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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 AUSTRALIAN CITIZENSHIP BILL 2006**AUSTRALIAN CITIZENSHIP (TRANSITIONALS AND CONSEQUENTIALS) BILL 2006**

Order of the day read for the adjourned debate on the motion of the Minister for Human Services (Senator Ian Campbell)—That these bills be now read a second time—and on the amendment moved by Senator Bartlett in respect of the *Australian Citizenship Bill 2006*:

At the end of the motion, add “but the Senate:

- (a) recognising that:
 - (i) dual citizenship is part and parcel of Australian society,
 - (ii) a significant proportion of Australians hold dual citizenship, and
 - (iii) these Australians are disenfranchised in the sense that they are not able to run for election to the Federal Parliament without relinquishing their dual citizenship;
- (b) calls on all parties in the Parliament to support, as a matter of urgency, legislation to initiate a referendum to remove the prohibition on dual citizens being able to run for Federal Parliament; and
- (c) calls on the Government to:
 - (i) instruct the Department of Immigration and Citizenship to develop and implement a comprehensive public information campaign to describe and promote the operation of the new Australian Citizenship Act,
 - (ii) allocate sufficient funds for a television, radio and newspaper advertising campaign in Australia and overseas about the operation of the new Act,
 - (iii) require the Department of Immigration and Citizenship and the Department of Foreign Affairs and Trade to coordinate the dissemination of written information about the operation of the new Act to be available in Australian diplomatic posts overseas, and
 - (iv) require the Department of Immigration and Citizenship to work closely with the Privacy Commissioner, to restrict to the maximum extent possible the collection, access, use and disclosure of personal identifying information”.

Debate resumed.

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

Main question put and passed.

Bills read a second time.

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

In the committee

AUSTRALIAN CITIZENSHIP BILL 2006—

Bill taken as a whole by leave.

Explanatory memoranda: Senator Ian Campbell tabled a supplementary explanatory memorandum and a replacement supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

Bill debated.

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

Clause 19B, page 21 (line 18), omit “(7)”, substitute “(7A)”.

Clause 19D, page 24 (line 5), before “has been”, insert “subject to subsection (7A),”.

Clause 19D, page 24 (after line 20), after subclause (7), insert:

- (7A) The Minister may decide that subparagraph (6)(a)(ii) does not apply in relation to a person if, taking into account the circumstances that resulted in the person’s conviction, the Minister is satisfied that it would be unreasonable for that subparagraph to apply in relation to the person.

Clause 19G, page 26 (line 4), omit “(4B)”, substitute “(4C)”.

Clause 24, page 34 (line 17), before “has been”, insert “subject to subsection (4C),”.

Clause 24, page 34 (after line 32), after subclause (4B), insert:

- (4C) The Minister may decide that subparagraph (4A)(a)(ii) does not apply in relation to a person if, taking into account the circumstances that resulted in the person’s conviction, the Minister is satisfied that it would be unreasonable for that subparagraph to apply in relation to the person.

Clause 28A, page 41 (line 10), omit “(6)”, substitute “(7)”.

Clause 30, page 43 (line 19), before “has been”, insert “subject to subsection (7),”.

Clause 30, page 43 (after line 34), at the end of the clause, add:

- (7) The Minister may decide that subparagraph (5)(a)(ii) does not apply in relation to a person if, taking into account the circumstances that resulted in the person’s conviction, the Minister is satisfied that it would be unreasonable for that subparagraph to apply in relation to the person.

Senator Bartlett moved the following amendment:

Clause 3, page 6 (after line 8), after the definition of *foreign law*, insert:

good character is a discretionary test which a person does not pass if:

- (a) the person has a substantial criminal record; or
- (b) the person has or has had an association with another person, or with a group or organisation, whom the Minister reasonably suspects has been or is involved in criminal conduct; or
- (c) having regard to either of the following:
 - (i) the person’s past and present criminal conduct; or
 - (ii) the person’s past and present general conduct;

- the person is not of good character; or
- (d) in the event the person were allowed to enter or to remain in Australia, there is a significant risk that the person would:
- (i) engage in criminal conduct in Australia; or
 - (ii) harass, molest, intimidate or stalk another person in Australia; or
 - (iii) vilify a segment of the Australian community; or
 - (iv) incite discord in the Australian community or in a segment of that community; or
 - (v) represent a danger to the Australian community or to a segment of that community, whether by way of being liable to become involved in activities that are disruptive to, or in violence threatening harm to, that community or segment, or in any other way.

Note: **Substantial criminal record** is defined in subsection 501(7) of the *Migration Act 1958*.

Debate ensued.

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

Senator Bartlett moved the following amendment:

Page 12 (after line 31), after clause 10, insert:

10A Best interests of a child

- (1) Whenever a decision is taken under this Act in relation to a child, the best interests of the child must be the paramount consideration.
- (2) For the purposes of this section, **best interests of the child** include:
 - (a) a child's right to stability, security and adequate and responsible care; and
 - (b) a child's own social networks and his or her ongoing ability to maintain such networks; and
 - (c) a child's school, sporting and other leisure activities; and
 - (d) any other special needs of the child.

Debate ensued.

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

Senator Nettle moved the following amendments together by leave:

Clause 17, page 19 (lines 21 to 28), omit subclause (4).

Clause 24, page 34 (lines 5 to 12), omit subclause (4).

Clause 30, page 43 (lines 6 to 13), omit subclause (4).

Debate ensued.

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

Senator Bartlett moved the following amendments together by leave:

Clause 17, page 19 (after line 28), after subclause (4), insert:

- (4AA) Subsection (4) does not operate so as to refuse the application of a stateless person unless the person has been convicted of a national security offence.

Clause 24, page 34 (after line 12), after subclause (4), insert:

(4AA) Subsection (4) does not operate so as to refuse the application of a stateless person unless the person has been convicted of a national security offence.

Clause 30, page 43 (after line 13), after subclause (4), insert:

(4A) Subsection (4) does not operate so as to refuse the application of a stateless person unless the person has been convicted of a national security offence.

Debate ensued.

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

Senator Ludwig moved the following amendments together by leave:

Clause 19D, page 24 (line 6), omit “or a foreign law,”.

Clause 19D, page 24 (after line 10), after subclause (6), insert:

(6A) If the person is covered by subparagraph (7)(b)(i), and the person has been convicted of an offence against a foreign law for which the person has been sentenced to a period of imprisonment of at least 5 years, the Minister may grant the person citizenship.

