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1 MEETING OF SENATE

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

2 PETITIONS

The following 4 petitions, lodged with the Clerk by the senators indicated, were received:

The President, from 21 petitioners, requesting that the Senate legislate to require that all Internet service providers offer a ‘clean feed’ Internet service to all households, schools and public libraries that blocks access to websites containing child pornography, acts of extreme violence and X-rated material.

Senator Allison, from 1 035 petitioners, requesting that the Senate reject proposed legislation that would undermine a woman’s right to access abortion.

Senator Hogg, from 333 petitioners, requesting that the Senate take action to ensure that enough medical professionals are trained to maintain the quality care provided by hospitals and other health services.

Senator Stephens, from 90 petitioners, requesting that the Senate take action to restrict children’s exposure to Internet pornography.

3 NOTICES

Senator Watson: To move on the next day of sitting—That the Joint Committee of Public Accounts and Audit be authorised to hold public meetings during the sittings of the Senate as follows:

- (a) to take evidence for the committee’s review of Auditor-General’s reports:
 - Wednesday, 11 October 2006, from 11.30 am to 1.30 pm
 - Wednesday, 18 October 2006, from 11.30 am to 1.30 pm
 - Wednesday, 29 November 2006, from 11.30 am to 1.30 pm
 - Wednesday, 6 December 2006, from 11.30 am to 1.30 pm;
- (b) to take evidence for the committee’s inquiry into financial reporting and equipment acquisition at the Department of Defence and DMO:
 - Thursday, 12 October 2006, from 10 am to 1.30 pm
 - Thursday, 19 October 2006, from 10 am to 1.30 pm
 - Thursday, 30 November 2006, from 10 am to 1 pm; and
- (c) on Thursday, 9 November 2006, from 9.30 am to 2 pm, to take evidence for the committee’s inquiry into certain taxation matters. (*general business notice of motion no. 557*)

The Leader of the Australian Greens (Senator Bob Brown): To move on 10 October 2006—That the Senate calls on the Government to:

- (a) commission an independent audit of the company profits of managed investment schemes in forest products and rotation plantations; and
- (b) prohibit the implementation of managed investment schemes where they would have a detrimental impact on family farms, other agricultural activities or small businesses in rural communities. (*general business notice of motion no. 558*)

Senator Nettle: To move on the next day of sitting—That the Senate notes the sad death of Ms Doris Owens, an environmental campaigner from the south coast of New South Wales and sends condolences to her family and friends. (*general business notice of motion no. 559*)

4 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 10 OF 2006

The Chair of the Selection of Bills Committee (Senator Ferris) tabled the following report:

SELECTION OF BILLS COMMITTEE

REPORT NO. 10 OF 2006

1. The committee met in private session on Wednesday, 13 September 2006 at 4.22 pm.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Customs Amendment (2007 Harmonized System Changes) Bill 2006 and Customs Tariff Amendment (2007 Harmonized System Changes) Bill 2006 be *referred immediately* to the Foreign Affairs, Defence and Trade Committee for inquiry and report by 9 October 2006;
 - (b) the Aged Care Amendment (Residential Care) Bill 2006 be *referred immediately* to the Community Affairs Committee for inquiry and report by 9 October 2006; and
 - (c) the Privacy Legislation Amendment (Emergencies and Disasters) Bill 2006 be *referred immediately* to the Legal and Constitutional Affairs Committee for inquiry and report by 12 October 2006.
3. The committee resolved to recommend—That, upon introduction—
 - (a) the Crimes Amendment (Bail and Sentencing) Bill 2006 be *referred* to the Legal and Constitutional Affairs Committee for inquiry and report by 16 October 2006;
 - (b) the *provisions* of the Corporations Amendment (Aboriginal and Torres Strait Islander Corporations) Bill 2006 and the Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Bill 2006 be *referred* to the Legal and Constitutional Affairs Committee for inquiry and report by 9 October 2006;
 - (c) the Broadcasting Services Amendment (Media Ownership) Bill 2006 and the Broadcasting Legislation Amendment (Digital Television) Bill 2006, and the *provisions* of the Communications Legislation Amendment (Enforcement Powers) Bill 2006 and the Television Licence Fees Amendment Bill 2006 be *referred* to the Environment, Communications, Information Technology and the Arts Committee for inquiry and report by 5 October 2006;
 - (d) the *provisions* of the Defence Legislation Amendment Bill 2006 be *referred* to the Foreign Affairs, Defence and Trade Committee for inquiry and report by 10 October 2006; and
 - (e) the *provisions* of the Child Support Legislation Amendment (Reform of the Child Support Scheme—New Formula and Other Measures) Bill 2006 be *referred* to the Community Affairs Committee for inquiry and report by 10 October 2006.

4. The committee resolved to recommend—That the following bills *not* be referred to committees:

Housing Loans Insurance Corporation (Transfer of Assets and Abolition)
Repeal Bill 2006
Housing Loans Insurance Corporation (Transfer of Pre-transfer Contracts)
Bill 2006
Migration Legislation Amendment (Complementary Protection Visas) Bill
2006
Migration Legislation Amendment (End of Mandatory Detention) Bill 2006
Tax Laws Amendment (2006 Measures No. 5) Bill 2006.

The committee recommends accordingly.

5. The committee deferred consideration of the following bills to its next meeting:
Judiciary Legislation Amendment Bill 2006
Law and Justice Legislation Amendment (Marking of Plastic Explosives)
Bill 2006
Medical Indemnity Legislation Amendment Bill 2006.

Jeannie Ferris
Chair
14 September 2006.

Senator Ferris moved—That the report be adopted.

The Parliamentary Secretary to the Minister for Defence (Senator Sandy Macdonald) moved the following amendment:

At the end of the motion, add “and, in respect of the reference of the Broadcasting Services Amendment (Media Ownership) Bill 2006 and related bills, a background paper by the Minister for Communications, Information Technology and the Arts (Senator Coonan) on new services on digital spectrum also be referred to the committee”.

