At 2 pm—

4 QUESTIONS

Questions without notice were answered.

Document: The Minister for Finance and Administration (Senator Minchin) tabled the following document:

Health Insurance—Medibank Private—Advice provided by Blake Dawson Waldron on legal conclusions contained in the Parliamentary Library Research Brief, *The proposed sale of Medibank Private: historical, legal and policy perspectives*, dated 4 September 2006.

Further questions without notice were answered.

5 ECONOMICS—PRIVATISATION—ANSWERS TO QUESTIONS

Senator Conroy moved—That the Senate take note of the answers given by the Minister for Finance and Administration (Senator Minchin) to questions without notice asked today relating to the proposed privatisation of Medibank Private and the further sale of Telstra.

Debate ensued.

Question put and passed.

6 HEALTH—PREGNANCY COUNSELLING SERVICES—ANSWER TO QUESTION

Senator Stott Despoja moved—That the Senate take note of the answer given by the Minister for Ageing (Senator Santoro) to a question without notice asked by Senator Stott Despoja today relating to pregnancy counselling services.

Question put and passed.

7 DEATH OF FORMER SENATOR AND FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES THE HONOURABLE DONALD LESLIE CHIPP, AO

The President informed the Senate of the death, on 28 August 2006, of the Honourable Donald Leslie Chipp, AO, a senator for the state of Victoria from 1978 to 1986, a member of the House of Representatives for the divisions of Higinbotham and Hotham from 1960 to 1968, and 1969 to 1977, respectively, and, at various times in that period, a federal minister.

The Leader of the Government in the Senate (Senator Minchin), by leave, moved—That the Senate records its deep regret at the death, on 28 August 2006, of the Honourable Donald Leslie Chipp, AO, a former federal minister, member of the House of Representatives, founder and former Leader of the Australian Democrats, and senator for Victoria, 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.

8 PETITIONS

The following 3 petitions, lodged with the Clerk by the senators indicated, were received:

Senator McLucas, from 235 petitioners, requesting that the Senate reject the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006.

Senator Webber, from 696 petitioners, requesting that the Senate take action to ensure that Western Australia remains free of nuclear waste.

Senator Webber, from 694 petitioners, requesting that the Senate urge the Government to table environmental evidence supporting the proposal to build a nuclear reactor in Western Australia, advise on what consultation has occurred and with whom and identify all sites under consideration for the proposed nuclear reactor.

9 NOTICES

Notices of motion:

The Leader of the Australian Democrats (Senator Allison): To move on 11 September 2006—That the Senate—

- (a) acknowledges the comments by President Karzai, on 8 March 2006, that ‘From fear of terrorism, from threats of the enemies of Afghanistan, today as we speak, some 100,000 Afghan children who went to school last year, and the year before last, do not go to school’;
- (b) notes the report by Human Rights Watch, *Lessons in Terror: Attacks on Education in Afghanistan*, which reports that:
 - (i) attacks against schools, teachers and students in Afghanistan have risen markedly in late 2005 and the first half of 2006, with more attacks having been reported in the first half of 2006 than in all of 2005, including at least 17 assassinations of teachers and education officials, and more than 204 attacks on teachers, students and schools which have led to hundreds of schools being shut down or destroyed,
 - (ii) the majority of primary-school-age girls in Afghanistan remain out of school and, at the secondary level, gross enrolment rates were only 5 per cent for girls in 2004, compared with 20 per cent for boys, and
 - (iii) attacks on education have a disproportionate effect on the education of girls as some attacks are motivated by ideological opposition to girls’ education specifically, and parents often have a lower threshold for pulling their daughters out of school than boys, given greater social restrictions on girls’ movements and legitimate concerns about sexual harassment and violence; and

- (c) calls on the Federal Government to use access to education as a key benchmark to measure the success of Afghan and international efforts to bring security to Afghanistan, and in particular gender equality in access to education. (*general business notice of motion no. 508*)

Senator Bartlett: To move on 6 September 2006—That the Senate—

- (a) notes that:
 - (i) the week beginning 3 September 2006 is Child Protection Week,
 - (ii) there have been repeated, fundamental major failures by state and territory government child welfare agencies to protect children from serious abuse and neglect, and
 - (iii) it is time this issue was made a national priority and given a national focus;
- (b) urges the Federal Government to prioritise the encouragement of states and territories to develop uniform laws and strategies on child protection; and
- (c) expresses support for child protection to be made a national priority and for a royal commission to be held into ways to significantly reduce child abuse and neglect in Australia. (*general business notice of motion no. 509*)

The Leader of the Australian Greens (Senator Bob Brown): To move on 6 September 2006—That the Senate—

- (a) notes, with alarm, the 5 year prison sentence delivered by Chinese authorities to journalist Ching Cheong, the Hong Kong-based correspondent for Singapore's *Strait Times* newspaper;
- (b) condemns the crackdown on dissent and free journalism in China ahead of the Beijing Olympics in 2008; and
- (c) calls on the Minister for Foreign Affairs (Mr Downer) to raise the matter with Chinese authorities immediately. (*general business notice of motion no. 510*)

The Leader of the Australian Greens (Senator Bob Brown): To move on 6 September 2006—That the Senate—