(6B) If the Minister makes a decision under subsection (6A), the Minister must cause notice of the making of the decision and the reasons for the decision to be laid before each House of Parliament within 15 sitting days after the day on which the decision was made.

Clause 24, page 34 (line 18), omit “or a foreign law,”.

Clause 24, page 34 (after line 22), after subclause (4A), insert:

(4AA) If the person is covered by subparagraph (4B)(b)(i), and the person has been convicted of an offence against a foreign law for which the person has been sentenced to a period of imprisonment of at least 5 years, the Minister may grant the person citizenship.

(4AB) If the Minister makes a decision under subsection (4AA), the Minister must cause notice of the making of the decision and the reasons for the decision to be laid before each House of Parliament within 15 sitting days after the day on which the decision was made.

Clause 30, page 43 (line 20), omit “or a foreign law,”.

Clause 30, page 43 (after line 24), after subclause (5), insert:

(5A) If the person is covered by subparagraph (6)(b)(i), and the person has been convicted of an offence against a foreign law for which the person has been sentenced to a period of imprisonment of at least 5 years, the Minister may grant the person citizenship.

(5AB) If the Minister makes a decision under subsection (5A), the Minister must cause notice of the making of the decision and the reasons for the decision to be laid before each House of Parliament within 15 sitting days after the day on which the decision was made.

Debate ensued.

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

Bill, as amended, further debated.

At 2 pm: The Acting Deputy President (Senator Marshall) resumed the chair and the Temporary Chair of Committees reported progress.

3 QUESTIONS

Questions without notice were answered.

4 ENVIRONMENT—CLIMATE CHANGE—ANSWERS TO QUESTIONS

Senator Wong moved—That the Senate take note of the answers given by the Minister for Finance and Administration (Senator Minchin) to questions without notice asked by Senators Wong and Sterle today relating to climate change.

Debate ensued.

Question put and passed.

5 FAMILY AND COMMUNITY SERVICES—PROPOSED ACCESS CARD—ANSWER TO QUESTION

Senator Stott Despoja moved—That the Senate take note of the answer given by the Minister for Human Services (Senator Ian Campbell) to a question without notice asked by Senator Troeth today relating to a proposed health benefits, veterans' and social services access card.

Question put and passed.

6 PETITIONS

The following 2 petitions, lodged with the Clerk by the senators indicated, were received:

Senator Bartlett, from 1 741 petitioners, requesting that the Senate take action to undertake an assessment of the impact of proposed dams at Traveston crossing on the Mary River and Wyaralong in the Logan River catchment.

Senator Hogg, from 12 petitioners, requesting that the Senate legislate to create an offence of transmission by mail of child pornography and child abuse material.

7 NOTICES

Notices of motion:

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) Australia's national parks—to 29 March 2007; and
- (b) Australia's Indigenous visual arts and craft sector—to 12 June 2007. (*general business notice of motion no. 708*)

The Chair of the Foreign Affairs, Defence and Trade Committee (Senator Johnston): To move on the next day of sitting—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade Committee on Australia's public diplomacy be extended to 12 June 2007. (*general business notice of motion no. 709*)

The Chair of the Joint Standing Committee on Foreign Affairs, Defence and Trade (Senator Ferguson): To move on the next day of sitting—That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold public meetings during the sittings of the Senate on Wednesday, 28 February 2007, and Wednesday, 21 March 2007, to take evidence for the committee's inquiry into Australia's trade with Mexico and the region. (*general business notice of motion no. 710*)

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

- (a) notes that:
 - (i) National Ovarian Cancer Awareness Week runs from Sunday, 25 February to Sunday, 4 March 2007,
 - (ii) more than 1 000 women get ovarian cancer every year,
 - (iii) between 1991 and 2001 there was a 23 per cent increase in the number of new cases of ovarian cancer and other cancers of the female genital organs, and
 - (iv) the relative 5 year survival rate for ovarian cancer is less than half that for breast cancer;
- (b) draws attention to the Community Affairs Committee report *Breaking the silence: A national voice for gynaecological cancers* which was tabled in the Senate on 19 October 2006; and
- (c) calls on the Government to implement the recommendations in the report. (*general business notice of motion no. 711*)

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

- (a) on Wednesday, 28 February 2007, from 11.30 am to 1 pm, to take evidence for the committee's review of Auditor-General's reports; and
- (b) on Thursday, 1 March and 29 March 2007, from 10.30 am to 1 pm, and Wednesday, 28 March 2007, from 11.15 am to 1.30 pm, to take evidence for the committee's inquiry into financial reporting and equipment acquisition at the Department of Defence and the Defence Materiel Organisation. (*general business notice of motion no. 712*)

The Chair of the Community Affairs Committee (Senator Humphries): To move on the next day of sitting—That the Community Affairs Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 1 March 2007, from 3.30 pm, to take evidence for the committee's inquiry into the provisions of the Aged Care Amendment (Security and Protection) Bill 2007. (*general business notice of motion no. 713*)

The Chair of the Legal and Constitutional Affairs Committee (Senator Payne): To move on the next day of sitting—That the Legal and Constitutional Affairs Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 1 March 2007, from 4.30 pm, to take evidence for the committee's inquiry into the provisions of the AusCheck Bill 2006. (*general business notice of motion no. 714*)

Senator O'Brien: To move on the next day of sitting—That the following matter be referred to the Rural and Regional Affairs and Transport Committee for inquiry and report by the first sitting day in June 2007:

An examination of the effect on regional and rural Australia of the Government's February 2007 decision to phase-out non-forestry managed investment schemes, including:

- (a) the effect on jobs and investment in rural and regional Australia;
- (b) the identity of agricultural industries which will be most affected;
- (c) the regional and rural communities which will be most affected;
- (d) the effect on exports; and
- (e) the merits of maintaining non-forestry managed investment schemes and alternatives to the Government's decision.

