

2004-06

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 111

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**1 MEETING OF SENATE**

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

**2 GOVERNMENT DOCUMENTS**

The following government documents were tabled:

- Aboriginals Benefit Account—Report for 2005-06.
- Attorney-General's Department—Report for 2005-06.
- Australian Communications and Media Authority—Report for 2005-06.
- Australian Competition and Consumer Commission—Report for 2005-06, incorporating the report of the Australian Energy Regulator (AER).
- Australian National Maritime Museum—Report for 2005-06.
- Australian Statistics Advisory Council—Report for 2005-06.
- Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2005-06.
- Department of Transport and Regional Services—Report for 2005-06.
- Department of Veterans' Affairs—Data-matching program—Report on progress 2005-06.
- Director of Public Prosecutions—Report for 2005-06.
- Export Finance and Insurance Corporation (EFIC)—Report for 2005-06.
- Film Australia Limited—Report for 2005-06.
- Great Barrier Reef Marine Park Authority—Report for 2005-06.
- Human Rights and Equal Opportunity Commission—Report—No. 36—Breach of Ms CD's human rights at the Curtin Immigration Processing and Reception Centre.
- Industrial Relations Court of Australia—Report for 2005-06 [Final report].
- Inspector-General of Intelligence and Security—Report for 2005-06.
- National Offshore Petroleum Safety Authority and National Offshore Petroleum Safety Authority Board—Reports for 2005-06.
- National Water Commission—Report for 2005-06.
- Repatriation Medical Authority—Report for 2005-06.
- Treaty—*Multilateral*—Text, together with national interest analysis and annexures—Amendments, done at St Kitts and Nevis in the Caribbean on 20 June 2006, to the Schedule to the International Convention for the Regulation of Whaling, done at Washington on 2 December 1946.

**3 CONSIDERATION OF LEGISLATION**

The Minister for Justice and Customs (Senator Ellison), pursuant to notice, moved government business notice of motion no. 1—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

- Long Service Leave (Commonwealth Employees) Amendment Bill 2006
- Parliamentary Superannuation Amendment Bill 2006.

Debate ensued.

Question put and passed.

#### 4 PRIVACY LEGISLATION AMENDMENT (EMERGENCIES AND DISASTERS) 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.

Question put and passed.

Bill read a second time.

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

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*In the committee*

Bill taken as a whole by leave.

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*Explanatory memorandum:* The Minister for Justice and Customs (Senator Ellison) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

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On the motion of Senator Ellison the following amendment was debated and agreed to:

Schedule 1, item 1, page 4 (line 10), after “that”, insert “directly”.

Senator Bartlett moved the following amendments together by leave:

Schedule 1, item 1, page 4 (line 13 and 14), omit “Without limiting subsection (1), any of the following is a *permitted purpose* in relation to an emergency or disaster:”, substitute “A *permitted purpose* in relation to an emergency or disaster is limited to the following:”.

Schedule 1, item 1, page 4 (line 24 and 25), omit paragraph 80H(2)(c).

Debate ensued.

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

On the motion of Senator Ellison the following amendment was debated and agreed to:

Schedule 1, item 1, page 6 (lines 15 to 22), omit section 80N, substitute:

**80N When declarations cease to have effect**

An emergency declaration ceases to have effect at the earliest of:

- (a) if a time at which the declaration will cease to have effect is specified in the declaration—at that time; or
- (b) the time at which the declaration is revoked; or
- (c) the end of 12 months starting when the declaration is made.

Senator Bartlett moved the following amendments together by leave:

Schedule 1, item 1, page 6 (lines 2 to 5), omit subsection 80L(1), substitute:

- (1) An emergency declaration must:
  - (a) specify a cessation time; and
  - (b) be in writing and be signed by:
    - (i) if the Prime Minister makes the declaration—the Prime Minister; or
    - (ii) if the Minister makes the declaration—the Minister.