- (a) recognises that the logging of ancient rainforests in Papua New Guinea (PNG) is driving biodiversity loss and human rights abuses in that country at an alarming rate;
- (b) notes that:
 - (i) PNG and Australian conservation and community groups have filed a formal complaint with the Australian National Contact Point for the OECD Guidelines for Multinational Enterprises against the Australia and New Zealand Banking Group Limited (ANZ), and
 - (ii) the complaint alleges that the ANZ is actively facilitating and supporting the PNG operations of Malaysian logging giant Rimbunan Hijau, a company whose operations involve serious human rights abuses, environmentally-destructive logging practices and repeated serious conduct;
- (c) supports the actions of the conservation and community groups in bringing this potential breach of the guidelines to the Government's attention; and
- (d) calls on the Government to take immediate action to investigate the allegations with a view to ending the forest destruction and human rights abuses occurring in PNG. (*general business notice of motion no. 511*)

The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That the Senate deplores the manufacture, sale and use of cluster bombs like those now deployed in Lebanon. (*general business notice of motion no. 512*)

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

- (a) notes with alarm that:
 - (i) the 0.6°C of global warming that has already occurred is impacting Australia with worsening droughts and changing seasons,
 - (ii) the European Union (EU) has stated that once global temperature increase exceeds 2°C, adverse impacts on ecosystems, food production and water supply are projected to increase significantly, and an unexpected response of the climate becomes more likely, with irreversible catastrophic events like the melting of the Greenland ice sheet increasingly possible, and
 - (iii) in 1996 the EU set a goal of limiting the global temperature rise to 2°C compared to pre-industrial levels; and
- (b) calls on the Government to identify what degree of warming it regards as constituting dangerous climate change and the reduction in greenhouse gas emissions necessary to avoid this. (*general business notice of motion no. 513*)

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

- (a) deplores that green groups continue to harass customers of Gunns Limited in Japan, and their customers, over Tasmanian forestry issues;
- (b) condemns the misrepresentation of Gunns Limited by the Rainforest Action Network, who in a recent letter to a Japanese customer of Gunns Limited claimed that: ‘Gunns’... logging practices are listed amongst the worst in the developed world according to the World Conservation Union’, whereas this in fact refers to a paper sent to the World Conservation Union (IUCN) by green groups, for which they falsely claim the IUCN’s imprimatur; and
- (c) notes the vital role in the Tasmanian economy played by the forestry industry, and the need to support this industry and the building of a pulp mill in Tasmania. (*general business notice of motion no. 514*)

Intention to withdraw: Senator Murray, also on behalf of the Leader of the Opposition in the Senate (Senator Evans), pursuant to standing order 78, gave notice of his intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notice of motion no. 1 standing in the names of Senators Murray and Evans for today for the disallowance of Schedule 1 to the Parliamentary Entitlements Amendment Regulations 2006 (No. 1), as contained in Select Legislative Instrument 2006 No. 211 and made under the *Parliamentary Entitlements Act 1990*.

Notice of motion withdrawn: Senator Ferris, at the request of the Chairman of the Standing Committee on Regulations and Ordinances (Senator Watson) and pursuant to notice of intention given on 17 August 2006, withdrew business of the Senate notice of motion no. 1 standing in the name of Senator Watson for 4 sitting days after today for the disallowance of the Fisheries Levy (Torres Strait Prawn Fishery) Amendment Regulations 2006 (No. 1), as contained in Select Legislative Instrument 2006 No. 3 and made under the *Fisheries Levy Act 1984*.

10 LEAVE OF ABSENCE

Senator George Campbell, by leave, moved—That leave of absence be granted to Senator Polley for 4 September and 5 September 2006, on account of ill health.

Question put and passed.

11 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the names of Senator Murray and the Leader of the Opposition in the Senate (Senator Evans) for today, proposing the disallowance of Schedule 1 to the Parliamentary Entitlements Amendment Regulations 2006 (No. 1), postponed till 5 September 2006.

General business notice of motion no. 490 standing in the name of Senator Bartlett for today, relating to the importation of illegal timber and wood products, postponed till 6 September 2006.

**12 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—
PROPOSED REFERENCE**

Pursuant to the order of the Senate of 17 August 2006 (*see entry no. 44, 17 August 2006*), the question was put on the motion of Senator O'Brien—That the following matter be referred to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by the last sitting day in March 2007:

The administration of quarantine by the Department of Agriculture, Fisheries and Forestry and its ministers, with particular reference to:

- (a) the effectiveness of current administrative arrangements for managing quarantine, including whether the community is best served by maintaining the division between Biosecurity Australia and the Australian Quarantine Inspection Service (AQIS);
- (b) whether combining Biosecurity Australia and the AQIS would provide a better structure for delivering the quarantine outcomes that Australia requires;
- (c) the legislative or regulatory underpinning of the import risk assessment process, including the status of the current *AQIS Import Risk Analysis Process Handbook*;
- (d) the methodology used by Biosecurity Australia for determining appropriate levels of protection;
- (e) the role, if any, of ministers in making final decisions on import risk assessments; and
- (f) any related matters.

Question put.