Senator Murray: To move on 1 March 2007—That the following matters be referred to the Legal and Constitutional Affairs Committee for inquiry and report by 14 August 2007:

- (a) a review of Commonwealth statutory exemptions provided to religious or other organisations, or individual members thereof, on the grounds of religion, belief or conscience;
- (b) whether such Commonwealth statutory exemptions should be maintained, withdrawn or restricted, including in specific instances where they are abused or are made no longer appropriate by the conduct of individuals or organisations conflicting with the justification being provided for the exemption;
- (c) whether any religious organisation, as a result of its beliefs, prevents an adequate and productive education of minors or young persons, including at the tertiary level, contrary to the public interest;
- (d) whether statutory or administrative changes in respect of Commonwealth law or practice are necessary; and
- (e) any other relevant matters.

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

- (a) notes:
 - (i) the growing tension between the United States of America (US) and Iran, including the military build-up in the Persian Gulf,
 - (ii) the indication by US Vice President Dick Cheney, while in Sydney from 22 February to 25 February 2007, that a military strike on Iran is an option, and
 - (iii) that US intelligence bases in Australia are likely to be used in any military strike on Iran; and
- (b) calls on the Government to:
 - (i) support a diplomatic resolution to the crisis, and
 - (ii) rule out Australian support for a military strike on Iran. (*general business notice of motion no. 715*)

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

(a) notes:

- (i) the comments on 26 February 2007 by former Family Court Chief Justice Alastair Nicholson that the Prime Minister, the Minister for Foreign Affairs and the Attorney-General could be charged with war crimes for insisting Mr David Hicks face trial before a United States of America military commission,
- (ii) the Federal Court case examining the Government's breach of its protective duty to Australian citizen Mr Hicks, and
- (iii) that Mr Hicks has been detained for 1 909 days; and

(b) calls on the Government to fulfil its duty of care and return Mr Hicks to Australia. (*general business notice of motion no. 716*)

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

(a) notes:

- (i) the plight of Mr Salah Uddin Shoaib Choudhury, a Bangladeshi journalist who is on trial for sedition, an offence punishable by death, because as editor of an English-language newspaper he has been critical of Islamic extremism and has expressed his belief in interfaith dialogue, particularly between Christians, Muslims and Jews,
- (ii) that Mr Choudhury was detained in Dhaka Central Jail in November 2003 for passport violation, was charged with sedition, interrogated and was held in prison for 17 months without legal recourse until April 2005 when he was released on bail after intervention by the United States Department of State,
- (iii) that on 6 July 2006 Mr Choudhury's newspaper offices were bombed by an Islamic extremist organisation after the newspaper published articles in support of the Ahmadiyya Muslim minority,
- (iv) that on 18 September 2006 a Bangladeshi judge ruled that Mr Choudhury would stand trial for sedition and that his trial commenced, only to be suspended when a state of emergency was declared in Bangladesh on 11 January 2007 and a caretaker government was installed by the military on 22 January 2007,
- (v) that Mr Chouldhury's trial has been suspended while the new government is established, and
- (vi) that the previous government admitted that there was no basis for the charges against Mr Choudhury and the Public Prosecutor testified that there was no evidence against him; and

(b) calls on the Government of Bangladesh to:

- (i) drop all charges against Mr Choudhury,
- (ii) ensure his confiscated possessions are returned, and
- (iii) investigate those responsible for his harassment and intimidation because of his call for interfaith tolerance. (*general business notice of motion no. 717*)

The Minister for Justice and Customs (Senator Ellison): To move on the next day of sitting—

- (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:

ACIS Administration Amendment (Unearned Credit Liability) Bill 2007
 Anti-Money Laundering and Counter-Terrorism Financing Amendment Bill 2007
 Broadcasting Legislation Amendment Bill 2007
 Family Law (Divorce Fees Validation) Bill 2007
 Migration Amendment (Maritime Crew) Bill 2007
 Superannuation Legislation Amendment (Simplification) Bill 2007
 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.

- (2) That, after the motion for the second reading of the Superannuation Legislation Amendment (Simplification) Bill 2007 and four related bills has been moved, they may be taken together for their remaining stages with the Tax Laws Amendment (Simplified Superannuation) Bill 2006 and five related bills.

Documents: Senator Ellison tabled the following documents:

Consideration of legislation—Statements of reasons [6] for introduction and passage of bills in the 2007 autumn sittings.

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

(a) notes:

- (i) growing international concern about nuclear proliferation and recent speculation about a possible United States of America (US) or Israeli attack on Iranian nuclear facilities,
- (ii) Australia is a member of the Nuclear Suppliers Group (NSG) which makes its decisions by consensus,
- (iii) the US-India nuclear cooperation deal would breach the guidelines of the NSG that restricts trade with non-nuclear-weapon states that do not accept full-scope International Atomic Energy Agency safeguards,
- (iv) exemptions from NSG guidelines would erode the credibility of the NSG's effort to restrict nuclear trade to those states that meet global nuclear non-proliferation and disarmament standards, and
- (v) the next NSG meeting is in April 2007 and the US is expected to seek agreement to allow the US-India nuclear cooperation deal to proceed; and

- (b) calls on the Government to preserve the integrity of the Nuclear Non-Proliferation Treaty by blocking the US-India deal at the NSG meeting in April 2007 and ruling out the supply of uranium to India. (*general business notice of motion no. 718*)

The Leader of the Family First Party (Senator Fielding): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to protect Jetstar from foreign ownership and ensure jobs and operations stay in Australia, and for related purposes. ***Qantas Sale (Keep Jetstar Australian) Amendment Bill 2007***. (*general business notice of motion no. 719*)

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

- (a) welcomes the call from the electricity sector for a greenhouse gas emissions trading scheme to promote investor confidence;
- (b) notes that:
 - (i) the purpose of an emissions trading scheme is to create an economically efficient mechanism to reduce greenhouse gas emissions, and
 - (ii) notes that international emissions trading is a key mechanism of the Kyoto Protocol;
- (c) rejects the McKibbin-Wilcoxon proposal because it fails to cap greenhouse gas emissions and creates an unacceptable risk that long-term emission permits will be over-allocated; and
- (d) calls on the Government to announce the rules of an emissions trading scheme by 2008, for commencement in 2010. (*general business notice of motion no. 720*)

Intention to withdraw: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Watson), pursuant to standing order 78, gave notice of his intention, at the giving of notices on the next day of sitting, to withdraw notices of motion standing in his name as follows:

Business of the Senate notices of motion nos 1, 2, 3, 5, 6 and 7 for 6 sitting days after today for the disallowance of the following instruments:

Approved Code of Practice for Manual Handling (Maritime Industry), made under subsection 109(1) of the *Occupational Health and Safety (Maritime Industry) Act 1993*.