Document: Senator Sandy Macdonald tabled the following document:

Communications—*New services on digital spectrum*—Background paper by the Minister for Communications, Information Technology and the Arts (Senator Coonan).

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

Main question, as amended, put and passed.

5 ORDER OF BUSINESS—REARRANGEMENT

The Parliamentary Secretary to the Minister for Defence (Senator Sandy Macdonald) moved—That the following government business orders of the day be considered from 12.45 pm till not later than 2 pm today:

- No. 5 National Health Amendment (Immunisation) Bill 2006.
No. 6 Intellectual Property Laws Amendment Bill 2006.
No. 7 Social Security and Family Assistance Legislation Amendment
(Miscellaneous Measures) Bill 2006.
No. 8 Crimes Act Amendment (Forensic Procedures) Bill (No. 1) 2006.

No. 9 Protection of the Sea (Harmful Anti-fouling Systems) Bill 2006.

Question put and passed.

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

- (a) general business order of the day no. 55 (Australian Capital Territory (Self-Government) Amendment (Disallowance Power of the Commonwealth) Bill 2006); and
- (b) orders of the day relating to government documents.

Question put and passed.

6 COMMUNITY AFFAIRS—STANDING COMMITTEE—REFERENCE

Senator Patterson, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 2—

- (1) That the following matter be referred to the Community Affairs Committee for inquiry and report by 27 October 2006:

Legislative responses to recommendations of the reports of the Legislation Review Committee on the *Prohibition of Human Cloning Act 2002* and the *Research Involving Human Embryos Act 2002* (the Lockhart review).

- (2) That in undertaking this inquiry the committee may consider any relevant bill or draft bill based on the Lockhart review introduced or tabled in the Senate or presented to the President by a senator when the Senate is not sitting.

Statements by leave: The Leader of the Opposition in the Senate (Senator Evans), Senators Ferris and George Campbell, the Minister for Finance and Administration (Senator Minchin) and Senators Stott Despoja and Patterson, by leave, made statements relating to the motion.

Question put and passed.

7 NOTICE OF MOTION WITHDRAWN

The Chair of the Community Affairs Committee (Senator Humphries) withdrew business of the Senate notice of motion no. 1 standing in his name for today, proposing the reference of a matter to the Community Affairs Committee.

8 BROADCASTING LEGISLATION AMENDMENT (DIGITAL TELEVISION) BILL 2006 BROADCASTING SERVICES AMENDMENT (MEDIA OWNERSHIP) BILL 2006 CRIMES AMENDMENT (BAIL AND SENTENCING) BILL 2006 FINANCIAL SECTOR LEGISLATION AMENDMENT (TRANS-TASMAN BANKING SUPERVISION) BILL 2006

The Parliamentary Secretary to the Minister for Defence (Senator Sandy Macdonald), at the request of the Minister for Communications, Information Technology and the Arts (Senator Coonan), the Minister for Justice and Customs (Senator Ellison) and the Minister for Finance and Administration (Senator Minchin) and pursuant to notices of motion not objected to as formal motions, moved government business notices of motion nos 1 to 4—That the following bills be introduced:

A Bill for an Act to amend the law relating to broadcasting, and for other purposes.

A Bill for an Act to amend the *Broadcasting Services Act 1992*, and for other purposes.

A Bill for an Act to amend the *Crimes Act 1914*, and for related purposes.

A Bill for an Act to amend the law relating to prudential regulation for the purpose of facilitating trans-Tasman cooperation, and for related purposes.

Question put and passed.

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

Explanatory memoranda: Senator Sandy Macdonald tabled explanatory memoranda [4] relating to the bills.

Consideration of legislation: Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the first day in the next period of sittings.

Senator Sandy Macdonald moved—That the Crimes Amendment (Bail and Sentencing) Bill 2006 and the Financial Sector Legislation Amendment (Trans-Tasman Banking Supervision) Bill 2006 be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

9 ENVIRONMENT—CLIMATE CHANGE—PACIFIC REGION

The Leader of the Australian Democrats (Senator Allison), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 543—That the Senate—

- (a) notes:
- (i) the formation of a group, the Pacific Calling Partnership, made up of organisations and individuals who recognise Australia's ecological debt to its low-lying Pacific neighbours,
 - (ii) that droughts, storm surges and associated salination of soil and water are already causing people in low-lying Pacific countries to move their homes and to seek higher ground for growing food,
 - (iii) that the tiny coral atolls of Kiribati are more susceptible to damage because they are less than 3 metres high,
 - (iv) one of the messages brought to the Australian Parliament from the people of Kiribati by the Partnership is 'We ask if you can provide a place for us if we are in big trouble. Thank you', and
 - (v) that the Kiribati Government currently estimates that there will be a need to resettle 10 000 I-Kiribati in the next 20 years;
- (b) recognises Australia's ecological debt to low-lying Pacific nations, as a major per capita emitter of greenhouse gases, and the economic benefits enjoyed by Australia as a result of using the energy that generated these emissions; and
- (c) urges the Government to support the people of the Pacific through:
- (i) committing to the Kyoto Protocol as an act of international goodwill and cooperation,

- (ii) committing to reducing Australia's greenhouse emissions,
- (iii) supporting adaptation and mitigation works in low-lying Pacific nations, and
- (iv) leading an international coalition to accept climate change refugees when a Pacific country becomes uninhabitable because of rising sea levels.

Question put.