The Senate divided—

AYES, 32

Senators—

Allison	Evans	McEwen	Sherry
Bartlett	Faulkner	McLucas	Siewert
Brown, Bob	Fielding	Milne	Stephens
Brown, Carol	Forshaw	Moore	Sterle
Campbell, G (Teller)	Hurley	Murray	Stott Despoja
Carr	Kirk	Nettle	Webber
Conroy	Ludwig	O'Brien	Wong
Crossin	Lundy	Ray	Wortley

NOES, 34

Senators—

Abetz	Coonan	Johnston	Ronaldson
Adams	Eggleston	Kemp	Santoro
Bernardi	Ellison	Lightfoot	Scullion
Boswell	Ferguson	Mason	Troeth
Brandis	Ferris (Teller)	McGauran	Trood
Calvert	Fierravanti-Wells	Nash	Vanstone
Campbell, Ian	Fifield	Parry	Watson
Chapman	Heffernan	Patterson	
Colbeck	Humphries	Payne	

Question negatived.

13 LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—PROPOSED REFERENCE

Pursuant to the order of the Senate of 17 August 2006 (*see entry no. 45, 17 August 2006*), the question was put on the motion of Senator Ludwig—That the following matter be referred to the Legal and Constitutional References Committee for inquiry and report:

Temporary Business Long Stay (subclass 457) visas, with particular reference to:

- (a) the general efficiency and effectiveness of the visa;
- (b) the safeguards in place to ensure the integrity of the system;
- (c) the Government's performance as administrator of the visa system;
- (d) the role of domestic and international labour hire firms and agreements;
- (e) the potential for displacement of Australian workers;
- (f) the difference between the pay and conditions of visa holders and the relevant rates in the Australian labour market;
- (g) the Government's labour market testing required before visa approval;
- (h) the Government's requirements of Regional Certifying Bodies for visa certification;
- (i) the interaction of this visa with the Work Choices legislation; and
- (j) any other related matter.

Question put.

The Senate divided—

AYES, 32

Senators—

Allison	Evans	McEwen	Sherry
Bartlett	Faulkner	McLucas	Siewert
Brown, Bob	Fielding	Milne	Stephens
Brown, Carol	Forshaw	Moore	Sterle
Campbell, G (Teller)	Hurley	Murray	Stott Despoja
Carr	Kirk	Nettle	Webber
Conroy	Ludwig	O'Brien	Wong
Crossin	Lundy	Ray	Wortley

NOES, 34

Senators—

Abetz	Coonan	Johnston	Ronaldson
Adams	Eggleston	Kemp	Santoro
Bernardi	Ellison	Lightfoot	Scullion
Boswell	Ferguson	Mason	Troeth
Brandis	Ferris (Teller)	McGauran	Trood
Calvert	Fierravanti-Wells	Nash	Vanstone
Campbell, Ian	Fifield	Parry	Watson
Chapman	Heffernan	Patterson	
Colbeck	Humphries	Payne	

Question negatived.

14 FOREIGN AFFAIRS—INDONESIA—VIOLENCE AGAINST JOURNALISTS

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. 500—That the Senate—

(a) notes:

- (i) the high rates of violence against journalists in Indonesia for the period August 2005 to August 2006,
- (ii) that the Alliance of Independent Journalists (AJI) Indonesia recorded 64 cases of violence against the press and journalists, occurring from the provinces of Aceh to Papua, with the most dangerous places for the press being Jakarta with 13 cases of violence, and East Java and Nanggroe Aceh Darussalam, both with 8 cases of violence, and
- (iii) that AJI identifies the perpetrators as mobs and thugs, government figures, including district heads, regents, governors, ministerial staff, etc, and the police; and

(b) calls on the Australian Government to urge the Indonesian Government to respect the journalistic profession and ensure international standards for journalistic security as stipulated by the 1945 Constitution and the Indonesian Law No. 40/1999 on the press.

Question put.

The Senate divided—

AYES, 8

Senators—

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

NOES, 46

Senators—

Adams	Ellison	Lundy	Ronaldson
Bernardi	Ferguson	Mason	Scullion
Boswell	Ferris (Teller)	McEwen	Stephens
Brandis	Fifield	McGauran	Sterle
Brown, Carol	Forshaw	McLucas	Troeth
Calvert	Heffernan	Moore	Trood
Campbell, George	Humphries	Nash	Watson
Chapman	Hurley	O'Brien	Webber
Colbeck	Johnston	Parry	Wong
Conroy	Kemp	Patterson	Wortley
Crossin	Kirk	Payne	
Eggleston	Ludwig	Ray	

Question negatived.

15 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION LEGISLATION COMMITTEE—REPORT—INDEPENDENT CONTRACTORS BILL 2006 AND WORKPLACE RELATIONS LEGISLATION AMENDMENT (INDEPENDENT CONTRACTORS) BILL 2006

The President tabled the following report and documents received on 25 August 2006:

Employment, Workplace Relations and Education Legislation Committee—Provisions of the Independent Contractors Bill 2006 and the Workplace Relations Legislation Amendment (Independent Contractors) Bill 2006—Report, dated August 2006, Hansard record of proceedings, documents presented to the committee, additional information and submissions [55].

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

16 ECONOMICS LEGISLATION COMMITTEE—INTERIM REPORT—TAX LAWS AMENDMENT (2006 MEASURES NO. 4) BILL 2006

The President tabled the following report received on 31 August 2006:

Economics Legislation Committee—Provisions of the Tax Laws Amendment (2006 Measures No. 4) Bill 2006—Interim report, dated 31 August 2006.

Reporting date: Senator Ferris, by leave and at the request of the Chair of the Economics Legislation Committee (Senator Brandis), moved—That the final report of the Economics Legislation Committee on the provisions of the Tax Laws Amendment (2006 Measures No. 4) Bill 2006 be presented by 4 October 2006.

Question put and passed.