Approved Form for Application for Initial Approval as a Rehabilitation Program Provider, made under paragraph 34C(1)(a) and subsection 34S(1) of the *Safety, Rehabilitation and Compensation Act 1988*.

Approved Form for Application for Renewal of Approval as a Rehabilitation Program Provider, made under paragraph 34K(1)(a) and subsection 34S(1) of the *Safety, Rehabilitation and Compensation Act 1988*.

Direction Relating to Foreign Currency Transactions and to North Korea, made under regulation 5 of the Banking (Foreign Exchange) Regulations 1959.

Prescribed Courses for Applicants for Registration as a Migration Agent, made under paragraph 5(1)(a) of the Migration Agents Regulations 1998.

Variation of Criteria for Approval or Renewal of Approval of Rehabilitation Program Providers, made under section 34D of the *Safety, Rehabilitation and Compensation Act 1988*.

Business of the Senate notices of motion nos 1 and 2 for 10 sitting days after today for the disallowance of the following instruments:

Social Security (Asset-test Exempt Income Stream (Market-linked) – Payment Factors) (FACS) Principles 2005, made under subsection 9BA(5) of the *Social Security Act 1991*.

Social Security (Partially Asset-test Exempt Income Stream – Exemption) (FACS) Principles 2005, made under paragraph (c) of the definition of *partially asset-test exempt income stream* in subsection 1118(1A) of the *Social Security Act 1991*.

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

8 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Parry, by leave and at the request of the Chair of the Foreign Affairs, Defence and Trade Committee (Senator Johnston), moved—That the Foreign Affairs, Defence and Trade Committee be authorised to hold a public meeting during the sitting of the Senate today, from 5 pm, to take evidence for the committee's inquiry into the review of reforms to Australia's military justice system by the Australian Defence Force.

Question put and passed.

9 COMMUNITY AFFAIRS—STANDING COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Parry, by leave and at the request of the Chair of the Community Affairs Committee (Senator Humphries), moved—That the time for the presentation of the report of the Community Affairs Committee on the provisions of the Private Health Insurance Bill 2006 and six related bills be extended to 28 February 2007.

Question put and passed.

10 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 2 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 1 March 2007.

General business notice of motion no. 680 standing in the name of Senator Nettle for today, proposing the introduction of the Food Safety (Trans Fats) Bill 2007, postponed till 20 March 2007.

General business notice of motion no. 703 standing in the name of Senator Siewert for today, proposing an order for the production of documents by the Minister representing the Minister for the Environment and Water Resources, postponed till 27 February 2007.

The Leader of the Australian Democrats (Senator Allison), by leave, moved—That general business notice of motion no. 704 standing in her name for today, relating to uranium and nuclear weapons, be postponed till 27 February 2007.

Question put and passed.

11 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—REFERENCE

The Leader of The Nationals in the Senate (Senator Boswell), also on behalf of Senators Joyce and Trood, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 1—That the following matter be referred to the Rural and Regional Affairs and Transport Committee for inquiry and report:

The examination of all reasonable options, including increased dam capacity, for additional water supplies for South East Queensland, including:

- (a) the merits of all options, including the Queensland Government's proposed Traveston Crossing Dam as well as raising the Borumba Dam; and
- (b) the social, environmental, economic and engineering impacts of the various proposals.

Senator Bartlett, by leave, moved the following amendment:

Paragraph (a), after “Traveston Crossing Dam”, insert “and Wyaralong Dam”.

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

Main question put and passed.

12 FOREIGN AFFAIRS—MR DAVID HICKS

Senator Siewert, at the request of Senator Nettle and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 705—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.

Question put and negatived.

13 LAW AND JUSTICE—PROPOSED ACCESS CARD

Senator Stott Despoja, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 707—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.

Question put.

The Senate divided—

AYES, 35

Senators—

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

NOES, 37

Senators—

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

Question negatived.

14 ENVIRONMENT—COAL EXPORTS

Senator Milne, at the request of Senator Nettle and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 706—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.

Question put.

The Senate divided—

AYES, 3

Senators—

Brown, Bob

Milne

Siewert (Teller)

NOES, 57

Senators—

Adams

Eggleston

Ludwig

Scullion

Allison

Ellison

Lundy

Sherry

Barnett

Ferguson

Macdonald, Sandy

Stephens

Bartlett

Ferris

Marshall

Sterle

Bernardi

Fielding

Mason

Stott Despoja

Bishop

Fierravanti-Wells

McEwen

Troeth

Boswell

Fifield

McGauran

Trood

Brandis

Forshaw

McLucas

Vanstone

Calvert

Hogg

Moore

Watson

Campbell, George

Humphries

Murray

Webber

Carr

Hurley

Nash

Wong

Chapman

Johnston

Parry (Teller)

Wortley

Colbeck

Kemp

Patterson

Conroy

Kirk

Payne

Crossin

Lightfoot

Ronaldson

Question negatived.

Statement by leave: The Leader of the Australian Democrats (Senator Allison), by leave, made a statement relating to the motion.

15 URGENCY MOTION—IMMIGRATION—ASYLUM SEEKERS

The Deputy President (Senator Hogg) informed the Senate that the President had received a letter from Senator Bartlett advising that today he intended to move—That, in the opinion of the Senate, the following is a matter of urgency:

The need for the Australian Government to unequivocally guarantee that the latest group of boat people, reportedly consisting of 83 asylum seekers from Sri Lanka and 2 from Indonesia, will immediately be provided with proper independent assistance, have their refugee claims assessed openly and fairly and will not be subjected to removal to another country until those claims have been fully examined.

The proposal was supported by 4 senators.

Senator Bartlett, by leave, amended the motion as follows:

Omit all words after “urgency”, substitute:

The need for the Australian Government to unequivocally guarantee that the latest group of boat people, reportedly including 83 asylum seekers from Sri Lanka, will immediately have access to independent assistance, have their refugee claims assessed openly and fairly and will not be subjected to the risk of refoulement, consistent with our international obligations.

Senator Bartlett moved the motion.

Debate ensued.

Question put.

The Senate divided—

AYES, 32

Senators—

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

NOES, 36

Senators—

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

Question negatived.