The Senate divided—

AYES, 30

Senators—

Allison	Hogg	McLucas	Siewert
Brown, Bob	Hurley	Milne	Stephens
Brown, Carol	Hutchins	Moore	Sterle
Campbell, G (Teller)	Kirk	Murray	Stott Despoja
Crossin	Ludwig	Nettle	Webber
Evans	Lundy	O'Brien	Wortley
Faulkner	Marshall	Polley	
Forshaw	McEwen	Ray	

NOES, 34

Senators—

Abetz	Coonan	Lightfoot	Payne
Adams	Eggleston	Macdonald, Ian	Ronaldson
Barnett	Ferguson	Macdonald, Sandy	Santoro
Bernardi	Ferris (Teller)	Mason	Scullion
Boswell	Fierravanti-Wells	McGauran	Troeth
Brandis	Fifield	Minchin	Trood
Calvert	Heffernan	Nash	Watson
Chapman	Humphries	Parry	
Colbeck	Joyce	Patterson	

Question negatived.

10 IMMIGRATION—MIGRATION ACT

The Leader of the Australian Democrats (Senator Allison), at the request of Senator Bartlett and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 555—That the Senate—

- (a) notes that:
 - (i) 26 September 2006 marks the 5th anniversary of the guillotining through the Senate of seven separate pieces of legislation amending the *Migration Act 1958*,
 - (ii) some measures contained in these pieces of legislation have caused enormous suffering and hardship to asylum seekers who were fleeing persecution, and
 - (iii) 5 years on, numerous reports and inquiries have uncovered multiple cases of damaged lives due to flaws in the legislation and in the culture of the Department of Immigration and Multicultural Affairs, and repeated failures to ensure that the rights of asylum seekers and refugees are protected and that their cases are processed fairly;

- (b) expresses the view that some of the changes made to the Migration Act in the wake of the *Tampa* incident undermined basic legal principles such as equality before the law, procedural fairness, transparent accountability of the actions of Commonwealth officers and protecting against refoulement; and
- (c) calls for reform of the Migration Act to ensure greater fairness, transparency, accountability and compliance with Australia's obligations under international law, and an end to the Pacific solution, mandatory detention and temporary protection visas.

Question put and negatived.

11 NUCLEAR TESTS—MARALINGA—50TH ANNIVERSARY

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 553—That the Senate—

- (a) notes that:
 - (i) 27 September 2006 is the 50th anniversary of the first of the nuclear tests at Maralinga,
 - (ii) the nuclear tests resulted in fallout over most of Australia, and especially contaminated great tracts of traditional land, transforming an independent and physically-wide ranging people into a semi-static and dependent group, the damage being radiological, psycho-social and cultural,
 - (iii) the Royal Commission into British Nuclear Tests in Australia concluded that, at Maralinga, 'attempts to ensure Aboriginal safety' during the tests 'demonstrate ignorance, incompetence and cynicism on the part of those responsible for that safety',
 - (iv) the test site remains radioactive and that there are unresolved issues about compensation for the traditional owners,
 - (v) approximately 16 000 servicemen exposed to radiation during the tests never received recognition of hazardous service and survivors receive limited ongoing support, and the high mortality and illness rates of these men have not yet been adequately acknowledged or explained,
 - (vi) the Government breached its own standards for the disposal of long-lived radioactive waste disposal by burying plutonium-contaminated debris in shallow, unlined trenches,
 - (vii) the Australian Radiation Protection and Nuclear Safety Agency described the 'clean-up' as marred by a 'host of indiscretions, short-cuts and cover-ups', and
 - (viii) the radioactive waste legacy will inevitably be a cost unfairly borne by future Australians; and
- (b) calls on the Government to recommit to international nuclear non-proliferation, including ruling out the export of Australian uranium to countries that are not signatories to the Nuclear Non-Proliferation Treaty and ruling out the development of uranium enrichment plants in Australia.

Question put.

The Senate divided—

AYES, 30

Senators—

Allison	Hogg	McLucas	Siewert
Brown, Bob	Hurley	Milne	Stephens
Brown, Carol	Hutchins	Moore	Sterle
Campbell, G (Teller)	Kirk	Murray	Stott Despoja
Crossin	Ludwig	Nettle	Webber
Evans	Lundy	O'Brien	Wortley
Faulkner	Marshall	Polley	
Forshaw	McEwen	Ray	

NOES, 34

Senators—

Abetz	Coonan	Lightfoot	Payne
Adams	Eggleston	Macdonald, Ian	Ronaldson
Barnett	Ferguson	Macdonald, Sandy	Santoro
Bernardi	Ferris (Teller)	Mason	Scullion
Boswell	Fierravanti-Wells	McGauran	Troeth
Brandis	Fifield	Minchin	Trood
Calvert	Heffernan	Nash	Watson
Chapman	Humphries	Parry	
Colbeck	Joyce	Patterson	

Question negatived.

12 FOREIGN AFFAIRS—CHINA—JOURNALISM

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. 556—That the Senate—

- (a) notes the imposition of new restrictions on the distribution of foreign news in China;
- (b) condemns any move by the Chinese Government to impose unfair restrictions on foreign press freedom; and
- (c) calls on the Minister for Foreign Affairs (Mr Downer) to investigate the matter.

Question put.

The Senate divided—

AYES, 30

Senators—

Allison	Hogg	McLucas	Siewert
Brown, Bob	Hurley	Milne	Stephens
Brown, Carol	Hutchins	Moore	Sterle
Campbell, G (Teller)	Kirk	Murray	Stott Despoja
Crossin	Ludwig	Nettle	Webber
Evans	Lundy	O'Brien	Wortley
Faulkner	Marshall	Polley	
Forshaw	McEwen	Ray	

NOES, 34

Senators—

Abetz	Coonan	Lightfoot	Payne
Adams	Eggleston	Macdonald, Ian	Ronaldson
Barnett	Ferguson	Macdonald, Sandy	Santoro
Bernardi	Ferris (Teller)	Mason	Scullion
Boswell	Fierravanti-Wells	McGauran	Troeth
Brandis	Fifield	Minchin	Trood
Calvert	Heffernan	Nash	Watson
Chapman	Humphries	Parry	
Colbeck	Joyce	Patterson	

Question negatived.