17 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—THE 2004 FEDERAL ELECTION

The President tabled the following document received on 31 August 2006:

Electoral Matters—Joint Standing Committee—Report—The 2004 federal election: Inquiry into the conduct of the 2004 federal election and matters related thereto—Government response, dated August 2006.

18 GOVERNMENT DOCUMENT

The President tabled the following document received on 22 August 2006:

Gene Technology Regulator—Quarterly report for the period 1 January to 31 March 2006.

19 AUDITOR-GENERAL—AUDIT REPORT NO. 1 OF 2006-07—DOCUMENT

The President tabled the following document received on 30 August 2006:

Auditor-General—Audit report no. 1 of 2006-07—Performance audit—Administration of the native title respondents funding scheme: Attorney-General's Department.

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

Pursuant to the order of the Senate of 30 May 1996, as amended, the President tabled the following documents received on the dates indicated:

Indexed lists of departmental and agency files for the period 1 January to 30 June 2006—Statements of compliance—

Commonwealth Ombudsman. [*Received 22 August 2006*]

Department of Communications, Information Technology and the Arts. [*Received 28 August 2006*]

Department of Families, Community Services and Indigenous Affairs. [*Received 30 August 2006*]

Department of Foreign Affairs and Trade. [*Received 23 August 2006*]

Employment and Workplace Relations portfolio agencies. [*Received 28 August 2006*]

21 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

Pursuant to the order of the Senate of 20 June 2001, as amended, the President tabled the following documents received on the dates indicated:

Departmental and agency contracts for 2005-06—Letters of advice—

Attorney-General's portfolio agencies. [*Received 24 August 2006*]

Environment and Heritage portfolio agencies. [*Received 25 August 2006*]

Families, Community Services and Indigenous Affairs portfolio agencies. [*Received 30 August 2006*]

Finance and Administration portfolio agencies. [*Received 29 August 2006*]

Human Services portfolio agencies. [*Received 31 August 2006*]

Industry, Tourism and Resources portfolio agencies. [*Received 30 August 2006*]

Prime Minister and Cabinet portfolio agencies. [*Received 31 August 2006*]

Transport and Regional Services portfolio agencies. [*Received 23 August 2006*]

Treasury portfolio agencies. [*Received 31 August 2006*]

22 ODGERS' AUSTRALIAN SENATE PRACTICE—11TH EDITION (SUPPLEMENT)—DOCUMENT

The President tabled the following document:

Odgers' Australian Senate Practice—11th edition (Supplement)—Updates to 31 August 2006.

23 PARLIAMENT—CO-OPERATION BETWEEN THE INDONESIAN DPD AND THE AUSTRALIAN SENATE—DOCUMENT

The President tabled the following document:

Parliament—Recent developments in the co-operation between the Department of the Senate and the Indonesian Parliament's regional chamber the Dewan Perwakilan Daerah (DPD)—Report, September 2006.

24 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—407TH REPORT

Senator Ferris, on behalf of the Joint Committee of Public Accounts and Audit, tabled the following report:

Public Accounts and Audit—Joint Statutory Committee—407th report—Review of Auditor-General's reports tabled between 18 January and 18 April 2005, dated August 2006.

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

Question put and passed.

25 AUSTRALIAN PARLIAMENTARY DELEGATION TO MALAYSIA AND JAPAN—DOCUMENT

Senator Adams, by leave, tabled the following document:

Malaysia and Japan—Report of the Australian parliamentary delegation, 10 to 22 April 2006, dated August 2006.

Senator Adams, by leave, moved—That the Senate take note of the document.

Question put and passed.

26 DOCUMENTS

The following documents were tabled by the Clerk:

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

Aged Care Act—

Aged Care (Amount of flexible care subsidy – extended aged care at home) Amendment Determination 2006 [F2006L02784]*.

Aged Care (Amount of flexible care subsidy – extended aged care at home) Revocation Determination 2006 [F2006L02805]*.

Aged Care (Amount of flexible care subsidy – Transition Care) Determination 2006 [F2006L02771]*.

Aged Care (Residential Care Subsidy – Amount of Respite Supplement) Amendment Determination 2006 [F2006L02780]*.

Appropriation Act (No. 3) 2003-2004—Determination to Reduce Appropriation Upon Request—Determination No. 2 of 2006-2007 [F2006L02781].*

Appropriation Act (No. 4) 2003-2004—Determination to Reduce Appropriation Upon Request—Determination No. 1 of 2006-2007 [F2006L02778].*

Australian Crime Commission Act—Select Legislative Instrument 2006 No. 219—Australian Crime Commission Amendment Regulations 2006 (No. 3) [F2006L02563]*.

Australian Prudential Regulation Authority Act—Australian Prudential Regulation Authority (Confidentiality) Determination No. 11 of 2006—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 (2005) [F2006L02844]*.

Australian Research Council Act—

Federation Fellowships—Funding Rules for Funding commencing in 2007 [F2006L02674]*.

Linkage Learned Academies Special Projects—Funding Rules for Funding commencing in 2007 [F2006L02655]*.

Aviation Transport Security Act—Select Legislative Instrument 2006 No. 224—Aviation Transport Security Amendment Regulations 2006 (No. 4) [F2006L02777]*.

Christmas Island Act—Select Legislative Instrument 2006 No. 225—Christmas Island (Courts) Amendment Regulations 2006 (No. 1) [F2006L02819]*.