Schedule 1, item 1, page 6 (lines 15 to 22) omit section 80N, substitute:

**80N When declarations cease to have effect**

An emergency declaration ceases to have effect at the earlier of:

- (a) the time of the cessation specified under paragraph 80L(1)(a); or
- (b) the time at which the declaration is revoked; or
- (c) the end of one month commencing when the declaration is made.

Debate ensued.

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

Senator Bartlett moved the following amendments together by leave:

Schedule 1, item 1, page 6 (line 11), omit “not”.

Schedule 1, item 1, page 6 (after line 22), after section 80N, insert:

**80NA Extension of declaration**

Any declaration made under section 80J or 80K may be extended to a specified cessation time.

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

Senator Bartlett moved the following amendments together by leave:

Schedule 1, item 1, page 7 (line 28), at the end of subsection 80P(1), add:

- ; and (f) in the case of disclosure by one entity to another for the purpose of managing the emergency or disaster—the recipient is in a position to act on the information to manage the emergency or disaster.

Schedule 1, item 1, page 8 (after line 17), after paragraph 80P(7)(c), insert:

- (ca) sections 19 and 19A of the *Census and Statistics Act 1905*;

Schedule 1, item 1, page 9 (lines 8 and 9), omit “or a National Privacy Principle”.

Schedule 1, item 1, page 9 (line 16), omit paragraph 80Q(2)(g).

Debate ensued.

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

Senator Bartlett moved the following amendments together by leave:

Schedule 1, item 1, page 8 (lines 32 and 33), omit paragraph 80Q(1)(b), substitute:

- (b) the first person subsequently:
  - (i) uses the information for purposes unrelated to the emergency declared under section 80J or 80K; or
  - (ii) discloses the personal information; and

Schedule 1, item 1, page 9 (after line 23), after section 80Q, insert:

**80QA Destruction of information**

Information obtained in response to an emergency declaration under section 80J or 80K must be destroyed within one month after the declaration ceases to have effect, unless the person to whom the information relates consents to its retention.

Debate ensued.

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

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

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

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*At 2 pm—*

**5 QUESTIONS**

Questions without notice were answered.

**6 QUESTION TIME—RULES FOR QUESTIONS—UNPARLIAMENTARY LANGUAGE—STATEMENT BY PRESIDENT**

The President made a statement relating to the rules for questions and a matter raised by Senator Troeth during question time on 12 October 2006, and rules relating to unparliamentary language.

**7 IMMIGRATION—ANSWERS TO QUESTIONS**

Senator Hurley moved—That the Senate take note of the answers given by the Minister for Immigration and Multicultural Affairs (Senator Vanstone) to questions without notice asked by Opposition senators today relating to immigration.

Debate ensued.

Question put and passed.

**8 LAW AND JUSTICE—AUSTRALIAN FEDERAL POLICE—ANSWERS TO QUESTIONS**

Senator Ludwig moved—That the Senate take note of the answers given by the Minister for Justice and Customs (Senator Ellison) to questions without notice asked by Senators Ludwig and George Campbell today relating to the Australian Federal Police.

Question put and passed.

**9 IMMIGRATION—ANSWERS TO QUESTIONS**

Senator Bartlett moved—That the Senate take note of the answers given by the Minister for Immigration and Multicultural Affairs (Senator Vanstone) to questions without notice asked by Opposition senators today relating to immigration.

Question put and passed.

**10 PETITION**

The following petition, lodged with the Clerk by Senator McGauran, was received:

From 15 petitioners, requesting that the Senate take action to restrict children's exposure to Internet pornography.