**16 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—
EXTENSIONS OF TIME TO REPORT**

Senator Parry, by leave and at the request of the Chair of the Rural and Regional Affairs and Transport Committee (Senator Heffernan), moved—That the time for the presentation of reports of the Rural and Regional Affairs and Transport Committee be extended as follows:

- (a) provisions of the Airspace Bill 2006 and a related bill, and the provisions of the Airports Amendment Bill 2006—to 28 February 2007; and
- (b) provisions of the Murray-Darling Basin Amendment Bill 2006—to 2 March 2007.

Question put and passed.

17 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING COMMITTEE—REPORT—SAFETY, REHABILITATION AND COMPENSATION AND OTHER LEGISLATION AMENDMENT BILL 2006

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 20 February 2007:

Employment, Workplace Relations and Education—Standing Committee—Safety, Rehabilitation and Compensation and Other Legislation Amendment Bill 2006 [Provisions]—Report, dated February 2007, Hansard record of proceedings, documents presented to the committee, additional information and submissions [28].

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

18 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING COMMITTEE—REPORT—AUSTRALIAN TECHNICAL COLLEGES (FLEXIBILITY IN ACHIEVING AUSTRALIA'S SKILLS NEEDS) AMENDMENT BILL (NO. 2) 2006

The Acting Deputy President (Senator Marshall) tabled the following report and document received on 20 February 2007:

Employment, Workplace Relations and Education—Standing Committee—Australian Technical Colleges (Flexibility in Achieving Australia's Skills Needs) Amendment Bill (No. 2) 2006 [Provisions]—Report, dated February 2007 and submission.

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

19 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING COMMITTEE—REPORT—EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION AMENDMENT (WELFARE TO WORK AND VOCATIONAL REHABILITATION SERVICES) BILL 2006

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 20 February 2007:

Employment, Workplace Relations and Education—Standing Committee—Employment and Workplace Relations Legislation Amendment (Welfare to Work and Vocational Rehabilitation Services) Bill 2006 [Provisions]—Report, dated February 2007, Hansard record of proceedings, additional information and submissions [10].

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

20 FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—ELECTORAL AND REFERENDUM LEGISLATION AMENDMENT BILL 2006

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 20 February 2007:

Finance and Public Administration—Standing Committee—Electoral and Referendum Legislation Amendment Bill 2006—Report, dated February 2007 and submissions [3].

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

**21 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—
MIGRATION AMENDMENT (REVIEW PROVISIONS) BILL 2006**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 20 February 2007:

Legal and Constitutional Affairs—Standing Committee—Migration Amendment (Review Provisions) Bill 2006—Report, dated February 2007, Hansard record of proceedings, documents presented to the committee and submissions [16].

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

**22 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—
REPORT—EXPOSURE DRAFT OF CORPORATIONS AMENDMENT (TAKEOVERS) BILL
2006**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 23 February 2007:

Corporations and Financial Services—Joint Statutory Committee—Corporations Amendment (Takeovers) Bill 2006 [Exposure Draft]—Report, dated February 2007, Hansard record of proceedings and submissions [9].

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

**23 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—
NATIVE TITLE AMENDMENT BILL 2006**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 23 February 2007:

Legal and Constitutional Affairs—Standing Committee—Native Title Amendment Bill 2006 [Provisions]—Report, dated February 2007, Hansard record of proceedings, documents presented to the committee and submissions [18].

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

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

The Acting Deputy President (Senator Marshall) tabled the following document received on 12 February 2007:

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

25 GOVERNMENT DOCUMENT

The Acting Deputy President (Senator Marshall) tabled the following document received on 19 February 2007:

National Environment Protection Council and NEPC Service Corporation—Report for 2005-06.

26 AUDITOR-GENERAL—AUDIT REPORTS NOS 26 TO 28 OF 2006-07—DOCUMENTS

The Acting Deputy President (Senator Marshall) tabled the following documents received on the dates indicated:

Auditor-General—Audit reports for 2006-07—

No. 26—Performance audit—Administration of complex age pension assessments: Centrelink. [*Received 20 February 2007*]

No. 27—Performance audit—Management of air combat fleet in-service support: Department of Defence; Defence Materiel Organisation. [*Received 21 February 2007*]

No. 28—Performance audit—Project management in Centrelink: Centrelink. [*Received 22 February 2007*]

27 FAMILY AND COMMUNITY SERVICES—FOSTER CARE WEEK—DOCUMENT

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

Family and community services—Foster Care Week—Letter to the President of the Senate from the Minister for Child Protection; Communities; Seniors and Volunteering; Peel [WA] (Mr Templeman) responding to the resolution of the Senate of 13 September 2006, dated 5 February 2007.

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

The Minister for the Arts and Sport (Senator Brandis) tabled the following document:

Estimates of proposed additional expenditure for 2006-07—Portfolio additional estimates statements—Portfolio and executive departments—Attorney-General's portfolio—Corrigendum.

29 COMMUNITY AFFAIRS—STANDING COMMITTEE—ADDITIONAL INFORMATION—GYNAECOLOGICAL CANCER IN AUSTRALIA

Senator Patterson, at the request of the Chair of the Community Affairs Committee (Senator Humphries), tabled the following document:

Community Affairs—Standing Committee—Report—Breaking the silence: A national voice for gynaecological cancers—Additional information.

30 ECONOMICS—STANDING COMMITTEE—ADDITIONAL INFORMATION—TAX LAWS AMENDMENT (SIMPLIFIED SUPERANNUATION) BILL 2006 AND RELATED BILLS

Senator Patterson, at the request of the Chair of the Economics Committee (Senator Ronaldson), tabled the following document:

Economics—Standing Committee—Report—Tax Laws Amendment (Simplified Superannuation) Bill 2006 [Provisions], Superannuation (Excess Untaxed Roll-over Amounts Tax) Bill 2006 [Provisions], Superannuation (Excess Concessional Contributions Tax) Bill 2006 [Provisions], Superannuation (Excess Non-concessional Contributions Tax) Bill 2006 [Provisions], Superannuation (Departing Australia Superannuation Payments Tax) Bill 2006 [Provisions] and Superannuation (Self Managed Superannuation Funds) Supervisory Levy Amendment Bill 2006 [Provisions]—Additional information.