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

105—

AD/A330/57 Amdt 1—Engine – Icing Conditions During Descent – Operational Procedure [F2006L02892]*.

AD/A330/60—Wing Shroud Box Bottom Panel [F2006L02851]*.

AD/A330/61—Pylon Lateral Panels at Rib 8 Level [F2006L02850]*.

AD/A330/62—CFRP Rudder [F2006L02849]*.

AD/AMD 50/37—Landing Gear Components [F2006L02848]*.

AD/B737/28 Amdt 2—Flight Attendant Seats [F2006L02847]*.

AD/B737/33 Amdt 1—Forward and Aft Cargo Compartments [F2006L02841]*.

AD/B737/295—Airstair Doorstop Intercostal [F2006L02840]*.

AD/B747/351—Engine Pylon Internal Structure [F2006L02839]*.

AD/CESSNA 170/78—Flexible Fuel Hose End Fittings [F2006L02829]*.

AD/CESSNA 180/88—Flexible Fuel Hose End Fittings [F2006L02830]*.

AD/CESSNA 206/62—Flexible Fuel Hose End Fittings [F2006L02832]*.

AD/DAUPHIN/82—Main Rotor Rotating Star [F2006L02838]*.

AD/DAUPHIN/87—Optional Ski Installation [F2006L02837]*.

AD/DO 328/65—Power Plant Air Intake [F2006L02882]*.

AD/DO 328/66—Hydraulic System Modifications [F2006L02878]*.

AD/F2000/20—Landing Gear Components [F2006L02836]*.

AD/M20/32 Amdt 6—Fuselage Tubular Structure [F2006L02835]*.

AD/PA-34/43 Amdt 2—Nose Gear Upper Drag Link Bolt [F2006L02834]*.

AD/TB20/45—Wing Spar Lower Boom [F2006L02833]*.

106—

AD/AL 250/85 Amdt 1—Fuel Nozzle Screen [F2006L02862]*.

AD/TPE 331/63—Fuel Control Unit Drive Spline [F2006L02863]*.

107—

AD/PHS/24 Amdt 1—Propeller System Actuator Yoke Arms [F2006L02877]*.

AD/PMC/49—Propeller Blade Cracking [F2006L02876]*.

AD/RAD/55—Rockwell International, Collins Air Transport Division, TCAS II Processors [F2006L02875]*.

AD/RAD/56—Honeywell, Commercial Flight Systems Group, TCAS II Processors [F2006L02874]*.

AD/RAD/57—AlliedSignal, Air Transport Avionics TCAS II Processors [F2006L02873]*.

Class Rulings CR 2006/77-CR 2006/80.

Cocos (Keeling) Islands Act—Select Legislative Instrument 2006 No. 226—Cocos (Keeling) Islands (Courts) Amendment Regulations 2006 (No. 1) [F2006L02822]*.

Corporations Act—ASIC Class Order [CO 06/623] [F2006L02731]*.

Criminal Code Act—Select Legislative Instruments 2006 Nos—

220—Criminal Code Amendment Regulations 2006 (No. 2) [F2006L02639]*.

221—Criminal Code Amendment Regulations 2006 (No. 3) [F2006L02640]*.

Customs Act—

Tariff Concession Orders—

0608791 [F2006L02717]*.

0608856 [F2006L02812]*.

0608857 [F2006L02816]*.

0608906 [F2006L02718]*.

0608907 [F2006L02719]*.

0608961 [F2006L02810]*.

0608964 [F2006L02720]*.

0609005 [F2006L02721]*.

0609006 [F2006L02722]*.

0609028 [F2006L02723]*.

0609038 [F2006L02724]*.

0609084 [F2006L02725]*.

0609141 [F2006L02726]*.

0609297 [F2006L02697]*.

0609314 [F2006L02701]*.

0609315 [F2006L02700]*.

0609331 [F2006L02698]*.

0609405 [F2006L02696]*.

0609406 [F2006L02704]*.

0609407 [F2006L02699]*.

0609486 [F2006L02703]*.

0609615 [F2006L02809]*.

0609656 [F2006L02807]*.

0609673 [F2006L02702]*.

0609675 [F2006L02806]*.

0609749 [F2006L02811]*.

0609970 [F2006L02815]*.

0609976 [F2006L02813]*.

0609977 [F2006L02814]*.

0609978 [F2006L02808]*.

Tariff Concession Revocation Instruments—

63/2006 [F2006L02716]*.

64/2006 [F2006L02706]*.

65/2006 [F2006L02707]*.

66/2006 [F2006L02708]*.

67/2006 [F2006L02709]*.

68/2006 [F2006L02710]*.

69/2006 [F2006L02711]*.

70/2006 [F2006L02712]*.

Environment Protection and Biodiversity Conservation Act—Amendments of lists of—

Specimens taken to be suitable for live import, dated 16 August 2006 [F2006L02818]*.

Threatened species, dated 14 August 2006—

[F2006L02714]*.

[F2006L02727]*.

[F2006L02728]*.

[F2006L02733]*.

Excise Act—Excise (Denatured spirits) Determination 2006 (No. 2) [F2006L02799]*.

Export Control Act—Export Control (Orders) Regulations—

Export Control (Fees) Amendment Orders 2006 (No. 2) [F2006L02820]*.

Export Control (Plants and Plant Products) Amendment Orders 2006 (No. 1) [F2006L02713]*.