**11 NOTICES**

Senator Mason: To move on the next day of sitting—That the Joint Standing Committee on Treaties be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate. (*general business notice of motion no. 594*)

The Chair of the Foreign Affairs, Defence and Trade Committee (Senator Johnston): To move on the next day of sitting—That the Foreign Affairs, Defence and Trade Committee be authorised to hold a public meeting during the sitting of the Senate on Monday, 6 November 2006, to take evidence for the committee's inquiry into the provisions of the Australian Participants in British Nuclear Tests (Treatment) Bill 2006 and a related bill. (*general business notice of motion no. 595*)

The Chair of the Environment, Communications, Information Technology and the Arts Committee (Senator Eggleston): To move on the next day of sitting—That the Environment, Communications, Information Technology and the Arts Committee be authorised to hold a public meeting during the sitting of the Senate on Monday, 6 November 2006, to take evidence for the committee's inquiry into the provisions of the Environment and Heritage Legislation Amendment Bill (No. 1) 2006. (*general business notice of motion no. 596*)

The Chair of the Environment, Communications, Information Technology and the Arts Committee (Senator Eggleston): To move on the next day of sitting—That the time for the presentation of reports of the Environment, Communications, Information Technology and the Arts Committee be extended as follows:

- (a) provisions of the Environment and Heritage Legislation Amendment Bill (No. 1) 2006—to 23 November 2006;
- (b) Australia's national parks—to 28 February 2007; and
- (c) Australia's Indigenous visual arts and craft sector—to 22 March 2007. (*general business notice of motion no. 597*)

Senator Ludwig: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to provide for victims of crime to be heard as part of criminal proceedings, and for related purposes. **Crimes Amendment (Victim Impact Statements) Bill 2006**. (*general business notice of motion no. 598*)

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

- (a) notes that on 18 November and 19 November 2006, the Treasurer (Mr Costello) will host a meeting of the Group of Twenty (G-20) Finance Ministers and Central Bank Governors in Melbourne; and
- (b) calls on the Treasurer to ensure that the G-20 meeting prioritises discussion on ending global poverty and achieving the Millennium Development Goals. (*general business notice of motion no. 599*)

Senators Ian Macdonald and Ferguson: To move on the next day of sitting—That the Senate—

- (a) commends the people of Hungary as they mark the 50th anniversary of the 1956 Hungarian Revolution, which set the stage for the ultimate collapse of communism in 1989 throughout Central and Eastern Europe, including Hungary, and 2 years later in the Soviet Union itself;
- (b) expresses condolences to the people of Hungary for those who lost their lives fighting for the cause of Hungarian freedom and independence in 1956, as well as for those individuals executed by the Soviet and Hungarian communist authorities in the 5 years following the revolution, including Prime Minister Imre Nagy;
- (c) welcomes the changes that have taken place in Hungary since 1989, believing that Hungary's integration into the North Atlantic Treaty Organisation and the European Union, together with similar developments in neighbouring countries, will ensure peace, stability and understanding among the great peoples of the Carpathian Basin;

- (d) reaffirms the friendship and cooperative relations between the governments of Hungary and Australia and between the Hungarian and Australian people; and
- (e) recognises the contribution of the people of Hungarian origin to this nation. (*general business notice of motion no. 600*)

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

- (a) notes:
  - (i) the recent study by Johns Hopkins University that estimates more than 650 000 Iraqis have died since the invasion of Iraq in March 2003, as a result of the conflict, and that more than a third of the deaths are attributed to the actions of Coalition forces, and
  - (ii) that more than 3 000 Coalition troops have died since the invasion; and
- (b) calls on the Government to immediately withdraw Australian troops from Iraq. (*general business notice of motion no. 601*)

Senator Nettle: To move on the next day of sitting—That there be laid on the table by the Minister representing the Attorney-General, no later than 11 am on 19 October 2006, the three lists held by the Australian Federal Police which detail passengers purported to have boarded the vessel known as SIEV X, those that disembarked the vessel shortly after it commenced its journey and those that survived the tragedy. (*general business notice of motion no. 602*)

## 12 POSTPONEMENT

The following item of business was postponed:

General business notice of motion no. 589 standing in the names of Senators Murray and Heffernan for today, relating to child protection, postponed till 18 October 2006.