13 ENVIRONMENT—GENETICALLY-ENGINEERED PLANTS

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 549—That the Senate—

- (a) notes the recent escape of the glyphosphate-resistant genetically-engineered (GE) grass, known as creeping bentgrass (*Agrostis stolonifera*) in Oregon, United States of America;
- (b) notes that this Roundup-resistant grass, which was developed for golf courses and suburban lawns, has now demonstrated an ability to spread rapidly by seed and to hybridise with other grass strains;
- (c) recognises that this makes the grass a potentially serious threat to both Australia's agriculture and its environment, if it were to be introduced into Australia; and
- (d) urges governments to:
 - (i) implement mechanisms to prevent the importation of GE creeping bentgrass and other exotic herbicide-resistant GE grasses that could make our shocking weed problem worse, and
 - (ii) introduce stronger measures to ensure that GE plants released in Australian field trials do not contaminate the environment and become problem weeds.

Question put.

The Senate divided—

AYES, 30

Senators—

Allison	Hogg	McLucas	Siewert
Brown, Bob	Hurley	Milne	Stephens
Brown, Carol	Hutchins	Moore	Sterle
Campbell, G (Teller)	Kirk	Murray	Stott Despoja
Crossin	Ludwig	Nettle	Webber
Evans	Lundy	O'Brien	Wortley
Faulkner	Marshall	Polley	
Forshaw	McEwen	Ray	

NOES, 34

Senators—

Abetz	Coonan	Lightfoot	Payne
Adams	Eggleston	Macdonald, Ian	Ronaldson
Barnett	Ferguson	Macdonald, Sandy	Santoro
Bernardi	Ferris (Teller)	Mason	Scullion
Boswell	Fierravanti-Wells	McGauran	Troeth
Brandis	Fifield	Minchin	Trood
Calvert	Heffernan	Nash	Watson
Chapman	Humphries	Parry	
Colbeck	Joyce	Patterson	

Question negatived.

14 SOCIAL SECURITY (HELPING PENSIONERS HIT BY THE SKILLS SHORTAGE) BILL 2006

Senator George Campbell, at the request of the Leader of the Opposition in the Senate (Senator Evans) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 554—That the following bill be introduced:

A Bill for an Act to amend the *Social Security Act 1991*, to assist those who have had their pension cut because of lengthy delays in the construction of a new home due to the national shortage of building tradespeople.

Question put and passed.

Senator George Campbell presented the bill and moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

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

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

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

15 DEATH OF MR HAKIM TANIWAL

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

- (a) records its deep regret at the death, on Sunday, 10 September 2006, of Mr Hakim Taniwal who was killed by a suicide bomber in Afghanistan;
- (b) recognises that Mr Taniwal, having fled his country in 1980, arrived in Australia with his wife as a refugee, returned to Afghanistan in 2002 to contribute to the rebuilding of his homeland and by serving as the Governor of Paktia in eastern Afghanistan; and
- (c) extends its profound sympathy to Mr Taniwal's family in their bereavement.

Question put and passed.

16 SOCIAL ISSUES—RIGHT TO DIE WITH DIGNITY

Motion determined as not formal: The Leader of the Australian Greens (Senator Bob Brown) requested that general business notice of motion no. 546 standing in his name for today, relating to the right of Australians to die with dignity, 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 Bob Brown, pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent him 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. 546.

Debate ensued.

Question put and negatived.

17 PUBLICATIONS—STANDING COMMITTEE—15TH REPORT

The Chair of the Standing Committee on Publications (Senator Watson) tabled the following report:

PUBLICATIONS COMMITTEE

15TH REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the House of Representatives.

The Committee, having considered documents presented to the Senate since 16 August 2006, recommends that the following be printed:

Australian Law Reform Commission—Report No. 104—Fighting words: A review of sedition laws in Australia, July 2006.

Housing Assistance Act 1996—Report for 2004-05 on the operation of the 2003 Commonwealth-State Housing Agreement.

Reserve Bank of Australia—Report for 2005-06.

Witness Protection Act 1994—Report for 2005-06 on the operation of the National Witness Protection Program.

Senator John Watson

Chairman

14 September 2006.

Senator Watson moved—That the report be adopted.

Question put and passed.

18 LEGISLATION COMMITTEES—ADDITIONAL INFORMATION—BUDGET ESTIMATES AND ADDITIONAL ESTIMATES

Senator Scullion, at the request of the chairs of the respective committees, tabled the following documents:

Additional estimates 1998-99—Economics Legislation Committee—Additional information—Industry, Science and Resources portfolio.

Budget estimates 1999-2000 (Supplementary)—Economics Legislation Committee—Additional information—Industry, Science and Resources portfolio.

Budget estimates 1999-2000 (Supplementary) and Additional estimates 1999-2000 (Supplementary)—Economics Legislation Committee—Additional information—Treasury portfolio.

Additional estimates 1999-2000—Economics Legislation Committee—Additional information—

Industry, Science and Resources portfolio—Volume 3.

Treasury portfolio—Volumes 3 and 4.

Budget estimates 2000-01 (Supplementary)—Economics Legislation Committee—Additional information—Industry, Science and Resources portfolio.

Budget estimates 2005-06—Economics Legislation Committee—Additional information—Industry, Tourism and Resources portfolio—Volume 2.

Budget estimates 2005-06 (Supplementary)—Economics Legislation Committee—Additional information—Treasury portfolio—Volume 5.

Additional estimates 2005-06—Rural and Regional Affairs and Transport Legislation Committee—Additional information received 8 September 2006—Transport and Regional Services portfolio.