Financial Management and Accountability Act—Financial Management and Accountability Determinations—

2006/31 – Enforcement Special Account Establishment 2006 [F2006L02736]*.

2006/35 – Other Trust Moneys – Australian Institute of Family Studies Special Account Establishment 2006 [F2006L02740]*.

2006/36 – Overseas Property Special Account Variation 2006 [F2006L02879]*.

2006/37 – Australian Population, Multicultural and Immigration Research Program Account Variation and Abolition 2006 [F2006L02885]*.

2006/38 – Australian Population, Multicultural and Immigration Research Program Special Account Establishment 2006 [F2006L02886]*.

2006/39 – National Science and Technology Centre Account Variation and Abolition 2006 [F2006L02887]*.

2006/40 – Science and Technology Donations/Sponsorship Special Account Establishment 2006 [F2006L02889]*.

2006/42 – International Marketing of Education Special Account Establishment 2006 [F2006L02893]*.

2006/45 – National Youth Affairs Research Scheme Special Account Establishment 2006 [F2006L02898]*.

2006/48 – Commonwealth Social Services Special Account Establishment 2006 [F2006L02902]*.

2006/50 – Valuation Services Special Account Establishment 2006 [F2006L02903]*.

2006/53 – Safety and Quality in Health Care Special Account Establishment 2006 [F2006L02906]*.

2006/54 – Strategic Intergovernmental Nutrition Alliance Account Variation and Abolition 2006 [F2006L02907]*.

2006/56 – Australian Childhood Immunisation Register Account Variation and Abolition 2006 [F2006L02909]*.

2006/59 – Australian Archives Projects and Sponsored Activities Special Account Establishment 2006 [F2006L02917]*.

2006/60 – Other Trust Moneys – National Archives of Australia Special Account Establishment 2006 [F2006L02919]*.

Fisheries Management Act—

Eastern Tuna and Billfish Fishery Management Plan 2005—Eastern Tuna and Billfish Fishery Direction No. 2 of 2006—Closure of Northern Waters to Longline Fishing [F2006L02786]*.

Macquarie Island Toothfish Fishery Management Plan 2006—Macquarie Island Toothfish Fishery Direction No. 1 of 2006—Prohibition on the Use of Fishing Methods other than Trawling [F2006L02775]*.

Northern Prawn Fishery Management Plan 1995—NPF Direction No. 100—Second Season Closures [F2006L02768]*.

Fuel Tax Act—Fuel Tax (Fuel Blends) Determination 2006 (No. 3) [F2006L02798]*.

Health Insurance Act—Select Legislative Instrument 2006 No. 223—Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2006 (No. 3) [F2006L02749]*.

Higher Education Support Act—Higher Education Provider Approval (No. 9 of 2006)—Brisbane College of Theology [F2006L02883]*.

Industry Research and Development Act—Pharmaceuticals Partnerships Program Directions No. 1 of 2006 [F2006L02853]*.

Lighthouses Act—Select Legislative Instrument 2006 No. 227—Lighthouses Amendment Regulations 2006 (No. 1) [F2006L02823]*.

Maritime College Act—

Courses and Awards Statute—Courses and Awards Rules [F2006L02672]*.

General Management Statute—

Rules for AMC Residences [F2006L02670]*.

Student Disciplinary Rules [F2006L02671]*.

Traffic and Parking Statute—Traffic and Parking Rules [F2006L02673]*.

Medical Indemnity (Prudential Supervision and Product Standards) Act—Select Legislative Instrument 2006 No. 232—Medical Indemnity (Prudential Supervision and Product Standards) Amendment Regulations 2006 (No. 1) [F2006L02770]*.

Migration Act—

Migration Regulations—Instrument IMMI 06/047—Class of Persons who may make an Internet Application for a Tourist Visa [F2006L02762]*.

Statements for period 1 January to 30 June 2006 under sections—

351.

417 [2].

Motor Vehicle Standards Act—

Vehicle Standard (Australian Design Rule 3/00 – Seat Anchorages) 2006 [F2006L02675]*.

Vehicle Standard (Australian Design Rule 3/01 – Seat Anchorages) 2006 [F2006L02676]*.

Vehicle Standard (Australian Design Rule 4/00 – Seatbelts) 2006 [F2006L02677]*.

Vehicle Standard (Australian Design Rule 4/01 – Seatbelts) 2006 [F2006L02678]*.

Vehicle Standard (Australian Design Rule 4/02 – Seatbelts) 2006 [F2006L02679]*.

Vehicle Standard (Australian Design Rule 5/00 – Anchorages for Seat Belts and Child Restraints) 2006 [F2006L02680]*.

Vehicle Standard (Australian Design Rule 5/01 – Anchorages for Seat Belts and Child Restraints) 2006 [F2006L02734]*.

Vehicle Standard (Australian Design Rule 5/02 – Anchorages for Seatbelts) 2006 [F2006L02683]*.

Vehicle Standard (Australian Design Rule 5/03 – Anchorages for Seatbelts) 2006 [F2006L02685]*.

Vehicle Standard (Australian Design Rule 8/00 – Safety Glazing Material) 2006 [F2006L02686]*.

Vehicle Standard (Australian Design Rule 10/00 – Steering Column) 2006 [F2006L02687]*.

Vehicle Standard (Australian Design Rule 14/00 – Rear Vision Mirrors) 2006 [F2006L02688]*.

Vehicle Standard (Australian Design Rule 14/01 – Rear Vision Mirrors) 2006 [F2006L02689]*.