## 13 ECONOMICS—STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Ferris, at the request of the Chair of the Economics Committee (Senator Brandis) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 588—That the Economics Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 19 October 2006, from 3.30 pm, to take evidence for the committee's inquiry into petrol pricing in Australia.

Question put and passed.

## 14 FOREIGN AFFAIRS—HIMALAYAS

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. 585—That the Senate—

- (a) notes reports that Chinese guards shot a 17-year-old Buddhist nun Kelsong Namlsa and a 13-year-old boy in the Himalayas on 30 September 2006, and that up to 30 Tibetan children, aged between 6 and 10 years were marched away by Red Army guards through the international climbers' camp at Chu Oyu at Mt Everest;
- (b) expresses deep concern if the reports are confirmed about these events and the well-being of the children and families of the children involved; and
- (c) calls on the Minister for Foreign Affairs (Mr Downer) to investigate the reports and inform the Senate of his findings and any consequent action.



Question put.

The Senate divided—

AYES, 31

Senators—

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

NOES, 33

Senators—

Abetz	Coonan	Kemp	Payne
Adams	Eggleston	Lightfoot	Ronaldson
Barnett	Ellison	Macdonald, Ian	Santoro
Bernardi	Ferguson	Macdonald, Sandy	Scullion
Boswell	Ferris (Teller)	Mason	Troeth
Brandis	Fifield	McGauran	Watson
Calvert	Heffernan	Nash	
Chapman	Johnston	Parry	
Colbeck	Joyce	Patterson	

Question negatived.

#### 15 SOCIAL ISSUES—ANTI-POVERTY WEEK

Senator Siewert, also on behalf of Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 590—That the Senate—

- (a) notes that 15 October to 21 October 2006 is Anti-Poverty Week;
- (b) acknowledges that the main aims of Anti-Poverty Week are to:
  - (i) strengthen public understanding of the causes and consequences of poverty and hardship around the world and in Australia, and
  - (ii) encourage research, discussion and action to address these problems, including action by individuals, communities, organisations and governments;
- (c) expresses concern about the unacceptably high levels of poverty in Australia and the growing gap between rich and poor;
- (d) recognises that children growing up in poverty face poorer health, education, employment and life outcomes (the National Centre for Social and Economic Modelling suggests that more than 10 per cent of Australian children can be said to be growing up in poverty);
- (e) acknowledges that a disproportionate percentage of Indigenous Australians live in poverty and that studies show that nearly half of all Indigenous children live in families where incomes are below the Henderson poverty line;
- (f) supports using Australia's strong economy to improve the living standards and life chances of all Australians; and
- (g) urges the use of poverty impact statements in government reporting and decision-making.

Question put and negatived.

**16 FOREIGN AFFAIRS—ARAB-ISRAELI CONFLICT**

The Leader of the Australian Democrats (Senator Allison) amended general business notice of motion no. 580 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes:

- (i) the call last week by 135 respected global leaders, including former presidents, prime ministers, foreign and defence ministers, congressional leaders and heads of international organisations including Boutros Boutros-Ghali, Jimmy Carter, Mikhail Gorbachev, Bill Hayden, John Major and Mary Robinson, for a comprehensive settlement of the Arab-Israeli conflict,
- (ii) that everyone has lost in this conflict except the extremists throughout the world who prosper on the rage that it continues to provoke,
- (iii) that every passing day undermines prospects for a peaceful, enduring solution and that, as long as the conflict lasts, it will generate instability and violence in the region and beyond,
- (iv) the need for United Nations (UN) Security Council resolutions 242 of 1967 and 338 of 1973, the Camp David peace accords of 1978, the Clinton Parameters of 2000, the Arab League Initiative of 2002, and the Roadmap proposed in 2003 by the Quartet (UN, United States of America, European Union and Russia) to be implemented in resolving the conflict, and
- (v) that the goal must be security and full recognition of the state of Israel within internationally-recognised borders, an end to the occupation for the Palestinian people in a viable independent, sovereign state and the negotiated return of lost land to Syria; and