Budget estimates 2006-07—

Community Affairs Legislation Committee—Additional information received between 17 August and 13 September 2006—Health and Ageing portfolio.

Economics Legislation Committee—Additional information received between 16 August and 12 September 2006—Treasury portfolio.

Employment, Workplace Relations and Education Legislation Committee—Additional information received between—

20 July and 12 September 2006—Employment and Workplace Relations portfolio.

31 July and 13 September 2006—Education, Science and Training portfolio.

Environment, Communications, Information Technology and the Arts Legislation Committee—Additional information received between 26 May and 13 September 2006—

Communications, Information Technology and the Arts portfolio—

Arts and sport.

Broadcasting.

Communications.

Environment and Heritage portfolio.

Foreign Affairs, Defence and Trade Legislation Committee—Additional information received between 27 July and 14 September 2006—Defence portfolio.

Rural and Regional Affairs and Transport Legislation Committee—Additional information received between 15 August and 12 September 2006—Agriculture, Fisheries and Forestry portfolio.

Statement by leave: Senator Stephens, by leave, made a statement relating to the documents.

**19 NATIONAL CATTLE DISEASE ERADICATION ACCOUNT AMENDMENT BILL 2006
EDUCATION SERVICES FOR OVERSEAS STUDENTS LEGISLATION AMENDMENT (2006
MEASURES NO. 1) BILL 2006
EDUCATION SERVICES FOR OVERSEAS STUDENTS LEGISLATION AMENDMENT (2006
MEASURES NO. 2) BILL 2006**

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

Message no. 389, dated 13 September 2006—A Bill for an Act to amend the *National Cattle Disease Eradication Account Act 1991*, and for related purposes.

Message no. 391, dated 13 September 2006—A Bill for an Act to amend the law relating to education services for overseas students, and for related purposes.

Message no. 392, dated 13 September 2006—A Bill for an Act to amend the law about education services for overseas students, and for related purposes.

The Parliamentary Secretary to the Minister for Defence (Senator Sandy Macdonald) 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 Sandy Macdonald moved—That these bills be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the first day in the next period of sittings.

Senator Sandy Macdonald moved that the National Cattle Disease Eradication Account Amendment Bill 2006 be listed on the *Notice Paper* as a separate order of the day.

Question put and passed.

**20 MARITIME TRANSPORT AND OFFSHORE FACILITIES SECURITY AMENDMENT
(MARITIME SECURITY GUARDS AND OTHER MEASURES) BILL 2005 [2006]**

A message from the House of Representatives was reported agreeing to the following bill without amendment:

Message no. 390, dated 13 September 2006—Maritime Transport and Offshore Facilities Security Amendment (Maritime Security Guards and Other Measures) Bill 2005 [2006].

**21 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—INTERIM
REPORT—CORPORATIONS (ABORIGINAL AND TORRES STRAIT ISLANDER) BILL
2005**

Senator Scullion, at the request of the Chair of the Legal and Constitutional Affairs Committee (Senator Payne), tabled the following report:

Legal and Constitutional Affairs—Standing Committee—Provisions of the Corporations (Aboriginal and Torres Strait Islander) Bill 2005—Interim report, dated 14 September 2006.

Extension of time to report: Senator Scullion, by leave and at the request of the Chair of the Legal and Constitutional Affairs Committee (Senator Payne), moved—That the time for the presentation of the final report of the Legal and Constitutional Affairs Committee on the provisions of the Corporations (Aboriginal and Torres Strait Islander) Bill 2005 be extended to 9 October 2006.

Question put and passed.

22 SUPERANNUATION LEGISLATION AMENDMENT (SUPERANNUATION SAFETY AND OTHER MEASURES) BILL 2005

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

In the committee

Bill taken as a whole by leave.

Explanatory memorandum: The Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

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

Clause 2, page 2 (table item 3), omit the table item, substitute:

- | | |
|---------------------------------|--|
| 3. Schedule 2,
items 1 to 25 | Either:
(a) if this Act receives the Royal Assent on 1 July in a year—the day on which this Act receives the Royal Assent; or
(b) otherwise—on the 1 July that next follows the day on which this Act receives the Royal Assent. |
|---------------------------------|--|

Clause 2, page 2 (table item 5), omit the table item, substitute:

- | | |
|-----------------------------------|--|
| 5. Schedule 2,
items 28 and 29 | Either:
(a) if this Act receives the Royal Assent on 1 July in a year—the day on which this Act receives the Royal Assent; or
(b) otherwise—on the 1 July that next follows the day on which this Act receives the Royal Assent. |
|-----------------------------------|--|

Senator Murray moved the following amendment:

Schedule 1, page 3 (after line 5), before item 1, insert:

1A Subsection 3(1) (after the definition of SIS Act)

Insert:

spouse, in relation to a person:

- (a) includes another person, who although not legally married to the person, lives with the person on a bona fide domestic basis as the husband or wife of the person; and
- (b) includes a person in an interdependency relationship as defined in section 27AAB of the *Income Tax Assessment Act 1936*.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 29

Senators—

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

NOES, 34

Senators—

Abetz	Coonan	Joyce	Payne
Adams	Eggleston	Lightfoot	Ronaldson
Barnett	Ferguson	Macdonald, Ian	Santoro
Bernardi	Ferris	Macdonald, Sandy	Scullion (Teller)
Boswell	Fielding	Mason	Troeth
Brandis	Fierravanti-Wells	McGauran	Trood
Calvert	Fifield	Nash	Watson
Chapman	Heffernan	Parry	
Colbeck	Humphries	Patterson	

Question negatived.

