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Contents

1	Meeting of Senate	3397
2	Temporary Chair of Committees	3397
3	Petitions	3397
4	Notices	3397
5	Selection of Bills—Standing Committee—Report No. 1 of 2007	3399
6	Order of Business—Rearrangement	3402
7	Postponements	3403
8	Australian Territories Rights of the Terminally Ill Bill 2007	3403
9	Administration—Government Operations—Accountability	3404
10	Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—Appointment	3405
11	Committees—Estimates Hearings	3406
12	Environment—Macquarie Marshes	3407
13	Law and Justice—Australian Capital Territory—Same-sex Relationships	3408
14	Health—Mobile Phone Usage	3409
15	Foreign Affairs—Mr David Hicks	3410
16	Environment—Coal Exports	3410
17	Environment—Oil Depletion Protocol	3411
18	Employment, Workplace Relations and Education—Standing Committee— Leave to Meet During Sitting	3411
19	Environment, Communications, Information Technology and the Arts— Standing Committee—Leave to Meet During Sitting	3412
20	Regulations and Ordinances—Standing Committee—Document	3412
21	Committees—Additional Information—Budget Estimates 2006-07	3412
22	Foreign Affairs, Defence and Trade—Standing Committee—Report— Non-Proliferation Legislation Amendment Bill 2006	3413
23	Legal and Constitutional Affairs—Standing Committee—Report— Bankruptcy Legislation Amendment (Superannuation Contributions) Bill 2006	3413

24	Legal and Constitutional Affairs—Standing Committee—Report—Customs Legislation Amendment (Augmenting Offshore Powers and Other Measures) Bill 2006	3413
25	Community Affairs—Standing Committee—Report—Funding and Operation of the Commonwealth State/Territory Disability Agreement.....	3413
26	Particulars of Proposed Additional Expenditure 2006-07—Documents.....	3414
27	Estimates of Proposed Additional Expenditure for 2006-07—Portfolio Additional Estimates Statements—Portfolios and Executive Departments—Documents.....	3414
28	Classification (Publications, Films and Computer Games) Amendment Bill 2006 Veterans' Affairs Legislation Amendment (Statements of Principles and Other Measures) Bill 2006	3415
29	Rural and Regional Affairs and Transport—Standing Committee—Proposed Reference.....	3415
30	Southern Bluefin Tuna—Australian National Catch Allocation Determination—Proposed Disallowance	3416
31	Tax Laws Amendment (2006 Measures No. 6) Bill 2006.....	3416
32	Law and Justice Legislation Amendment (Marking of Plastic Explosives) Bill 2006	3416
33	Customs Tariff Amendment (Incorporation of Proposals) Bill 2006.....	3417
34	Australian Securities and Investments Commission Amendment (Audit Inspection) Bill 2006.....	3417
35	Statute Law Revision Bill (No. 2) 2006 [2007]	3417
36	Questions	3417
37	Answers to Questions.....	3418
38	Auditor-General—Audit Report No. 25 of 2006-07—Document.....	3418
39	Selection of Bills—Standing Committee—Report No. 2 of 2007	3418
40	Native Title and the Aboriginal and Torres Strait Islander Land Fund—Joint Statutory Committee—Additional Information	3418
41	Administration of Indigenous Affairs—Select Committee—Documents.....	3418
42	Documents.....	3419
43	Environment—Human Activity and Climate Change	3420
44	Government Documents—Orders of the Day—Consideration	3420
45	Committees—Changes in Membership.....	3424
46	Estimates of Proposed Additional Expenditure for 2006-07—Portfolio Additional Estimates Statements—Portfolio and Executive Departments—Document	3425
47	Employment, Workplace Relations and Education—Standing Committee—Reference.....	3425
48	Committee Reports and Government Responses—Orders of the Day—Consideration.....	3426
49	Auditor-General's Reports—Orders of the Day—Consideration	3427
50	Adjournment	3428
51	Attendance.....	3428

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 TEMPORARY CHAIR OF COMMITTEES

The President tabled a warrant, dated 8 February 2007, nominating Senator Sandy Macdonald as an additional temporary chair of committees.

3 PETITIONS

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

Senator Crossin, 2 petitions similar in wording, from 1 454 and 898 petitioners, requesting that the Senate to take action to encourage the recruitment of general practitioners to the city of Palmerston, Northern Territory and address the decline in bulk billing rates.

Senator McEwen, from 75 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.

4 NOTICES

Notices of motion:

Senator Siewert: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for the Environment and Water Resources, any briefing packages produced by the former Department of the Environment and Heritage for the Minister's consideration of the Hope Downs Iron Ore Project proposed by Hope Downs Management Services Pty Ltd. (*general business notice of motion no. 703*)

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

- (a) notes the growing international concern regarding nuclear weapons proliferation, as shown by the:
 - (i) decision by the advisory board of the *Bulletin of the Atomic Scientists*, on 17 January 2007, to move the hands of the 'Doomsday Clock' from 7 minutes to midnight to 5 minutes to midnight,
 - (ii) statement by the Director General of the International Atomic Energy Agency and Nobel Peace prize winner Mohammed El Baradei, on 9 January 2007, stressing that 'In addition to non-proliferation, it is also important to make progress on the second leg of the NPT – namely, the commitment by the nuclear weapon States to proceed in good faith towards complete nuclear disarmament',
 - (iii) statements published in the *Wall Street Journal* of 4 January 2007, by Henry A Kissinger, George P Schultz, William J Perry and Senator Sam Nunn, emphasising the urgency of agreed practical steps to achieve a world free of nuclear weapons, and
 - (iv) statements by Kofi Annan, on 28 November 2006, and the Rome Summit of Peace Nobels, on 19 November 2006, emphasising the urgency of eliminating nuclear weapons; and

- (b) calls on the Government to:
- (i) review all existing uranium contracts with a view to ensuring that atoms of Australian uranium will never facilitate, in any way, nuclear weapons in any country,
 - (ii) give an assurance that uranium will never be exported to any state that is not an Nuclear Non-Proliferation Treaty (NPT) signatory, or that has an extensive nuclear weapons program in which civil and military uranium are enriched or otherwise processed in the same facilities,
 - (iii) make representations to the United States of America (US), urging it to place greater importance not only on non-proliferation and counter-proliferation efforts, but also on its Article VI NPT obligation to achieve the total elimination of its nuclear arsenal,
 - (iv) press the US and China, in particular, to ratify the Comprehensive Nuclear-Test-Ban Treaty, and
 - (v) continue its co-sponsorship of the resolution ‘Renewed determination towards the total elimination of nuclear weapons’, and support all other nuclear disarmament initiatives on the floor of the First Committee and General Assembly including the New Agenda resolution ‘Reducing Nuclear Danger’ and the annual Non-Aligned Movement resolution. (*general business notice of motion no. 704*)

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

- (a) notes the failure of the Government to ensure that Mr David Hicks will receive a fair trial after he has been held in detention for 1 908 days; and
- (b) calls on the Government to ensure Mr Hicks receives a fair trial. (*general business notice of motion no. 705*)