(b) calls on the Government to join these world leaders in pressing for a new international conference, held as soon as possible and attended by all relevant players, at which all the elements of a comprehensive peace agreement would be mapped, momentum generated for detailed negotiations and steps taken by the key players, including:

- (i) support for a Palestinian national unity government, in the hope that the platform of such a government would reflect Quartet principles – recognition of the state of Israel, renunciation of violence and adoption of prior agreements – and allow for early engagement,
  - (ii) talks between Israel and the Palestinian leadership mediated by the Quartet and reinforced by the participation of the Arab League and key regional countries, on rapidly enhancing mutual security and allowing revival of the Palestinian economy,
  - (iii) talks between the Palestinian leadership and the Israeli Government, sponsored by a reinforced Quartet, on the core political issues that stand in the way of achieving a final status agreement, and
  - (iv) parallel talks of the reinforced Quartet with Israel, Syria and Lebanon, to discuss the foundations on which Israeli-Syrian and Israeli-Lebanese agreements can be reached.
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*Document:* Senator Allison, by leave, tabled the following document:

Foreign affairs—Arab-Israeli conflict—List of 135 global leaders calling for a comprehensive settlement of the Arab-Israeli conflict.

Question put.

The Senate divided—

AYES, 31

Senators—

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

NOES, 34

Senators—

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

Question negatived.

#### 17 ENVIRONMENT—AUSTRALIA'S WATER CRISIS

Senator Siewert, also on behalf of Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 591—That the Senate—

- (a) recognises the devastating impact of the continuing drought on Australian communities;
- (b) acknowledges the scientific consensus that climate change is impacting on Australia's water resources; and
- (c) calls for a national water summit to address Australia's water crisis.

Question put.

The Senate divided—

AYES, 7

Senators—

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

## NOES, 46

## Senators—

Adams	Faulkner	Lundy	Polley
Bernardi	Ferguson	Macdonald, Ian	Ray
Brown, Carol	Ferris (Teller)	McEwen	Ronaldson
Calvert	Fifield	McGauran	Scullion
Campbell, George	Forshaw	Mason	Stephens
Carr	Heffernan	McLucas	Sterle
Colbeck	Hogg	Moore	Troeth
Conroy	Hurley	Nash	Watson
Crossin	Johnston	O'Brien	Webber
Eggleston	Kirk	Parry	Wortley
Ellison	Lightfoot	Patterson	
Evans	Ludwig	Payne	

Question negated.

**18 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—SOCIAL ISSUES—POVERTY IN AUSTRALIA**

The Deputy President (Senator Hogg) informed the Senate that the Leader of the Opposition in the Senate (Senator Evans) and Senators Bartlett and Siewert had proposed that the following matter of public importance be submitted to the Senate for discussion:

On International Day for the Eradication of Poverty, the urgent need for action to address the plight facing the hundreds of thousands of Australians still living in poverty.

The proposal was supported by four senators and the matter was discussed.

**19 AUDITOR-GENERAL—AUDIT REPORT NO. 7 OF 2006-07—DOCUMENT**

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

Auditor-General—Audit report no. 7 of 2006-07—Performance audit—Visa management—Working holiday makers: Department of Immigration and Multicultural Affairs.

**20 ECONOMICS LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2004-05**

Senator Scullion, at the request of the Chair of the Economics Committee (Senator Brandis), tabled additional information received by the committee (Budget estimates 2004-05—Industry, Tourism and Resources portfolio—vol. 5).

**21 DOCUMENTS**

The following documents were tabled by the Clerk:

Census and Statistics Act—Statement No. 2 of 2006—List of Businesses for the Department of Education, Science and Training.

Sydney Airport Curfew Act—Dispensation Report 07/06 [2 dispensations].