Senator Murray moved the following amendment:

Schedule 1, page 3 (after line 17), after item 2, insert:

2A After section 27F

Insert:

27FA Procedures for merit selection of appointments

- (1) The Minister must by writing determine a code of practice, for selecting a person to be appointed by the Commonwealth or a Minister to a position under this Act, that sets out general principles on which the selections are to be made, including but not limited to:
 - (a) merit; and
 - (b) independent scrutiny of appointments; and
 - (c) probity; and
 - (d) openness and transparency.
- (2) After determining a code of practice under subsection (1), the Minister must publish the code in the *Gazette*.
- (3) Not later than every fifth anniversary after a code of practice has been determined, the Minister must review the code.

- (4) In reviewing a code of practice, the Minister must invite the public to comment on the code.
- (5) A code of practice determined under subsection (1) is a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

Debate ensued.

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

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

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

23 ORDER OF BUSINESS—REARRANGEMENT

The Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) moved—That government business order of the day no. 2 (Customs Legislation Amendment (Border Compliance and Other Measures) Bill 2006) be postponed till the next day of sitting.

Question put and passed.

24 HEALTH INSURANCE AMENDMENT (MEDICAL SPECIALISTS) BILL 2005

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.

Senator McLucas moved the following amendment:

At the end of the motion, add “but the Senate condemns the Government for:

- (a) failing to address the medical workforce shortage affecting rural, remote and outer metropolitan areas;
- (b) failing to invest in the future of the medical workforce and its over-reliance on importing skilled medical practitioners;
- (c) failing to show leadership in the area of the uniform standards for medical professionals; and
- (d) failing to address the impact that regulation of medical professionals by the colleges has on supply and distribution of specialists”.

Debate ensued.

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

Main 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.

Senator Murray moved the following amendment:

Schedule 1, page 4 (after line 2), after item 8, insert:

8A Subsection 10AA(7) (definition of spouse)

Repeal the definition, substitute:

spouse includes a de facto spouse and means a person who is living with another person on a bona fide domestic basis although not legally married to that other person, including a same sex partner.

Debate ensued.

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

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of the Minister for Ageing (Senator Santoro) the report from the committee was adopted and the bill read a third time.

25 DEPARTMENT OF THE SENATE—MR JOHN VANDER WYK—RETIREMENT—STATEMENTS BY LEAVE

The Minister for Finance and Administration (Senator Minchin), Senators Murray and Ludwig and the Leader of the Opposition in the Senate (Senator Evans), by leave, made statements relating to the retirement of Mr John Vander Wyk, a Clerk Assistant of the Senate.

26 NATIONAL HEALTH AMENDMENT (IMMUNISATION) BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for Fisheries, Forestry and Conservation (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 to the Minister for Finance and Administration (Senator Colbeck) the bill was read a third time.

27 ORDER OF BUSINESS—REARRANGEMENT

The Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) moved—That government business order of the day no. 6 (Intellectual Property Laws Amendment Bill 2006) be postponed till after consideration of government business order of the day no. 9 (Protection of the Sea (Harmful Anti-fouling Systems) Bill 2006).

Question put and passed.

**28 SOCIAL SECURITY AND FAMILY ASSISTANCE LEGISLATION AMENDMENT
(MISCELLANEOUS MEASURES) BILL 2006**

Order of the day read for the adjourned debate on the motion of the Minister for the Environment and Heritage (Senator Ian Campbell)—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 to the Minister for Finance and Administration (Senator Colbeck) the bill was read a third time.

29 CRIMES ACT AMENDMENT (FORENSIC PROCEDURES) BILL (NO. 1) 2006

Order of the day read for the adjourned debate on the motion of the Minister for Fisheries, Forestry and Conservation (Senator Abetz)—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 Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

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

Schedule 1, item 7, page 4 (lines 18 to 25), omit section 23XSA, substitute:

23XSA Presence of prison officers

If:

- (a) a particular suspect is being detained in prison; and
 - (b) a forensic procedure is to be carried out on the suspect (whether or not the forensic procedure is to be carried out in prison);
- one or more prison officers may be present while the forensic procedure is carried out.

Schedule 1, item 20, page 7 (lines 12 to 18), omit subsection 23YDACA(2), substitute:

- (2) A participating jurisdiction, or an authority of a participating jurisdiction, may access NCIDD to the extent that it consists of:
- (a) the whole or a part of the State/Territory DNA database system of the participating jurisdiction; or
 - (b) information obtained from the State/Territory DNA database system of the participating jurisdiction;
- but only if the participating jurisdiction, or the authority of the participating jurisdiction, is required or authorised by or under a law of the participating jurisdiction to access the State/Territory DNA database system of the participating jurisdiction.

Schedule 1, page 8 (after line 14), after item 26, insert:

26A After subsection 23YDAE(2)

Insert:

- (2A) A person may access information stored on NCIDD in the circumstances permitted by subsection 23YDACA(2).

Schedule 1, page 8 (after line 17), after item 27, insert:

27A Subsection 23YDAF(1) (cell at table item 2, column 3)

Repeal the cell, substitute:

yes

27B Subsection 23YDAF(1) (cell at table item 2, column 5)

Repeal the cell, substitute:

yes

Schedule 1, page 8 (after line 20), after item 28, insert:

28A Subsection 23YDAF(1) (cell at table item 4, column 3)

Repeal the cell, substitute:

yes

28B Subsection 23YDAF(1) (cell at table item 4, column 5)

Repeal the cell, substitute:

yes

Schedule 1, page 9 (after line 15), after item 35, insert:

35A After subsection 23YO(1)

Insert:

- (1A) Paragraph (1)(a) does not apply to access to information stored on NCIDD in the circumstances permitted by subsection 23YDACA(2).

Schedule 1, page 10 (after line 4), after item 41, insert:

41A At the end of subsection 23YUD(1)

Add “Subject to subsection (1B), these arrangements may also deal with using such information.”.