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

- (a) notes:
 - (i) that Australia’s coal exports will cause as much greenhouse gas emissions as are produced in Australia each year, and
 - (ii) that coal from the proposed Anvil Hill coal mine in New South Wales will cause more greenhouse gas emissions than the 4 million vehicles on New South Wales roads; and
- (b) calls on the Government not to approve the development of the Anvil Hill coal mine. (*general business notice of motion no. 706*)

Senator Stott Despoja: To move on the next day of sitting—That the Senate calls on the Government to release publicly the full KPMG report and privacy impact assessment into the Government’s proposed access card. (*general business notice of motion no. 707*)

Notices of motion withdrawn: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Watson), pursuant to notice of intention given on 7 February 2007, withdrew business of the Senate notices of motion nos 1 and 8 standing in his name for 7 sitting days after today for the disallowance of the following instruments:

A New Tax System (Commonwealth-State Financial Arrangements) Amendment Regulations 2006 (No. 1), as contained in Select Legislative Instrument 2006 No. 258 and made under the *A New Tax System (Commonwealth-State Financial Arrangements) Act 1999*.

Social Security (Public Interest Certificate Guidelines) (DEWR) Determination 2006, made under subparagraph 209(1)(a)(i) and paragraph 209(1)(b) of the *Social Security (Administration) Act 1999*.

5 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 1 OF 2007

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

SELECTION OF BILLS COMMITTEE

REPORT NO. 1 OF 2007

1. The committee met in private session on Wednesday, 7 February 2007 at 4.18 pm.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the AusCheck Bill 2006 be *referred immediately* to the Legal and Constitutional Affairs Committee for inquiry and report by 14 March 2007; and
 - (b) the *provisions* of the Human Services (Enhanced Service Delivery) Bill 2007 be *referred immediately* to the Finance and Public Administration Committee for inquiry, but was unable to reach agreement on a reporting date.
3. The committee resolved to recommend—That the following bills not be referred to committees:
 - ACIS Administration Amendment (Unearned Credit Liability) Bill 2007
 - Australian Energy Market Amendment (Gas Legislation) Bill 2006
 - Classification (Publications, Films and Computer Games) Amendment Bill 2006
 - Pregnancy Counselling (Truth in Advertising) Bill 2006
 - Veterans' Affairs Legislation Amendment (Statements of Principles and Other Measures) Bill 2006.

The committee recommends accordingly.
4. The committee considered a proposal to refer the provisions of the following bills to the Economics Committee:
 - Income Tax Amendment Bill 2007
 - Income Tax (Former Complying Superannuation Funds) Amendment Bill 2007
 - Income Tax (Former Non-resident Superannuation Funds) Amendment Bill 2007
 - Income Tax Rates Amendment (Superannuation) Bill 2007
 - Superannuation Legislation Amendment (Simplification) Bill 2007.

The committee was unable to reach agreement on whether the bills should be referred.
5. The committee considered a proposal to refer the provisions of the Aged Care Amendment (Security and Protection) Bill 2007, upon its introduction in the House of Representatives, to the Community Affairs Committee. The committee was unable to reach agreement on the reference and deferred the matter to a subsequent meeting, to be held on 8 February 2007.

6. The committee considered a proposal to refer the provisions of the Tax Laws Amendment (2006 Measures No. 7) Bill 2006 to the Economics Committee. Again the committee was unable to reach agreement on the reference and deferred consideration to its next meeting.
7. The committee also deferred consideration of the following bill to its next meeting:
Family Law (Divorce Fees Validation) Bill 2007.

Jeannie Ferris
Chair
8 February 2007.

Senator Ferris moved—That the report be adopted.

Senator Ludwig moved the following amendment:

At the end of the motion, add “and, in respect of the Income Tax Amendment Bill 2007, the Income Tax (Former Complying Superannuation Funds) Amendment Bill 2007, the Income Tax (Former Non-resident Superannuation Funds) Amendment Bill 2007, the Income Tax Rates Amendment (Superannuation) Bill 2007 and the Superannuation Legislation Amendment (Simplification) Bill 2007, the provisions of the bills be referred to the Economics Committee for inquiry and report by 1 March 2007”.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 34

Senators—

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

NOES, 35

Senators—

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

Question negatived.

Senator Lundy moved the following amendment:

At the end of the motion, add “and, in respect of the Human Services (Enhanced Service Delivery) Bill 2007, the Finance and Public Administration Committee also inquire into the analysis of the viability of the registration process, in particular, whether there are adequate proof of identity checks”.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 34

Senators—

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

NOES, 36

Senators—

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

Question negatived.

Senator Ludwig moved the following amendment:

At the end of the motion, add “and, in respect of the Human Services (Enhanced Service Delivery) Bill 2007, the Finance and Public Administration Committee report by 12 June 2007”.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 34

Senators—

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

NOES, 36

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

Question negatived.

The Minister for Justice and Customs (Senator Ellison) moved the following amendment:

At the end of the motion, add “and, in respect of the Human Services (Enhanced Service Delivery) Bill 2007, the Finance and Public Administration Committee report by 15 March 2007”.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 44

Senators—			
Abetz	Chapman	Joyce	Nettle
Adams	Colbeck	Kemp	Parry
Allison	Eggleston	Lightfoot	Patterson
Barnett	Ellison	Macdonald, Ian	Payne
Bartlett	Ferguson	Macdonald, Sandy	Ronaldson
Bernardi	Ferris	Mason	Scullion
Boswell	Fielding	McGauran	Siewert
Brandis	Fierravanti-Wells	Milne	Stott Despoja
Brown, Bob	Fifield	Minchin	Troeth
Calvert	Humphries	Murray	Trood
Campbell, Ian	Johnston	Nash (Teller)	Watson

NOES, 24

Senators—			
Bishop	Forshaw	Marshall	Ray
Brown, Carol	Hurley	McEwen	Sherry
Campbell, G (Teller)	Hutchins	McLucas	Stephens
Carr	Kirk	Moore	Sterle
Crossin	Ludwig	O'Brien	Wong
Faulkner	Lundy	Polley	Wortley

Question agreed to.

Main question, as amended, put and passed.

6 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Justice and Customs (Senator Ellison) moved—That the following government business orders of the day be considered from 12.45 pm till not later than 2 pm today:

No. 4 Tax Laws Amendment (2006 Measures No. 6) Bill 2006.

No. 5 Law and Justice Legislation Amendment (Marking of Plastic Explosives) Bill 2006.

No. 6 Customs Tariff Amendment (Incorporation of Proposals) Bill 2006.

No. 7 Australian Securities and Investments Commission Amendment (Audit Inspection) Bill 2006.

No. 8 Statute Law Revision Bill (No. 2) 2006 [2007].

Question put and passed.

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

- (a) general business notice of motion no. 697 standing in the name of Senator Wong relating to human activity and climate change; and
- (b) orders of the day relating to government documents.