Vehicle Standard (Australian Design Rule 18/00 – Instrumentation) 2006 [F2006L02735]*.

Vehicle Standard (Australian Design Rule 18/01 – Instrumentation) 2006 [F2006L02737]*.

Vehicle Standard (Australian Design Rule 18/02 – Instrumentation) 2006 [F2006L02738]*.

Vehicle Standard (Australian Design Rule 19/00 – Installation of Lighting and Light-Signalling Devices on L-Group Vehicles) 2006 [F2006L02741]*.

Vehicle Standard (Australian Design Rule 19/01 – Installation of Lighting and Light Signalling Devices on L-Group Vehicles) 2006 [F2006L02800]*.

Vehicle Standard (Australian Design Rule 23/00 – Passenger Car Tyres) 2006 [F2006L02742]*.

Vehicle Standard (Australian Design Rule 25/01 – Anti-Theft Lock) 2006 [F2006L02691]*.

Vehicle Standard (Australian Design Rule 43/00 – Vehicle Configuration and Marking) 2006 [F2006L02743]*.

Vehicle Standard (Australian Design Rule 43/01 – Vehicle Configuration and Marking) 2006 [F2006L02692]*.

Vehicle Standard (Australian Design Rule 43/02 – Vehicle Configuration and Dimensions) 2006 [F2006L02693]*.

Vehicle Standard (Australian Design Rule 43/03 – Vehicle Configuration and Dimensions) 2006 [F2006L02694]*.

Vehicle Standard (Australian Design Rule 44/00 – Specific Purpose Vehicle Requirements) 2006 [F2006L02744]*.

Vehicle Standard (Australian Design Rule 44/01 – Specific Purpose Vehicle Requirements) 2006 [F2006L02695]*.

Vehicle Standard (Australian Design Rule 45/00 – Lighting and Light-Signalling Devices not Covered by ECE) 2006 [F2006L02802]*.

Vehicle Standard (Australian Design Rule 49/00 – Front and Rear Position (Side) Lamps, Stop Lamps and End Outline Marker Lamps) 2006 [F2006L02745]*.

Vehicle Standard (Australian Design Rule 54/00 – Headlamps for Mopeds) 2006 [F2006L02729]*.

Vehicle Standard (Australian Design Rule 61/01 – Vehicle Marking) 2006 [F2006L02730]*.

Vehicle Standard (Australian Design Rule 78/00 – Gas Discharge Light Sources) 2006 [F2006L02732]*.

Murray-Darling Basin Act—Murray-Darling Basin Agreement—Schedule E (Transferring Water Entitlements and Allocations).

National Health Act—Determinations—

HIB 18/2006 [F2006L02803]*.

HIB 19/2006 [F2006L02880]*.

PSO 5/2006 [F2006L02715]*.

Navigation Act—Select Legislative Instruments 2006 Nos—

228—Navigation (Collision) Amendment Regulations 2006 (No. 1) [F2006L02824]*.

229—Navigation (Miscellaneous Repeal) Regulations 2006 [F2006L02827]*.

Parliamentary Entitlements Act—Parliamentary Entitlements Regulations—Advice of decisions to pay assistance under Part 3, dated 29 August 2006.

Payment Systems (Regulation) Act—Standard—The Setting of Interchange Fees in the EFTPOS System [F2006L02817]*.

Plant Health Australia (Plant Industries) Funding Act—Plant Health Australia (Plant Industries) Funding Determination 2006 [F2006L02753]*.

Privacy Act—

Credit Provider Determination No. 2006-3 (Assignees) [F2006L02868]*.

Credit Provider Determination No. 2006-4 (Classes of credit providers) [F2006L02869]*.

Select Legislative Instrument 2006 No. 222—Privacy (Private Sector) Amendment Regulations 2006 (No. 2) [F2006L02801]*.

Product Rulings—

Notices of Withdrawal—PR 2005/102 and PR 2005/119.

PR 2006/123.

Protection of the Sea (Civil Liability) Act—Select Legislative Instrument 2006 No. 230—Protection of the Sea (Civil Liability) Amendment Regulations 2006 (No. 1) [F2006L02826]*.

Protection of the Sea (Oil Pollution Compensation Fund) Act—Select Legislative Instrument 2006 No. 231—Protection of the Sea (Oil Pollution Compensation Fund) Amendment Regulations 2006 (No. 1) [F2006L02825]*.

Quarantine Act—Quarantine Amendment Proclamation 2006 (No. 4) [F2006L02796]*.

Radiocommunications Act—

Radiocommunications (Spectrum Licence Allocation – 2010-2025 MHz Band) Determination 2006 [F2006L02774]*.

Radiocommunications Spectrum Marketing Plan (2010-2025 MHz Band) 2006 [F2006L02772]*.

Radiocommunications (Unacceptable Levels of Interference – 2010-2025 MHz Band) Determination 2006 [F2006L02773]*.

Safety, Rehabilitation and Compensation Act—Safety, Rehabilitation and Compensation (Licence Eligibility) Notice 2006 (2) [F2006L02785]*.

Social Security Act—Social Security (Pension Bonus Scheme – Non-accruing Members – Major Disaster) Declaration 2006 [F2006L02804]*.

Superannuation Industry (Supervision) Act—Self-managed Superannuation Funds (Assets Acquired on Marriage Breakdown) Determination 2006 [F2006L02884]*.