Schedule 1, page 10 (after line 13), after item 43, insert:

43A At the end of subsection 23YUD(1A)

Add:

; or (c) subject to subsection (1B), using such information.

43B After subsection 23YUD(1A)

Insert:

(1AA) Subject to subsection (1B), an arrangement with a participating jurisdiction under subsection (1A) may deal with:

- (a) CrimTrac comparing information transmitted in accordance with that arrangement with other information on NCIDD; and
- (b) CrimTrac identifying matches that are found because of such comparisons and CrimTrac transmitting information arising from such matches to that participating jurisdiction.

(1AB) Subsection (1AA) does not limit subsection (1A).

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

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

30 PROTECTION OF THE SEA (HARMFUL ANTI-FOULING SYSTEMS) BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for the Environment and Heritage (Senator Ian Campbell)—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 to the Minister for Finance and Administration (Senator Colbeck) the bill was read a third time.

31 INTELLECTUAL PROPERTY LAWS AMENDMENT BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for Immigration and Multicultural Affairs (Senator Vanstone)—That this bill be now read a second time.

Debate resumed.

Explanatory memorandum: The Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) tabled a further explanatory memorandum relating to the bill.

Question put and passed.

Bill read a second time.

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

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

Suspension of sitting: On the motion of Senator Colbeck the sitting of the Senate was suspended at 1.34 pm till 2 pm.

At 2 pm—

32 QUESTIONS

Questions without notice were answered.

Document: The Minister for Ageing (Senator Santoro) tabled the following document:

Family and community services—Aged care—Chart 1: Australia: Operational aged care places per 1,000 people aged over 70 years or more June 1985-30 June 2006.

Further questions without notice were answered.

33 MINISTER FOR COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS— ANSWERS TO QUESTIONS

Senator Conroy 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.

Debate ensued.

Question put and passed.

34 DOCUMENTS

The following documents were tabled by the Clerk:

Australian Research Council Act—Determination No. 31—Approval of expenditure on research programs under section 51—Linkage Projects Round 2 commencing in July 2006, dated 4 July 2006.

Class Rulings CR 2006/88 and CR 2006/89.

Goods and Services Tax Bulletins—

GSTB 2006/1.

Notice of Withdrawal—GSTB 2000/2.

Goods and Services Tax Rulings—Addenda—

GSTR 2000/19.

GSTR 2001/3.

GSTR 2004/8.

Product Rulings PR 2006/129 and PR 2006/130.
 Taxation Determinations TD 2006/53 and TD 2006/54.
 Taxation Rulings—
 Notices of Withdrawal—
 Old Series—IT 2034, IT 2213, IT 2292.
 TR 97/8.
 TR 2006/8.

35 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—
 Australian Research Council.
 Australian Trade Commission.

36 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

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

Departmental and agency contracts for 2005-06—Letter of advice—Australian Research Council.

General business was called on.

37 AUSTRALIAN CAPITAL TERRITORY (SELF-GOVERNMENT) AMENDMENT (DISALLOWANCE POWER OF THE COMMONWEALTH) BILL 2006

Order of the day read for the adjourned debate on the motion of the Leader of the Australian Greens (Senator Bob Brown)—That this bill be now read a second time.

Debate resumed.

At 6 pm: Debate was interrupted while the Minister for Finance and Administration (Senator Minchin) was speaking.

General business concluded.

38 SOMATIC CELL NUCLEAR TRANSFER (SCNT) AND RELATED RESEARCH AMENDMENT BILL 2006—EXPOSURE DRAFT—DOCUMENTS

Senator Stott Despoja, by leave, tabled the following documents:

Somatic Cell Nuclear Transfer (SCNT) and Related Research Amendment Bill 2006—
 Draft explanatory memorandum.
 Exposure draft.
 Tabling statement by Senator Stott Despoja.

Statement by leave: Senator Stott Despoja, by leave, made a statement relating to the documents.

39 SCIENCE AND TECHNOLOGY—ASSISTED REPRODUCTIVE TECHNOLOGY—DOCUMENTS

Senator Patterson, by leave, tabled the following documents:

Science and technology—Assisted reproductive technology—Copies of articles—

‘Correction of the sickle cell mutation in embryonic stem cells’, by Judy C Chang, Lin Ye and Yuet Wai Kan, *PNAS*, vol. 103, no. 4, pp. 1036-1040.

‘Derivation of a human blastocyst after heterologous nuclear transfer to donated oocytes’, by Miodrag Stojkovic, Petra Stojkovic, Christine Leary *et al*, *Reproductive Biomedicine Online*, vol. 11, no. 2, pp. 226-231.

‘Human embryonic stem cell lines derived from single blastomeres’, Irina Klimanskaya, Young Chung, Sandy Becker *et al*, *Nature*, letters published online 23 August 2006.

‘Induction of pluripotent stem cells from mouse embryonic and adult fibroblast cultures by defined factors’, by Kazutoshi Takahashi and Shinya Yamanaka, *Cell*, vol. 126, pp. 1-14 and supplemental data.

‘Neural subtype specification of fertilization and nuclear transfer embryonic stem cells and application in parkinsonian mice’, by Tiziano Barberi, Peter Klivenyi, Noel Y Calingasan *et al*, *Nature Biotechnology*, vol. 21, no. 10, pp. 1200-1207.

‘Nuclear cloning of embryonal carcinoma cells’, by Robert H Blelloch, Konrad Hochedlinger, Yasuhiro Yamada *et al*, *PNAS*, vol. 101, no. 39, pp. 13985-13990.

‘Reprogramming of human somatic cells by embryonic stem cell cytoplasm’, by Nick Strelchenko, Valeri Kukharensko, Artem Shkumatov *et al*, *Reproductive Biomedicine Online*, vol. 12, no. 1, pp. 107-111.

‘The Lockhart review: Where now for Australia’, by Donna Cooper, *Journal of Law and Medicine*, vol. 14, pp. 27-44.