Question put and passed.

7 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the names of Senator Siewert and Milne for today, proposing the reference of matters to the Rural and Regional Affairs and Transport Committee, postponed till 27 February 2007.

Business of the Senate notice of motion no. 3 standing in the name of the Leader of the Australian Greens (Senator Bob Brown) for today, proposing the reference of a matter to the Community Affairs Committee, postponed till 26 February 2007.

8 AUSTRALIAN TERRITORIES RIGHTS OF THE TERMINALLY ILL BILL 2007

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. 692—That the following bill be introduced:

A Bill for an Act to confirm the right of a terminally ill person to request assistance from a medically qualified person to voluntarily terminate his or her life in a humane manner, to allow for such assistance to be given in certain circumstances without legal impediment to the person rendering the assistance, to provide procedural protection against the possibility of abuse of the rights recognised by this Act, and for related purposes.

Question put and passed.

Senator Bob Brown 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 Bob Brown moved—That this bill be now read a second time.

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

9 ADMINISTRATION—GOVERNMENT OPERATIONS—ACCOUNTABILITY

Senator Murray amended general business notice of motion no. 685 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes:

- (i) that the Canadian Government has delivered on its commitment to make government more accountable through the Federal Accountability Act, which received Royal Assent on 12 December 2006,
- (ii) that through this Act and the associated Action Plan, specific measures will be introduced to help strengthen accountability and increase transparency and oversight in government operations, and
- (iii) that the Canadian bill addresses issues, which include:
 - (A) transparency of donations,
 - (B) truth in budgeting,
 - (C) protection of whistleblowers,
 - (D) strengthening the role of the Auditor-General and the role of the Ethics Commissioner, and
 - (E) restrictions on ministers, ministerial staffers and senior public servants engaging in lobbying after leaving office; and

(b) calls on the Australian Government to consider whether the existing legislative framework in Australia adequately addresses these issues in the interest of Australian democracy.

Question put.

The Senate divided—

AYES, 31

Senators—

Allison	Forshaw	McLucas	Siewert
Bartlett	Hurley	Milne	Stephens
Brown, Bob	Hutchins	Moore	Sterle
Brown, Carol	Kirk	Murray	Stott Despoja
Campbell, G (Teller)	Ludwig	Nettle	Webber
Crossin	Lundy	Polley	Wong
Faulkner	Marshall	Ray	Wortley
Fielding	McEwen	Sherry	

NOES, 32

Senators—

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

Question negatived.

**10 AUSTRALIAN COMMISSION FOR LAW ENFORCEMENT INTEGRITY—JOINT
STATUTORY COMMITTEE—APPOINTMENT**

The Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck), at the request of the Minister for Justice and Customs (Senator Ellison) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—

- (1) That, in accordance with section 213 of the *Law Enforcement Integrity Commissioner Act 2006*, matters relating to the powers and proceedings of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity shall be as follows:
 - (a) That the committee consist of 10 members, 3 members of the House of Representatives to be nominated by the Government Whip or Whips, 2 members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any independent member, 2 senators to be nominated by the Leader of the Government in the Senate, 2 senators to be nominated by the Leader of the Opposition in the Senate and 1 senator to be nominated by any minority group or groups or independent senator or independent senators.
 - (b) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.
 - (c) That the committee elect a member nominated by the Government Whips or the Leader of the Government in the Senate as its chair.
 - (d) That the committee elect a deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.
 - (e) That, in the event of an equal vote on a question before the chair, the chair, or the deputy chair when acting as chair, have a casting vote.
 - (f) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
 - (g) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.
 - (h) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.
 - (i) That 2 members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall comprise 1 Government member of either House and 1 non-Government member of either House.

- (j) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.
 - (k) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.
 - (l) That the committee or any subcommittee may conduct proceedings in any place it sees fit.
 - (m) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.
 - (n) That the committee may report from time to time.
 - (o) That, in carrying out its duties, the committee or any subcommittee ensure that the operational methods and results of investigations of law enforcement agencies, as far as possible, be protected from disclosure where that would be against the public interest.
 - (p) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.
- (2) That a message be sent to the House of Representatives seeking its concurrence in this resolution.

Question put and passed.

11 COMMITTEES—ESTIMATES HEARINGS

The Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck), at the request of the Minister for Justice and Customs (Senator Ellison) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 2—That—

- (1) The committee groupings set out in the order of the Senate of 7 December 2006 relating to estimates hearings be modified as follows:

Group A

Community Affairs
 Environment, Communications, Information Technology and the Arts
 Finance and Public Administration
 Legal and Constitutional Affairs

Group B

Economics
 Employment, Workplace Relations and Education
 Foreign Affairs, Defence and Trade
 Rural and Regional Affairs and Transport.

- (2) The continuing order relating to the allocation of departments and agencies to standing committees be amended to read as follows:

Departments and agencies are allocated to the legislative and general purpose standing committees as follows:

Community Affairs

Families, Community Services and Indigenous Affairs
 Health and Ageing

Economics

Treasury

Industry, Tourism and Resources

Employment, Workplace Relations and Education

Employment and Workplace Relations

Education, Science and Training

Environment, Communications, Information Technology and the Arts

Environment and Water Resources

Communications, Information Technology and the Arts

Finance and Public Administration

Parliament

Prime Minister and Cabinet

Finance and Administration

Human Services

Foreign Affairs, Defence and Trade

Foreign Affairs and Trade

Defence (including Veterans' Affairs)

Legal and Constitutional Affairs

Attorney-General

Immigration and Citizenship

Rural and Regional Affairs and Transport

Transport and Regional Services

Agriculture, Fisheries and Forestry.

Question put and passed.

12 ENVIRONMENT—MACQUARIE MARSHES

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 701—That the Senate—

(a) notes that:

- (i) the internationally significant Ramsar-listed wetlands, the Macquarie Marshes in New South Wales, are dying because of a lack of water,
- (ii) water for cotton irrigation upstream on the Macquarie River has been over-allocated and has starved the Macquarie Marshes of water, specifically the periodic flooding necessary for the marsh flora and fauna to survive, and
- (iii) if there is not a substantial flood in the Macquarie Marshes in the near future, a substantial area of the marsh will be permanently damaged; and

(b) calls on the Government to:

- (i) prioritise, for immediate buy-back, the over-allocation of water licences on the Macquarie River, and
- (ii) ensure that a substantial and immediate environmental flow to save the marshes is allocated as soon as the drought breaks and water is available.

Question put.

The Senate divided—

AYES, 30

Senators—

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

NOES, 33

Senators—

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

Question negatived.

13 LAW AND JUSTICE—AUSTRALIAN CAPITAL TERRITORY—SAME-SEX RELATIONSHIPS

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 698—That the Senate notes the right of the Australia Capital Territory Government to legislate for the legal recognition of same-sex relationships.

Question put.