Taxation Determinations—

Addenda—TD 2004/53, TD 2004/55, TD 2004/59 and TD 2004/62.

Notices of Withdrawal—TD 2004/54, TD 2004/56 and TD 2004/61.

Taxation Rulings—Notices of Withdrawal—

Old series—IT 2112 and IT 2140.

TR 94/2.

TR 1999/13.

Veterans' Entitlements Act—

Select Legislative Instrument 2006 No. 210—Veterans' Entitlements (DFISA-like Payment) Amendment Regulations 2006 (No. 1) [F2006L02536]*.

Statements of Principles concerning—

Acute myeloid leukaemia No. 35 of 2006 [F2006L02750]*.

Acute myeloid leukaemia No. 36 of 2006 [F2006L02751]*.

Decompression sickness No. 43 of 2006 [F2006L02760]*.

Decompression sickness No. 44 of 2006 [F2006L02761]*.

Dysbaric osteonecrosis No. 47 of 2006 [F2006L02765]*.

Dysbaric osteonecrosis No. 48 of 2006 [F2006L02766]*.

External burn No. 41 of 2006 [F2006L02758]*.

External burn No. 42 of 2006 [F2006L02759]*.

Myelodysplastic disorder No. 37 of 2006 [F2006L02752]*.

Myelodysplastic disorder No. 38 of 2006 [F2006L02754]*.

Pulmonary barotrauma No. 45 of 2006 [F2006L02763]*.

Pulmonary barotrauma No. 46 of 2006 [F2006L02764]*.

Rotator cuff syndrome No. 39 of 2006 [F2006L02755]*.

Rotator cuff syndrome No. 40 of 2006 [F2006L02756]*.

Shin splints No. 49 of 2006 [F2006L02767]*.

Shin splints No. 50 of 2006 [F2006L02769]*.

* Explanatory statement tabled with legislative instrument.

27 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

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

Departmental and agency contracts for 2005-06—Letters of advice—

Agriculture, Fisheries and Forestry portfolio agencies.

Foreign Affairs and Trade portfolio agencies.

Immigration and Multicultural Affairs portfolio agencies.

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

The following documents were 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 2006—Statements of compliance—
Agriculture, Fisheries and Forestry portfolio agencies.
Department of Education, Science and Training.
Finance and Administration portfolio agencies.

29 PRIVACY LEGISLATION AMENDMENT BILL 2006

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

Message no. 379, dated 17 August 2006—A Bill for an Act to amend the law relating to privacy protection of certain health and other information, and for related purposes.

The Minister for the Arts and Sport (Senator Kemp) 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 Kemp moved—That this bill be now read a second time.

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

30 ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT BILL 2006

A message from the House of Representatives was reported agreeing to the amendments made by the Senate to the following bill:

Message no. 378, dated 17 August 2006—Aboriginal Land Rights (Northern Territory) Amendment Bill 2006.

31 GOVERNOR-GENERAL'S MESSAGE—ASSENT TO LAWS

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

18 August 2006—Message No. 29—

Australian Technical Colleges (Flexibility in Achieving Australia's Skills Needs) Amendment Act 2006 (Act No. 91, 2006)

Trade Practices Amendment (National Access Regime) Act 2006 (Act No. 92, 2006).

32 AVIATION TRANSPORT SECURITY AMENDMENT BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for Justice and Customs (Senator Ellison)—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 Minister for the Arts and Sport (Senator Kemp) the bill was read a third time.

33 OHS AND SRC LEGISLATION AMENDMENT BILL 2006

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Defence (Senator Sandy Macdonald)—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.

The Minister for Fisheries, Forestry and Conservation (Senator Abetz) moved—That this bill be now read a third time.

Question put.

The Senate divided—

AYES, 35

Senators—

Abetz	Eggleston	Kemp	Payne
Adams	Ellison	Lightfoot	Ronaldson
Bernardi	Ferris (Teller)	Macdonald, Ian	Santoro
Boswell	Fielding	Mason	Scullion
Brandis	Fierravanti-Wells	McGauran	Troeth
Calvert	Fifield	Minchin	Trood
Campbell, Ian	Heffernan	Nash	Vanstone
Chapman	Humphries	Parry	Watson
Colbeck	Johnston	Patterson	

NOES, 31

Senators—

Allison	Crossin	Lundy	Sherry
Bartlett	Faulkner	Marshall	Siewert
Bishop	Forshaw	McEwen	Sterle
Brown, Bob	Hogg	Milne	Stott Despoja
Brown, Carol	Hurley	Moore	Webber (Teller)
Campbell, George	Hutchins	Murray	Wong
Carr	Kirk	Nettle	Wortley
Conroy	Ludwig	O'Brien	

Question agreed to.

Bill read a third time.

34 MIGRATION AMENDMENT (EMPLOYER SANCTIONS) BILL 2006

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

Debate resumed.

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

35 ADJOURNMENT

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

Document: Senator Colbeck, by leave, tabled the following document:

Transport—Spirit of Tasmania—Petitioning document from 1 171 signatories relating to government funding for the *Spirit of Tasmania 3*.

Debate ensued.

The Senate adjourned at 10.28 pm till Tuesday, 5 September 2006 at 12.30 pm.

36 ATTENDANCE

Present, all senators except Senators Barnett, Joyce, Sandy Macdonald and Polley* (* on leave).

HARRY EVANS
Clerk of the Senate