**22 FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—CHANGE IN MEMBERSHIP**

The Acting Deputy President (Senator Chapman) informed the Senate that the President had received a letter requesting a change in the membership of a committee.

The Parliamentary Secretary to the Minister for Defence (Senator Sandy Macdonald), by leave, moved—That Senator Bernardi replace Senator Mason on the Finance and Public Administration Committee from 23 October to 22 December 2006.

Question put and passed.

**23 LONG SERVICE LEAVE (COMMONWEALTH EMPLOYEES) AMENDMENT BILL 2006**

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

Message no. 415, dated 17 October 2006—A Bill for an Act to amend the law relating to long service leave, and for related purposes.

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

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

**24 PARLIAMENTARY SUPERANNUATION AMENDMENT BILL 2006**

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

Message no. 414, dated 16 October 2006—A Bill for an Act to amend the *Parliamentary Superannuation Act 2004*, and for related purposes.

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

Debate ensued.

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 Finance and Administration (Senator Minchin) the bill was read a third time.

**25 HIGHER EDUCATION LEGISLATION AMENDMENT (2006 BUDGET AND OTHER MEASURES) 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—*and on the amendment moved by Senator Wong*:

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

- (a) jeopardising Australia’s future prosperity by reducing public investment in tertiary education, as the rest of the world increases its investment;
- (b) failing to invest in education, training, distribution and retention measures to ensure that all of Australia has enough doctors, nurses and other health care professionals to meet current and future health care needs;

- (c) massively increasing the cost of the higher education contribution scheme, forcing students to pay up to \$30 000 more for their degree;
- (d) creating an American style higher education system, where students pay more and more, with some full fee degrees costing more than \$200 000, and nearly 100 full fee degrees costing more than \$100 000;
- (e) massively increasing the debt burden on students with total higher education loan program debt now over \$13 billion and projected to rise to \$18.8 billion in 2009;
- (f) failing to address serious concerns about standards and quality in the higher education system, putting at risk Australia's high educational reputation and fourth largest export industry; and
- (g) an inadequate and incoherent policy response to the needs of the university system to diversify, innovate and meet Australia's higher education needs".

Debate resumed.

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.

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*In the committee*

Bill, taken as a whole by leave, debated.

Question—That the bill be agreed to—divided in respect of Schedule 2.

Schedule 2 debated and agreed to.

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of the Minister for Immigration and Multicultural Affairs (Senator Vanstone) the report from the committee was adopted and the bill read a third time.

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*At 6.50 pm—*

## 26 GOVERNMENT DOCUMENTS—CONSIDERATION

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

Human Rights and Equal Opportunity Commission—Report—No. 36—Breach of Ms CD's human rights at the Curtin Immigration Processing and Reception Centre. Motion to take note of document moved by Senator Ludwig. On the motion of Senator Bartlett debate was adjourned till Thursday at general business.

Aboriginals Benefit Account—Report for 2005-06. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Australian Competition and Consumer Commission—Report for 2005-06, incorporating the report of the Australian Energy Regulator (AER). Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Film Australia Limited—Report for 2005-06. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Great Barrier Reef Marine Park Authority—Report for 2005-06. Motion to take note of document moved by Senator George Campbell and debated. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Inspector-General of Intelligence and Security—Report for 2005-06. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

National Water Commission—Report for 2005-06. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Treaty—*Multilateral*—Text, together with national interest analysis and annexures—Amendments, done at St Kitts and Nevis in the Caribbean on 20 June 2006, to the Schedule to the International Convention for the Regulation of Whaling, done at Washington on 2 December 1946. Motion to take note of document moved by Senator Bartlett and agreed to.

**27 ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 8.30 pm till Wednesday, 18 October 2006 at 9.30 am.

**28 ATTENDANCE**

Present, all senators except Senators Ian Campbell\*, Marshall\* and Stott Despoja\* (\* on leave).

**HARRY EVANS**  
Clerk of the Senate