The Senate divided—

AYES, 31

Senators—

Allison	Humphries	McLucas	Siewert
Bartlett	Hurley	Milne	Stephens
Brown, Bob	Hutchins	Moore	Sterle
Brown, Carol	Kirk	Murray	Stott Despoja
Campbell, G (Teller)	Ludwig	Nettle	Webber
Crossin	Lundy	Polley	Wong
Faulkner	Marshall	Ray	Wortley
Forshaw	McEwen	Sherry	

NOES, 33

Senators—

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

Question negatived.

14 HEALTH—MOBILE PHONE USAGE

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. 695—That the Senate—

- (a) notes with concern new research from Europe indicating that:
 - (i) the long-term use of mobile phones results in a 40 per cent likelihood of developing a type of nervous system tumour near the phone ear,
 - (ii) researchers found those who had used a handset for more than 10 years were 39 per cent more likely than others to develop a tumour,
 - (iii) the authors of the study believe that there is a need for further exploration of the effects of long-term mobile phone use, and
 - (iv) in the United Kingdom a new study has recently been ordered where more than 200 000 volunteers, including long-term mobile phone users, are to be monitored for at least 5 years to plot mobile phone use against any serious diseases they may develop, including cancer, Parkinson's disease and Alzheimer's disease; and
- (b) recommends that the Government implements a similar long-term study in Australia.

Question put.

The Senate divided—

AYES, 9

Senators—

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

NOES, 52

Senators—

Abetz	Faulkner	Ludwig	Polley
Adams	Ferguson	Lundy	Ray
Barnett	Ferris	Macdonald, Sandy	Ronaldson
Bernardi	Fierravanti-Wells	Marshall	Scullion
Brandis	Fifield	Mason	Sherry
Brown, Carol	Forshaw	McEwen	Stephens
Calvert	Humphries	McGauran	Sterle
Campbell, George	Hurley	McLucas	Troeth
Campbell, Ian	Hutchins	Moore	Trood
Chapman	Johnston	Nash (Teller)	Watson
Colbeck	Kemp	Parry	Webber
Crossin	Kirk	Patterson	Wong
Eggleston	Lightfoot	Payne	Wortley

Question negatived.

15 FOREIGN AFFAIRS—MR DAVID HICKS

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 699—That the Senate—

- (a) notes the rising tide of public protest in support of a fair go for Mr David Hicks who has been detained for 1 890 days; and
- (b) calls on the Government to return Mr Hicks to Australia to face justice.

Statement by leave: Senator Ludwig, by leave, made a statement relating to the motion.

Question put and negatived.

16 ENVIRONMENT—COAL EXPORTS

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 702—That the Senate—

- (a) notes the statements by Clean-Up Australia Day founder, Mr Ian Kiernan, regarding the ‘absolutely frightening’ contribution of Australia’s coal exports to greenhouse gas emissions and climate change; and
- (b) calls on the Government to work with state governments to reduce coal exports and provide a just transition for workers in the coal industry.

Question put.

The Senate divided—

AYES, 8

Senators—

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

NOES, 53

Senators—

Abetz	Ferguson	Lundy	Ronaldson
Adams	Ferris	Macdonald, Sandy	Scullion
Barnett	Fielding	Marshall	Sherry
Bernardi	Fierravanti-Wells	Mason	Stephens
Brandis	Fifield	McEwen	Sterle
Brown, Carol	Forshaw	McGauran	Troeth
Calvert	Humphries	McLucas	Trood
Campbell, George	Hurley	Moore	Watson
Campbell, Ian	Hutchins	Nash (Teller)	Webber
Chapman	Johnston	Parry	Wong
Colbeck	Kemp	Patterson	Wortley
Crossin	Kirk	Payne	
Eggleston	Lightfoot	Polley	
Faulkner	Ludwig	Ray	

Question negatived.

17 ENVIRONMENT—OIL DEPLETION PROTOCOL

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 700—That the Senate—

(a) notes:

- (i) that the Marrickville Council in Sydney has adopted the Oil Depletion Protocol which seeks to address the impact of peak oil by steadily reducing oil usage, and
- (ii) the council will reduce its oil usage by 3 per cent per year; and

(b) calls on the Government:

- (i) to adopt the Oil Depletion Protocol to reduce Australia's dependence on oil and ensure an orderly restructure of the economy and society for the post-oil era, and
- (ii) encourage state and local governments to adopt the protocol and reduce oil usage.

Question put and negatived.

18 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Nash, at the request of the Chair of the Employment, Workplace Relations and Education Committee (Senator Troeth) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 693—That the Employment, Workplace Relations and Education Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 8 February 2007, from 4.30 pm, to take evidence for the committee's inquiries into the provisions of the Safety, Rehabilitation and Compensation and Other Legislation Amendment Bill 2006 and the Employment and Workplace Relations Legislation Amendment (Welfare to Work and Vocational Rehabilitation Services) Bill 2006.

Question put and passed.

**19 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS—
STANDING COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Nash, at the request of the Chair of the Environment, Communications, Information Technology and the Arts Committee (Senator Eggleston) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 694—That the Environment, Communications, Information Technology and the Arts Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 8 February 2007, from 1 pm.

Question put and passed.

20 REGULATIONS AND ORDINANCES—STANDING COMMITTEE—DOCUMENT

The Chairman of the Standing Committee on Regulations and Ordinances (Senator Watson) tabled the following document:

Regulations and Ordinances—Standing Committee—Delegated legislation monitor—Disallowable legislative instruments tabled in the Senate in 2006, dated February 2007.

21 COMMITTEES—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2006-07

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

Budget estimates 2006-07—

Community Affairs—Standing Committee—Additional information received between—

8 December 2006 and 5 February 2007—Health and Ageing portfolio.

22 December 2006 and 7 February 2007—Families, Community Services and Indigenous Affairs portfolio.

Finance and Public Administration—Standing Committee—Additional information received between 7 December 2006 and 7 February 2007—Prime Minister and Cabinet portfolio.

Rural and Regional Affairs and Transport—Standing Committee—Additional information received between 28 November 2006 and 6 February 2007—Transport and Regional Services portfolio.

Budget estimates 2006-07 (Supplementary)—

Environment, Communications, Information Technology and the Arts—Standing Committee—Additional information received between 7 December 2006 and 7 February 2007—

Communications, Information Technology and the Arts portfolio.

Environment and Heritage portfolio.

Finance and Public Administration—Standing Committee—Additional information received between 7 December 2006 and 7 February 2007—

Finance and Administration portfolio.

Human Services portfolio.

Parliamentary departments.

Prime Minister and Cabinet portfolio.

Foreign Affairs, Defence and Trade—Standing Committee—Additional information received between 14 December 2006 and 8 February 2007—

Defence portfolio.

Foreign Affairs and Trade portfolio.

Rural and Regional Affairs and Transport—Standing Committee—Additional information received between 30 November 2006 and 6 February 2007—
Agriculture, Fisheries and Forestry portfolio.
Transport and Regional Services portfolio.