**31 INTELLIGENCE AND SECURITY—JOINT STATUTORY COMMITTEE—REPORT—
REVIEW OF RE-LISTING OF ASG, JUA, GIA AND GSPC**

Senator Patterson, on behalf of the Parliamentary Joint Committee on Intelligence and Security, tabled the following report:

Intelligence and Security—Joint Statutory Committee—Review of the re-listing of ASG, JuA, GIA and GSPC—Report, dated February 2007.

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

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

32 DOCUMENTS

The following documents were tabled by the Clerk:

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

Acts Interpretation Act—Acts Interpretation (Substituted References – Section 19B) Amendment Order 2007 (No. 1) [F2007L00303]*.

Air Services Act—Air Services Regulations—Instrument No. AERU 07-14—Temporary Reclassification of Airspace [F2007L00483]*.

Appropriation Act (No. 1) 2006-2007—Advance to the Finance Minister—Determination No. 2 of 2006-2007 [F2007L00280]*.

AusLink (National Land Transport) Act—National Land Transport Network Variation 2007 (No. 1) [F2007L00350]*.

Australian Communications and Media Authority Act—

Broadcasting (Charges) Determination 2007 [F2007L00371]*.

Radiocommunications (Charges) Determination 2007 [F2007L00372]*.

Telecommunications (Charges) Determination 2007 [F2007L00360]*.

Telecommunications (Facility Installation Permit – Application Charge) Determination 2007 [F2007L00349]*.

Telecommunications (Facility Installation Permit – Public Inquiry Charges) Determination 2007 [F2007L00343]*.

Telecommunications (Freephone and Local Rate Numbers Auctions – Registration Charge) Determination 2007 [F2007L00369]*.

Telecommunications (Nominated Carrier Declaration Application Charge) Determination 2007 [F2007L00348]*.

Telecommunications (Submarine Cable Permit – Application Charge) Determination 2007 [F2007L00368]*.

Australian Communications and Media Authority Act and Radiocommunications Act—Radiocommunications (Interpretation) Amendment Determination 2007 (No. 1) [F2007L00346]*.

Australian Prudential Regulation Authority Act—Australian Prudential Regulation Authority (Confidentiality) Determination No. 3 of 2007—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 (2005) [F2007L00480]*.

Aviation Transport Security Act—Select Legislative Instrument 2007 No. 13—Aviation Transport Security Amendment Regulations 2007 (No. 1) [F2007L00391]*.

Broadcasting Services Act—Guidelines relating to ACMA's enforcement powers [F2007L00261]*.

Building and Construction Industry Improvement Act—Select Legislative Instrument 2007 No. 22—Building and Construction Industry Improvement Amendment Regulations 2007 (No. 1) [F2007L00414]*.

Charter of the United Nations Act—Select Legislative Instrument 2007 No. 12—Charter of the United Nations (Sanctions – Iran) Regulations 2007 [F2007L00418]*.

Civil Aviation Act—

Civil Aviation Regulations—

Civil Aviation Order 82.0 Amendment Order (No. 1) 2007 [F2007L00208]*.

Civil Aviation Order 100.66 Instrument 2007 [F2007L00210]*.

Instruments Nos—

CASA 30/07—Direction – use of night vision devices prohibited in private operations [F2007L00209]*.

CASA 38/07—Instructions – use of RNAV (GNSS) approaches by RNP-capable aircraft [F2007L00281]*.

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

AD/A320/147 Amdt 2—Life Limited and Monitored Parts [F2007L00366]*.

AD/A320/180 Amdt 1—Fuel Tank Decals [F2007L00389]*.

AD/A320/190 Amdt 3—Engine Pylon Spar Box Ribs [F2007L00365]*.

AD/A320/193 Amdt 1—Auxiliary Power Unit Starter and Air Intake System [F2007L00388]*.

AD/A320/199—A319 – State of Design Airworthiness Directives [F2007L00390]*.

AD/A320/200—Certified Limitations – MPD Section 9-3 [F2007L00364]*.

AD/A320/201—Cargo Loading System Fixed YZ Latches [F2007L00363]*.

AD/A320/202—Main Landing Gear Door Actuator [F2007L00387]*.

AD/A320/203—Forward Engine Mount Bolts [F2007L00475]*.

AD/A330/63 Amdt 1—Fuel Tank Safety – Fuel Airworthiness Limitations [F2007L00386]*.

AD/B727/174 Amdt 1—Shoulder Restraint of Attendant or Observers Seat [F2007L00361]*.

AD/B737/174 Amdt 1—Shoulder Restraint of Attendant or Observers Seat [F2007L00359]*.

AD/B737/299—Electrical Bonding [F2007L00384]*.

AD/B737/300—Fuselage Frame Air Conditioning Bracket Attachments [F2007L00358]*.

AD/B747/267—Shoulder Restraint of Attendant or Observers Seat [F2007L00357]*.

AD/B747/297 Amdt 1—Shoulder Restraint Harness Attachment [F2007L00355]*.

AD/B747/315 Amdt 1—Wing Landing Gear Outer Cylinder [F2007L00354]*.

AD/B747/354—Crown Crease Beam [F2007L00353]*.

AD/B747/355—STA 2360 Aft Pressure Bulkhead Web Lap Joint [F2007L00352]*.

AD/B767/162—Shoulder Restraint of Attendant or Observers Seat [F2007L00351]*.

- AD/B767/190 Amdt 1—Shoulder Restraint Harness Attachment [F2007L00336]*.
- AD/B767/228—Forward and Aft Cargo Compartments Water and Drain Line Heaters [F2007L00381]*.
- AD/CAP 10/11—Push-to-Talk Wiring [F2007L00379]*.
- AD/CAP 232/12 Amdt 1—Return to Flight – Modification/Reinforcement [F2007L00335]*.
- AD/CESSNA 750/2 Amdt 1—Chafing of APU Fuel Tube Assembly [F2007L00378]*.
- AD/DHC-2/24 Amdt 4—Wing Strut Assembly Lower Attachment Fittings [F2007L00334]*.
- AD/DO 228/10—Fuselage Frame 19 [F2007L00422]*.
- AD/DO 328/68—Main Landing Gear Side Brace Assembly [F2007L00376]*.
- AD/EXTRA/7 Amdt 1—Upper Longeron at Horizontal Stabiliser [F2007L00474]*.
- AD/F2000/23—Engine Cowlings [F2007L00333]*.
- AD/GA8/5 Amdt 1—Horizontal Stabiliser Inspection [F2007L00328]*.
- AD/GBK 117/16—Tail Rotor Control Lever with Weights [F2007L00326]*.
- AD/GENERAL/74 Amdt 1—Front Seat Occupant Restraint Installation [F2007L00324]*.
- AD/MU-2/71—Wing Attachment Barrel Nuts and Bolts [F2007L00311]*.
- AD/R22/16 Amdt 4—Lower Actuator Bearing [F2007L00375]*.
- AD/ROBIN/27 Amdt 1—Rudder Pedal Bars [F2007L00309]*.
- AD/SC7/13 Amdt 6—Fatigue Life Limitations [F2007L00307]*.
- AD/SD3-30/49—Engine and Landing Gear Control Cables [F2007L00476]*.
- AD/SD3-60/70—Engine and Landing Gear Control Cables [F2007L00477]*.
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- AD/ARTOUSTE/7—Engine Driven Fuel Pump [F2007L00460]*.
- AD/CFM56/25—Air Turbine Starter [F2007L00377]*.