40 COMMITTEES—CHANGES IN MEMBERSHIP

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

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

Community Affairs—Standing Committee—

Appointed—

Participating member: Senator Hutchins

Substitute members:

Senator Barnett to replace Senator Fierravanti-Wells from 18 September to 6 October 2006

Senator Ferris to replace Senator Adams for the committee’s inquiry into the funding and operation of the Commonwealth-State/Territory Disability Agreement on 6 October 2006

Senator Siewert to replace Senator Allison for the committee’s inquiry into the provisions of the Child Support Legislation Amendment (Reform of the Child Support Scheme—New Formula and Other Measures) Bill 2006

Senator Stott Despoja to replace Senator Allison for the committee's inquiry into legislative responses to the Lockhart review

**Environment, Communications, Information Technology and the Arts—
Standing Committee—**

Appointed—Substitute members:

Senator Brandis to replace Senator Parry for the committee's inquiry into the Broadcasting Services Amendment (Media Ownership) Bill 2006 and three related bills for 28 September and 29 September 2006

Senator Murray to replace Senator Bartlett for the committee's inquiry into the Broadcasting Services Amendment (Media Ownership) Bill 2006 and three related bills

Legal and Constitutional Affairs—Standing Committee—

Appointed—Participating member: Senator Fifield

Publications—Standing Committee—

Discharged—Senator Watson

Appointed—Senator Barnett.

Question put and passed.

**41 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 10 OF 2006—
VARIATION**

Senator Parry, by leave, moved—That the order of the Senate agreed to earlier today adopting the 10th report of 2006 of the Selection of Bills Committee (*see entry no. 4*) be varied to provide that the Environment, Communications, Information Technology and the Arts Committee report on the Broadcasting Services Amendment (Media Ownership) Bill 2006 and three related bills by 6 October 2006.

Question put and passed.

**42 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:

Migration—Joint Standing Committee—Report—Negotiating the maze: Review of arrangements for overseas skills recognition, upgrading and licensing. Motion of Senator Kirk to take note of report called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

ASIO, ASIS and DSD—Joint Statutory Committee—Report—Private review of agency security arrangements—Government response. Motion of Senator Ray to take note of document agreed to.

Rural and Regional Affairs and Transport References Committee—Interim report—Water policy initiatives. Motion of the chair of the committee (Senator Siewert) to take note of report called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

Rural and Regional Affairs and Transport References Committee—Interim report—Australia's future oil supply and alternative transport fuels. Motion of the chair of the committee (Senator Siewert) to take note of report called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

Foreign Affairs, Defence and Trade Legislation Committee—First progress report—Reforms to Australia's military justice system. Motion of the chair of the committee (Senator Johnston) to take note of report called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

Community Affairs Legislation Committee—Report—Transparent Advertising and Notification of Pregnancy Counselling Services Bill 2005. Motion of the chair of the committee (Senator Humphries) to take note of report called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

Rural and Regional Affairs and Transport Legislation Committee—Report—National Animal Welfare Bill 2005. Motion of Senator Bartlett to take note of report called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

Community Affairs References Committee—Report—Beyond petrol sniffing: Renewing hope for Indigenous communities. Motion of the chair of the committee (Senator Moore) to take note of report called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Expanding Australia's trade and investment relations with North Africa. Motion of the chair of the committee (Senator Ferguson) to take note of report agreed to.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Australia's defence relations with the United States. Motion of the chair of the committee (Senator Ferguson) to take note of report called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

Electoral Matters—Joint Standing Committee—Report—Funding and disclosure: Inquiry into disclosure of donations to political parties and candidates. Motion of Senator Carr to take note of report called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

Foreign Affairs, Defence and Trade References Committee—Report—China's emergence: Implications for Australia. Motion of the chair of the committee (Senator Hutchins) to take note of report called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

Mental Health—Select Committee—First report—A national approach to mental health – from crisis to community. Motion of the chair of the committee (Senator Allison) to take note of report called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

Legal and Constitutional References Committee—Report—Administration and operation of the *Migration Act 1958*. Motion of the chair of the committee (Senator Crossin) to take note of report called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

Community Affairs References Committee—Reports—Forgotten Australians: A report on Australians who experienced institutional or out-of-home care as children—Protecting vulnerable children: A national challenge: Inquiry into Australians who experienced institutional or out-of-home care—Government responses. Motion of Senator Murray to take note of document called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

43 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. 49 of 2005-06—Performance audit—Job placement and matching services: Department of Employment and Workplace Relations. Motion of Senator Moore to take note of document called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

Auditor-General—Audit report no. 2 of 2006-07—Performance audit—Export certification: Australian Quarantine and Inspection Service. Motion of Senator McEwen to take note of document called on. Debate adjourned till the next day of sitting, Senator McEwen in continuation.

Auditor-General—Report for 2005-06. Motion to take note of document moved by Senator McEwen. Debate adjourned till the next day of sitting, Senator McEwen in continuation.

Auditor-General—Audit report no. 3 of 2006-07—Performance audit—Management of Army minor capital equipment procurement projects: Department of Defence; Defence Materiel Organisation. Motion of Senator Bishop to take note of document called on. On the motion of Senator McEwen debate was adjourned till the next day of sitting.

Auditor-General—Audit report no. 4 of 2006-07—Performance audit—Tax agent and business portals: Australian Taxation Office. Motion to take note of document moved by Senator McEwen. Debate adjourned till the next day of sitting, Senator McEwen in continuation.

44 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 6.51 pm till Monday, 9 October 2006 at 12.30 pm.

45 ATTENDANCE

Present, all senators except Senators Bartlett, Bishop, Ian Campbell*, Johnston*, Sherry* and Vanstone* (* on leave).

HARRY EVANS
Clerk of the Senate