22 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—REPORT—NON-PROLIFERATION LEGISLATION AMENDMENT BILL 2006

Pursuant to order, Senator Parry, at the request of the Chair of the Foreign Affairs, Defence and Trade Committee (Senator Johnston), tabled the following report and documents:

Foreign Affairs, Defence and Trade—Standing Committee—Non-Proliferation Legislation Amendment Bill 2006—Report, dated February 2007 and submissions [3].

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

23 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—BANKRUPTCY LEGISLATION AMENDMENT (SUPERANNUATION CONTRIBUTIONS) BILL 2006

Pursuant to order, Senator Parry, at the request of the Chair of the Legal and Constitutional Affairs Committee (Senator Payne), tabled the following report and documents:

Legal and Constitutional Affairs—Standing Committee—Bankruptcy Legislation Amendment (Superannuation Contributions) Bill 2006—Report, dated February 2007, Hansard record of proceedings and submissions [15].

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

24 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—CUSTOMS LEGISLATION AMENDMENT (AUGMENTING OFFSHORE POWERS AND OTHER MEASURES) BILL 2006

Pursuant to order, Senator Parry, at the request of the Chair of the Legal and Constitutional Affairs Committee (Senator Payne), tabled the following report and documents:

Legal and Constitutional Affairs—Standing Committee—Customs Legislation Amendment (Augmenting Offshore Powers and Other Measures) Bill 2006 [Provisions]—Report, dated February 2007, Hansard record of proceedings and submissions [8].

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

25 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—FUNDING AND OPERATION OF THE COMMONWEALTH STATE/TERRITORY DISABILITY AGREEMENT

Pursuant to order, the Chair of the Community Affairs Committee (Senator Humphries) tabled the following report and documents:

Community Affairs—Standing Committee—Funding and operation of the Commonwealth State/Territory Disability Agreement—Report, dated February 2007, Hansard record of proceedings, additional information and submissions [119].

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

Senator Humphries moved—That the Senate take note of the report.

Debate adjourned, Senator Humphries in continuation. Leave was granted for Senator Humphries to continue his remarks at the commencement of the time for consideration of committee reports and government responses later today (*see entry no. 48*).

26 PARTICULARS OF PROPOSED ADDITIONAL EXPENDITURE 2006-07—DOCUMENTS

The Minister for Human Services (Senator Ian Campbell) tabled the following documents:

Particulars of proposed additional expenditure in respect of the year ending on 30 June 2007 [Appropriation Bill (No. 3) 2006-2007].

Particulars of certain proposed additional expenditure in respect of the year ending on 30 June 2007 [Appropriation Bill (No. 4) 2006-2007].

Statement of savings expected in annual appropriations made by Act No. 66 of 2006 (*Appropriation Act (No. 1) 2006-2007*) and Act No. 67 of 2006 (*Appropriation Act (No. 2) 2006-2007*).

Senator Ian Campbell, by leave, moved—That—

- (a) the documents, together with the final budget outcome 2005-06 (*see entry no. 2, 10 October 2006*) and the Issues from the Advance to the Finance Minister as a final charge for the year ended 30 June 2006 (*see entry no. 34, 30 November 2006*), be referred to committees for examination and report; and
- (b) consideration of the Issues from the Advance to the Finance Minister as a final charge for the year ended 30 June 2006 in committee of the whole be made an order of the day for the day on which committees report on their examination of the additional estimates.

Question put and passed.

27 ESTIMATES OF PROPOSED ADDITIONAL EXPENDITURE FOR 2006-07—PORTFOLIO ADDITIONAL ESTIMATES STATEMENTS—PORTFOLIOS AND EXECUTIVE DEPARTMENTS—DOCUMENTS

The Minister for Human Services (Senator Ian Campbell) tabled the following documents:

Estimates of proposed additional expenditure for 2006-07—Portfolio additional estimates statements—Portfolios and executive departments—

Agriculture, Fisheries and Forestry portfolio.

Attorney-General's portfolio.

Communications, Information Technology and the Arts portfolio.

Defence portfolio.

Education, Science and Training portfolio.

Employment and Workplace Relations portfolio.

Environment and Water Resources portfolio.

Families, Community Services and Indigenous Affairs portfolio.

Finance and Administration portfolio.

Foreign Affairs and Trade portfolio.

Health and Ageing portfolio.

Human Services portfolio.

Immigration and Citizenship portfolio.

Industry, Tourism and Resources portfolio.

Prime Minister and Cabinet portfolio.
Transport and Regional Services portfolio.
Treasury portfolio.
Veterans' Affairs.

**28 CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT
BILL 2006
VETERANS' AFFAIRS LEGISLATION AMENDMENT (STATEMENTS OF PRINCIPLES
AND OTHER MEASURES) BILL 2006**

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

Message no. 470, dated 7 February 2007—A Bill for an Act to amend the *Classification (Publications, Films and Computer Games) Act 1995*, and for related purposes.

Message no. 469, dated 7 February 2007—A Bill for an Act to amend the law relating to veterans' entitlements and military rehabilitation and compensation, and for other purposes.

The Minister for Human Services (Senator Ian Campbell) 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 Ian Campbell moved—That these bills be now read a second time.

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

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

Question put and passed.

**29 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—
PROPOSED REFERENCE**

Senator Siewert, pursuant to notice, moved business of the Senate notice of motion no. 2—That—

- (a) the Senate notes the likely impacts on agriculture, the community and the environment of the proposed dam on the Mary River at Traveston Crossing in Queensland; and
- (b) the following matters be referred to the Rural and Regional Affairs and Transport Committee for inquiry and report by 27 March 2007:
 - (i) the impact on the Mary River, its dependent species and environs of the proposed dam,
 - (ii) the implications for communities living along the Mary River of the proposed dam to their livelihood and lifestyle, and
 - (iii) the balance of other options available to meet the region's water resource needs.

Debate ensued.

Question put.

The Senate divided—

AYES, 9

Senators—

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

NOES, 47

Senators—

Abetz	Faulkner	Ludwig	Payne
Adams	Ferris	Lundy	Polley
Barnett	Fierravanti-Wells	Macdonald, Ian	Ronaldson
Bernardi	Fifield	Marshall	Scullion
Brandis	Forshaw	Mason	Stephens
Brown, Carol	Hogg	McEwen	Sterle
Calvert	Humphries	McGauran	Troeth
Carr	Hurley	Moore	Trood
Chapman	Hutchins	Nash	Watson
Colbeck	Joyce	O'Brien	Webber (Teller)
Crossin	Kemp	Parry	Wortley
Eggleston	Kirk	Patterson	

Question negatived.

30 SOUTHERN BLUEFIN TUNA—AUSTRALIAN NATIONAL CATCH ALLOCATION DETERMINATION—PROPOSED DISALLOWANCE

Order of the day read for the adjourned debate on the motion of Senator Siewert—That the 2006/07 SBT Australian National Catch Allocation Determination, made under subclause 17(2) of the Southern Bluefin Tuna Fishery Management Plan 1995, be disallowed.

Debate resumed.

Question put and negatived.