Class Rulings CR 2007/7—CR 2007/10.

Commonwealth Places (Mirror Taxes) Act—Select Legislative Instrument 2007 No. 18—Commonwealth Places (Mirror Taxes) Amendment Regulations 2007 (No. 1) [F2007L00299]*.

Corporations Act—ASIC Class Orders—

[CO 07/88] [F2007L00338]*.

[CO 07/90] [F2007L00340]*.

[CO 07/91] [F2007L00342]*.

Criminal Code Act—Select Legislative Instrument 2007 No. 3—Criminal Code Amendment Regulations 2007 (No. 1) [F2007L00284]*.

Customs Act—

Select Legislative Instruments 2007 Nos—

4—Customs (Prohibited Exports) Amendment Regulations 2007 (No. 1) [F2007L00416]*.

5—Customs (Prohibited Imports) Amendment Regulations 2007 (No. 1) [F2007L00417]*.

Tariff Concession Orders—

0612276 [F2007L00331]*.
0614915 [F2007L00292]*.
0614974 [F2007L00308]*.
0615052 [F2007L00443]*.
0615053 [F2007L00444]*.
0617221 [F2007L00310]*.
0618074 [F2007L00291]*.
0618077 [F2007L00293]*.
0618145 [F2007L00286]*.
0618148 [F2007L00312]*.
0618150 [F2007L00313]*.
0618152 [F2007L00314]*.
0618153 [F2007L00316]*.
0618154 [F2007L00317]*.
0618155 [F2007L00287]*.
0618201 [F2007L00315]*.
0618337 [F2007L00288]*.
0618381 [F2007L00318]*.
0618382 [F2007L00319]*.
0618383 [F2007L00320]*.
0618385 [F2007L00321]*.
0618386 [F2007L00403]*.
0618405 [F2007L00404]*.
0618406 [F2007L00289]*.
0618418 [F2007L00294]*.
0618419 [F2007L00400]*.
0618420 [F2007L00455]*.
0618421 [F2007L00445]*.
0618423 [F2007L00409]*.
0618424 [F2007L00396]*.
0618435 [F2007L00446]*.
0618436 [F2007L00447]*.
0618437 [F2007L00322]*.
0618438 [F2007L00407]*.
0618445 [F2007L00408]*.
0618446 [F2007L00398]*.
0618478 [F2007L00448]*.
0618510 [F2007L00405]*.
0618511 [F2007L00399]*.
0618516 [F2007L00449]*.
0618517 [F2007L00395]*.
0618519 [F2007L00450]*.
0618520 [F2007L00451]*.
0618521 [F2007L00394]*.
0618568 [F2007L00441]*.
0618605 [F2007L00466]*.
0618607 [F2007L00401]*.
0618621 [F2007L00436]*.
0618622 [F2007L00440]*.
0618623 [F2007L00402]*.

0618624 [F2007L00452]*.
 0618625 [F2007L00470]*.
 0618626 [F2007L00469]*.
 0618627 [F2007L00468]*.
 0618629 [F2007L00438]*.
 0618630 [F2007L00437]*.
 0618669 [F2007L00467]*.
 0618671 [F2007L00435]*.
 0618672 [F2007L00465]*.
 0618673 [F2007L00464]*.
 0618694 [F2007L00462]*.
 0618705 [F2007L00463]*.
 0618737 [F2007L00439]*.
 0618829 [F2007L00406]*.
 0619414 [F2007L00453]*.

Tariff Concession Revocation Instruments—

10/2007 [F2007L00146]*.
 24/2007 [F2007L00454]*.
 25/2007 [F2007L00456]*.
 26/2007 [F2007L00457]*.
 27/2007 [F2007L00458]*.
 28/2007 [F2007L00459]*.

Tariff Concession Revocation Instruments and Explanatory Statement—

HS2007/196 [F2006L05183] [*in substitution for HS2007/245 [F2006L05183] tabled on 6 February 2007.*]
 HS2007/441 [F2006L05427] [*in substitution for HS2007/442 [F2006L05427] tabled on 6 February 2007.*]
 HS2007/514 [F2006L05499] [*in substitution for HS2007/705 [F2006L05499] tabled on 6 February 2007.*]
 HS2007/637 [F2006L05622].
 HS2007/639 [F2006L05625].
 HS2007/706 [F2006L05691] [*in substitution for HS2007/705 [F2006L05691] tabled on 6 February 2007.*]

Defence Act—Determinations under sections—

58B—Defence Determinations—

2007/2—Incidentals allowance – amendment.
 2007/4—Hardship allowance – amendment.
 2007/5—Salary and allowances during detention or suspension – amendment.
 2007/6—Post indexes – implementation of price review.

58H—Defence Force Remuneration Tribunal Determinations Nos—

18 of 2006—Army Operator Supply, Clerk Administrative and Clerk Finance Categories.
 20 of 2006—Royal Australian Army Corps of Electrical and Mechanical Engineers (Ground) Categories.
 SO 2007/1—Salary for Senior Officer.
 SO 2007/2—Salary for Senior Officer.

Environment Protection and Biodiversity Conservation Act—

Amendment of list of CITES Species, dated 10 January 2007 [F2007L00362]*.

Listing of CITES Species—Declaration of stricter domestic measure, dated 25 January 2007 [F2007L00332]*.