31 TAX LAWS AMENDMENT (2006 MEASURES NO. 6) BILL 2006

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

32 LAW AND JUSTICE LEGISLATION AMENDMENT (MARKING OF PLASTIC EXPLOSIVES) 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 Human Services (Senator Ian Campbell) the bill was read a third time.

33 CUSTOMS TARIFF AMENDMENT (INCORPORATION OF PROPOSALS) BILL 2006

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

34 AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION AMENDMENT (AUDIT INSPECTION) BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for Human Services (Senator Ian Campbell)—That this bill be now read a second time.

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 Ian Campbell the bill was read a third time.

35 STATUTE LAW REVISION BILL (NO. 2) 2006 [2007]

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.

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 Human Services (Senator Ian Campbell) the bill was read a third time.

Suspension of sitting: On the motion of Senator Ian Campbell the sitting of the Senate was suspended at 1.25 pm till 2 pm.

At 2 pm—

36 QUESTIONS

Questions without notice were answered.

37 ANSWERS TO QUESTIONS

Senator Crossin moved—That the Senate take note of the answers given by ministers to questions without notice asked today.

Debate ensued.

Question put and passed.

38 AUDITOR-GENERAL—AUDIT REPORT NO. 25 OF 2006-07—DOCUMENT

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

Auditor-General—Audit report no. 25 of 2006-07—Performance audit—Management of airport leases follow-up: Department of Transport and Regional Services.

39 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 2 OF 2007

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

SELECTION OF BILLS COMMITTEE

REPORT NO. 2 OF 2007

1. The committee met in private session on Thursday, 8 February 2007 at 11.47 am.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Aged Care Amendment (Security and Protection) Bill 2007 be *referred immediately* to the Community Affairs Committee for inquiry and report by 14 March 2007; and
 - (b) the Tax Laws Amendment (2006 Measures No. 7) Bill 2006 be *referred immediately* to the Economics Committee for inquiry for inquiry and report by 27 February 2007.

The committee recommends accordingly.

3. The committee deferred consideration of the following bill to its next meeting: Family Law (Divorce Fees Validation) Bill 2007.

Jeannie Ferris
Chair
8 February 2007.

Senator Ferris moved—That the report be adopted.

Question put and passed.

40 NATIVE TITLE AND THE ABORIGINAL AND TORRES STRAIT ISLANDER LAND FUND—JOINT STATUTORY COMMITTEE—ADDITIONAL INFORMATION

Senator Ferris, by leave, tabled the following documents:

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Joint Statutory Committee—Additional information.

41 ADMINISTRATION OF INDIGENOUS AFFAIRS—SELECT COMMITTEE—DOCUMENTS

Senator Ferris, by leave, tabled the following documents:

Administration of Indigenous Affairs—Select Committee—Documents presented to the committee.

42 DOCUMENTS

The following documents were tabled by the Clerk:

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

Customs Act—

Tariff Concession Orders—

0614833 [F2007L00274]*.
 0614891 [F2007L00273]*.
 0614916 [F2007L00269]*.
 0614917 [F2007L00268]*.
 0614918 [F2007L00266]*.
 0615702 [F2007L00267]*.
 0618075 [F2007L00276]*.
 0618146 [F2007L00265]*.
 0618147 [F2007L00270]*.
 0618149 [F2007L00277]*.
 0618151 [F2007L00264]*.
 0618250 [F2007L00271]*.
 0618384 [F2007L00275]*.
 0618403 [F2007L00262]*.

Tariff Concession Revocation Instruments—

3/2007 [F2007L00138]*.
 6/2007 [F2007L00142]*.
 7/2007 [F2007L00143]*.
 8/2007 [F2007L00144]*.
 9/2007 [F2007L00145]*.
 11/2007 [F2007L00147]*.
 12/2007 [F2007L00148]*.

Defence Act—Determinations under section 58B—Defence Determinations—

2006/75—Health support allowance – Reserves [*in substitution for document previously tabled on 6 February 2007*].

2007/3—Disturbance and vehicle allowances – amendment.

Migration Act—Migration Regulations—Instruments—

IMMI 06/005—Access to Movement Records [F2007L00260]*.

IMMI 06/070—Alternative English Language Proficiency Tests to the International English Language Testing System (IELTS) [F2007L00297]*.

Military Superannuation and Benefits Act—Military Superannuation and Benefits Amendment Trust Deed 2007 (No. 1) [F2007L00231]*.

Governor-General's Proclamation—Commencement of Provisions of an Act

Greater Sunrise Unitisation Agreement Implementation Act 2004—Items 1 to 86 of Schedule 1—7 February 2007 [F2007L00256]*.

* Explanatory statement tabled with legislative instrument.

General business was called on.

43 ENVIRONMENT—HUMAN ACTIVITY AND CLIMATE CHANGE

Senator Wong, pursuant to notice, moved general business notice of motion no. 697—
That the Senate—

(a) notes:

- (i) the continued scepticism of the Prime Minister (Mr Howard) over the link between human activity and climate change,
- (ii) that the Howard Government has dragged the chain on climate change for more than 10 years, and
- (iii) the environmental and economic cost of past inaction and any future delays in tackling this challenge; and

(b) calls on the Government to recognise the link between human activity and climate change and join in the efforts of the international community by ratifying the Kyoto Protocol.

Debate ensued.

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

44 GOVERNMENT DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION

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

Tourism Australia—Report for 2005-06. Motion to take note of document moved, by leave, by Senator Ian Macdonald. Debate adjourned till Thursday at general business, Senator Ian Macdonald in continuation.

Torres Strait Regional Authority—Report for 2004-05. Motion of Senator Bartlett to take note of document agreed to.

Aboriginal and Torres Strait Islander Social Justice Commissioner—Social justice—Report for 2005. Motion of Senator Crossin to take note of document agreed to.

Australia-Indonesia Institute—Report for 2004-05. Motion of Senator Stott Despoja to take note of document agreed to.

Housing Assistance Act 1996—Report for 2004-05 on the operation of the 2003 Commonwealth-State Housing Agreement. Motion of Senator Bartlett to take note of document agreed to.

Indigenous education and training—National report to Parliament 2004. Motion of Senator Crossin to take note of document agreed to.

Medibank Private Limited—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

Western Australian Fisheries Joint Authority—Report for 2003-04. Motion of Senator Ian Macdonald to take note of document agreed to.

Australian Electoral Commission—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

CrimTrac Agency—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

Members of Parliament (Staff) Act 1984—Report for 2005-06 on consultants engaged. Motion of Senator Ray to take note of document agreed to.

Great Barrier Reef Marine Park Authority—Report for 2005-06. Motion of Senator George Campbell to take note of document agreed to.

Inspector-General of Intelligence and Security—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

National Water Commission—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Department of Immigration and Multicultural Affairs—Report for 2005-06. Motion of Senator Hurley to take note of document agreed to.

Commonwealth Grants Commission—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Commissioner for Complaints [Aged care]—Report for 2005-06. Motion of Senator McLucas to take note of document agreed to.

Australian Security Intelligence Organisation—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Telstra Corporation Limited—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

National Museum of Australia—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

Australia Council—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

Migration Review Tribunal and Refugee Review Tribunal—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

National Competition Council—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

Commissioner of Taxation—Report for 2005-06. Motion of Senator Carol Brown to take note of document agreed to.

Bureau of Meteorology—Report for 2005-06. Motion of Senator Watson to take note of document agreed to.

Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Director of National Parks—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Murray-Darling Basin Commission—Report for 2005-06. Motion to take note of document moved by Senator Ian Macdonald. Debate adjourned till Thursday at general business, Senator Ian Macdonald in continuation.

Australian Landcare Council—Report for 2005-06. Motion to take note of document moved by Senator Ian Macdonald. Debate adjourned till Thursday at general business, Senator Ian Macdonald in continuation.

Fisheries Research and Development Corporation—Report for 2005-06. Motion to take note of document moved by Senator Ian Macdonald. Debate adjourned till Thursday at general business, Senator Ian Macdonald in continuation.

Sugar Research and Development Corporation—Report for 2005-06. Motion to take note of document moved by Senator Ian Macdonald. Debate adjourned till Thursday at general business, Senator Ian Macdonald in continuation.

Forest and Wood Products Research and Development Corporation—Report for 2005-06. Motion to take note of document moved by Senator Ian Macdonald. Debate adjourned till Thursday at general business, Senator Ian Macdonald in continuation.

Australian Broadcasting Corporation (ABC)—Report for 2005-06. Motion to take note of document moved by Senator Ian Macdonald. Debate adjourned till Thursday at general business, Senator Ian Macdonald in continuation.

Australian Industry Development Corporation—Report for 2005-06. Motion of Senator Webber to take note of document agreed to.

Telstra Corporation Limited—Equal employment opportunity program—Report for 2005-06. Motion of Senator Webber to take note of document agreed to.

Australian Fisheries Management Authority—Report for 2005-06. Motion of Senator Webber to take note of document called on. On the motion of Senator Ian Macdonald debate was adjourned till Thursday at general business.

Australian Pesticides and Veterinary Medicines Authority—Report for 2005-06. Motion of Senator Webber to take note of document agreed to.

Australian Postal Corporation (Australia Post)—Equal employment opportunity program—Report for 2005-06. Motion of Senator Webber to take note of document agreed to.

Commission of Inquiry into certain Australian companies in relation to the UN Oil-for-Food Programme—Report by Commissioner the Honourable TRH Cole, AO, RFD, QC, dated 24 November 2006—

Volume 1—Summary, recommendations and background.

Volume 2—Negotiations and sales: July 1999 to December 2000.

Volume 3—Sales, allegations and inquiries: January 2001 to December 2005.

Volume 4—Findings.

Volume 5—Appendices.

—Motion of the Leader of the Opposition in the Senate (Senator Evans) to take note of documents agreed to.

Human Rights and Equal Opportunity Commission—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Administrative Appeals Tribunal—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Indigenous Business Australia—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Migration Act 1958—Section 486O—Assessment of appropriateness of detention arrangements—Reports by the Commonwealth Ombudsman—Personal identifiers 074/06 to 081/06. Motion of Senator Bartlett to take note of document agreed to.

Commonwealth Electoral Act 1918—2006 Redistribution into electoral divisions—Queensland—Report, together with composite maps and compact disc of supporting information. Motion of Senator Bartlett to take note of document agreed to.

Commonwealth Electoral Act 1918—2006 Redistribution into electoral divisions—New South Wales—Report, together with composite maps and compact disc of supporting information. Motion of Senator Bartlett to take note of document agreed to.

Australian Public Service Commission—State of the service—Report for 2005-06. Motion of Senator Watson to take note of document agreed to.

Migration Act 1958—Section 486O—Assessment of appropriateness of detention arrangements—Government response to reports by the Commonwealth Ombudsman—Personal identifiers 082/06 to 104/06. Motion of Senator Bartlett to take note of document agreed to.

Migration Act 1958—Section 486O—Assessment of appropriateness of detention arrangements—Reports by the Commonwealth Ombudsman—Personal identifiers 082/06 to 104/06. Motion of Senator Bartlett to take note of document agreed to.

Australian Crime Commission—Report for 2005-06. Motion to take note of document moved by Senator Ian Macdonald. Debate adjourned till Thursday at general business, Senator Ian Macdonald in continuation.

Environment Protection and Biodiversity Conservation Act 1999—Australian State of the Environment Committee—Report—Australia state of the environment 2006. Motion of Senator Bartlett to take note of document agreed to.

Native Title Act 1993—Native title representative bodies—Carpentaria Land Council Aboriginal Corporation—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Native Title Act 1993—Native title representative bodies—Aboriginal Legal Rights Movement Inc—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Productivity Commission—Report—No. 38—Waste management, 20 October 2006. Motion of Senator Bartlett to take note of document agreed to.

Department of the Treasury—Tax expenditures statement 2006, December 2006. Motion of Senator Bartlett to take note of document agreed to.

Research Involving Human Embryos Act 2002—National Health and Medical Research Council—NHMRC Licensing Committee—Report for the period 1 April to 30 September 2006. Motion of Senator Bartlett to take note of document agreed to.

Superannuation (Government Co-contribution for Low Income Earners) Act 2003—Quarterly report on the Government co-contribution scheme for the period 1 July to 30 September 2006. Motion of Senator Bartlett to take note of document agreed to.

Migration Agents Registration Authority—Report for 2005-06. Motion of Senator Bartlett to take note of document agreed to.

Migration Act 1958—Section 486O—Assessment of appropriateness of detention arrangements—Government response to reports by the Commonwealth Ombudsman—Personal identifiers 105/06 to 112/06. Motion of Senator Bartlett to take note of document agreed to.

Migration Act 1958—Section 486O—Assessment of appropriateness of detention arrangements—Reports by the Commonwealth Ombudsman—Personal identifiers 105/06 to 112/06. Motion of Senator Bartlett to take note of document agreed to.

Mid-year economic and fiscal outlook—2006-07—Statement by the Treasurer (Mr Costello) and the Minister for Finance and Administration (Senator Minchin), December 2006. Motion of Senator Bartlett to take note of document agreed to.

General business orders of the day nos 25, 29 to 63, 65 to 101, 103 to 132, 136, 137, 139, 140, 151 and 159 to 163 relating to government documents were called on but no motion was moved.

General business concluded.

45 COMMITTEES—CHANGES IN MEMBERSHIP

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

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

Community Affairs—Standing Committee—

Appointed—Participating member: Senator Kemp

Economics—Standing Committee—

Discharged—Senator Brandis

Appointed—

Senator Ronaldson

Substitute members:

Senator Ferris to replace Senator Bernardi for the consideration of the 2006-07 additional estimates on 15 February 2007

Senator Watson to replace Senator Chapman for the consideration of the 2006-07 additional estimates from 14 February to 16 February 2007

Participating member: Senator Kemp

Employment, Workplace Relations and Education—Standing Committee—

Appointed—

Substitute member: Senator McGauran to replace Senator Lightfoot for the consideration of the 2006-07 additional estimates from noon on 15 February and on 16 February 2007

Participating member: Senator Kemp

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

Discharged—Senator Parry on 12 February 2007

Appointed—

Senator Kemp on 12 February 2007

Substitute members:

Senator Moore to replace Senator Wortley for the committee's inquiry into Australia's Indigenous visual arts and craft sector from 19 February to 22 February 2007

Senator Parry to replace Senator Kemp from 19 February to 23 February 2007

Participating members:

Senator Wortley from 19 February to 22 February 2007

Senator Kemp from 19 February to 23 February 2007

Finance and Public Administration—Standing Committee—

Appointed—

Substitute member: Senator Stott Despoja to replace Senator Murray for the committee's inquiry into the provisions of the Human Services (Enhanced Service Delivery) Bill 2007

Participating members: Senators Kemp, Murray and Wong

Foreign Affairs, Defence and Trade—Joint Standing Committee—

Discharged—Senator Scullion

Appointed—Senator Sandy Macdonald

Foreign Affairs, Defence and Trade—Standing Committee—

Appointed—Participating member: Senator Kemp

Legal and Constitutional Affairs—Standing Committee—

Discharged—Senators Brandis and Scullion

Appointed—

Senators Sandy Macdonald and Parry

Participating member: Senator Kemp

National Capital and External Territories—Joint Standing Committee—

Discharged—Senator Carr

Appointed—Senator Crossin

Rural and Regional Affairs and Transport—Standing Committee—

Appointed—

Substitute member: Senator Adams to replace Senator Heffernan for the consideration of the 2006-07 additional estimates on 15 February 2007, and to replace Senator Nash for the consideration of the 2006-07 additional estimates on 16 February 2007

Participating member: Senator Kemp.

Question put and passed.

46 ESTIMATES OF PROPOSED ADDITIONAL EXPENDITURE FOR 2006-07—PORTFOLIO ADDITIONAL ESTIMATES STATEMENTS—PORTFOLIO AND EXECUTIVE DEPARTMENTS—DOCUMENT

The Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) tabled the following document:

Estimates of proposed additional expenditure for 2006-07—Portfolio additional estimates statements—Portfolio and executive departments—Industry, Tourism and Resources portfolio—Correction.

47 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING COMMITTEE—REFERENCE

Senator Parry, by leave and at the request of the Chair of the Employment, Workplace Relations and Education Committee (Senator Troeth), moved—That the following matter be referred to the Employment, Workplace Relations and Education Committee for inquiry and report by 15 August 2007:

The current level of academic standards of school education, with particular reference to:

- (a) whether school education prepares students adequately for further education, training and employment, including, but not limited to:

- (i) the extent to which each stage of schooling (early primary; middle schooling; senior secondary) equips students with the required knowledge and skills to progress successfully through to the next stage, and
 - (ii) the extent to which schools provide students with the core knowledge and skills they need to participate in further education and training, and as members of the community;
- (b) the standards of academic achievement expected of students qualifying for the senior secondary school certificate in each state and territory; and
- (c) how such academic standards compare between states and territories and with those of other countries.

Question put and passed.

**48 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:

Community Affairs—Standing Committee—Report—Funding and operation of the Commonwealth State/Territory Disability Agreement. Motion of the chair of the committee (Senator Humphries) to take note of report debated and agreed to.

Rural and Regional Affairs and Transport—Standing Committee—Final report—Australia's future oil supply and alternative transport fuels. Motion of the chair of the committee (Senator Heffernan) to take note of report agreed to.

Economics—Standing Committee—Report—Petrol prices in Australia. Motion of the chair of the committee (Senator Brandis) to take note of report agreed to.

Legal and Constitutional Affairs—Standing Committee—Report—Unfinished business: Indigenous stolen wages. Motion of the chair of the committee (Senator Payne) to take note of report called on. Debate adjourned till the next day of sitting, Senator Siewert in continuation.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Review of Australia-New Zealand trade and investment relations. Motion of Senator Parry to take note of report agreed to.

Rural and Regional Affairs and Transport—Standing Committee—Final report—Water policy initiatives. Motion of the chair of the committee (Senator Heffernan) to take note of report agreed to.

Finance and Public Administration References Committee—Government response—Regional Partnerships and Sustainable Regions programs. Motion of Senator O'Brien to take note of document agreed to.

Intelligence and Security—Joint Statutory Committee—Report—Review of security and counter terrorism legislation. Motion of Senator Ferris to take note of report agreed to.

Australian Crime Commission—Joint Statutory Committee—Government response—Trafficking of women for sexual servitude. Motion of Senator Bartlett to take note of document agreed to.

Community Affairs—Standing Committee—Report—Breaking the silence: A national voice for gynaecological cancers. Motion of the Minister for Community Services (Senator Scullion) to take note of report agreed to.

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 agreed to.

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 agreed to.

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 agreed to.

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 agreed to.

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 agreed to.

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 agreed to.

Community Affairs References Committee—Government response—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. Motion of Senator Murray to take note of document agreed to.

Rural and Regional Affairs and Transport References Committee—Government response—Rural water resource usage. Motion of Senator Siewert to take note of document agreed to.

49 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. 7 of 2006-07—Performance audit—Visa management—Working holiday makers: Department of Immigration and Multicultural Affairs. Motion of Senator Carol Brown to take note of document agreed to.

Auditor-General—Audit report no. 8 of 2006-07—Performance audit—Airservices Australia's upper airspace management contracts with the Solomon Islands Government: Airservices Australia. Motion of Senator O'Brien to take note of document agreed to.

Auditor-General—Audit report no. 11 of 2006-07—Performance audit—National food industry strategy: Department of Agriculture, Fisheries and Forestry. Motion of Senator O'Brien to take note of document agreed to.

Auditor-General—Audit report no. 12 of 2006-07—Performance audit—Management of family tax benefit overpayments. Motion of Senator Moore to take note of document agreed to.

Auditor-General—Audit report no. 15 of 2006-07—Financial statement audit—Audits of the financial statements of Australian Government entities for the period ended 30 June 2006. Motion to take note of document moved by Senator Wong debated and agreed to.

Auditor-General—Audit report no. 18 of 2006-07—Performance audit—ASIC's processes for receiving and referring for investigation statutory reports of suspected breaches of the *Corporations Act 2001*: Australian Securities and Investments Commission. Motion to take note of document moved by Senator Wong debated. Debate adjourned till the next day of sitting, Senator Sherry in continuation.

Orders of the day nos 5, 6, 8 and 9 relating to reports of the Auditor-General were called on but no motion was moved.

50 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.37 pm till Monday, 26 February 2007 at 12.30 pm.

51 ATTENDANCE

Present, all senators except Senator Vanstone.

HARRY EVANS
Clerk of the Senate