Select Legislative Instrument 2007 No. 9—Environment Protection and Biodiversity Conservation Amendment Regulations 2007 (No. 1) [F2007L00410]*.

Financial Management and Accountability Act—Net Appropriation Agreement for the Department of Health and Ageing [F2007L00301]*.

Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 1999—Financial Sector Reform (Amendments and Transitional Provisions) Regulations 1999—Banking (Prudential Standard) Determination No. 1 of 2007—Revocation of Attachment B to the Prudential Notes and Prudential Standards issued by AFIC under Part 4 of an AFIC Code [F2007L00234]*.

Fisheries Levy Act—Select Legislative Instrument 2007 No. 2—Fisheries Levy (Torres Strait Prawn Fishery) Amendment Regulations 2007 (No. 1) [F2007L00374]*.

Food Standards Australia New Zealand Act—Australia New Zealand Food Standards Code – Amendment No. 91 – 2007 [F2007L00373]*.

Future Fund Act—Future Fund (Crediting of Additional Amounts) Determination 2007 [F2007L00431]*.

Goods and Services Tax Ruling GSTR 2007/1.

Health Insurance Act—

Health Insurance (Accredited Pathology Laboratories – Approval) Amendment Principals 2007 (No. 1) [F2007L00283]*.

Select Legislative Instrument 2007 No. 10—Health Insurance (General Medical Services Table) Amendment Regulations 2007 (No. 1) [F2007L00285]*.

Higher Education Support Act—

Higher Education Provider Approval (No. 2 of 2007)—The Cairnmillar Institute School of Counselling and Psychotherapy Pty Ltd [F2007L00232]*.

OS-HELP Guidelines 2007 [F2007L00339]*.

Income Tax Assessment Act 1936—Select Legislative Instrument 2007 No. 19—Income Tax (Farm Management Deposits) Amendment Regulations 2007 (No. 1) [F2007L00300]*.

Independent Contractors Act—Select Legislative Instrument 2007 No. 23—Independent Contractors Regulations 2007 [F2007L00413]*.

Industry Research and Development Act—Commercialising Emerging Technologies (COMET) Program Directions No. 1 of 2006 [F2007L00421]*.

International Transfer of Prisoners Act—Select Legislative Instrument 2007 No. 6—International Transfer of Prisoners (Cambodia) Regulations 2007 [F2007L00298]*.

Lands Acquisition Act—Statements describing property acquired by agreement for specified public purposes under sections—

40.

125.

Migration Act—Migration Regulations—Instruments—

IMMI 07/001—Travel Agents for PRC Citizens applying for Tourist Visas [F2007L00478]*.

IMMI 07/003—Organisations that may sponsor Short Stay Business Visitors [F2007L00327]*.

Mutual Assistance in Criminal Matters Act—Select Legislative Instrument 2007 No. 7—Mutual Assistance in Criminal Matters (The People's Republic of China) Regulations 2007 [F2007L00302]*.

Mutual Recognition Act—Declaration under section 32, dated 9 February 2007 [F2007L00434]*.

National Health Act—

Arrangements Nos—

PB 16 of 2007—Highly Specialised Drugs Program [F2007L00427]*.

PB 17 of 2007—Special Authority Program (Imatinib Mesylate) [F2007L00425]*.

PB 18 of 2007—Special Authority Program (Trastuzumab) [F2007L00426]*.

Declarations Nos—

PB 13 of 2007 [F2007L00428]*.

PB 19 of 2007 [F2007L00429]*.

Determinations Nos—

HIB 2/2007 [F2007L00503]*.

PB 12 of 2007 [F2007L00430]*.

PB 14 of 2007 [F2007L00424]*.

PB 15 of 2007 [F2007L00423]*.

Select Legislative Instrument 2007 No. 11—National Health Amendment Regulations 2007 (No. 1) [F2007L00278]*.

National Transport Commission Act—Select Legislative Instrument 2007 No. 14—National Transport Commission (Road Transport Legislation – Vehicle Standards) Amendment Regulations 2007 (No. 1) [F2007L00382]*.

Navigation Act—Select Legislative Instrument 2007 No. 15—Navigation (Coasting Trade) Regulations 2007 [F2007L00383]*.

Occupational Health and Safety (Commonwealth Employment) Act—Select Legislative Instrument 2007 No. 8—Occupational Health and Safety (Commonwealth Employment) (National Standards) Amendment Regulations 2007 (No. 1) [F2007L00370]*.

Parliamentary Entitlements Act—Parliamentary Entitlements Regulations—Advice of decision to pay assistance under Part 3, dated 12 February 2007.

Product Rulings PR 2007/5-PR 2007/8.

Radiocommunications Act—Radiocommunications Licence Conditions (Scientific Licence) Amendment Determination 2007 (No. 1) [F2007L00344]*.

Radiocommunications (Receiver Licence Tax) Act—Radiocommunications (Receiver Licence Tax) Amendment Determination 2007 (No. 1) [F2007L00345]*.

Radiocommunications (Transmitter Licence Tax) Act—Radiocommunications (Transmitter Licence Tax) Amendment Determination 2007 (No. 1) [F2007L00347]*.

Remuneration Tribunal Act—Determination 2007/1: Remuneration and Allowances for Holders of Public Office [F2007L00420]*.

Safety, Rehabilitation and Compensation Act—Safety, Rehabilitation and Compensation (Licence Eligibility) Notice 2007 (1) [F2007L00341]*.

Sales Tax Rulings—Notices of Withdrawal—ST 2007-ST 2012, ST 2014, ST 2015, ST 2018, ST 2020, ST 2021, ST 2023, ST 2024, ST 2026-ST 2030, ST 2033-ST 2035, ST 2038, ST 2040, ST 2042, ST 2044, ST 2046, ST 2047, ST 2049-ST 2054, ST 2057-ST 2060, ST 2063 and ST 2065.

Social Security Act—

Social Security (Australian Government Disaster Recovery Payment) Amendment Determination 2007 (No. 1) [F2007L00419]*.

Social Security (Australian Government Disaster Recovery Payment) Determination 2007 (No. 1) [F2007L00442]*.

Social Security Exempt Lump Sum (Restructuring Grants under the Tobacco Grower Adjustment Assistance Package 2006) (DEST) Determination 2007 [F2007L00479]*.

Social Security Exempt Lump Sum (Restructuring Grants under the Tobacco Grower Adjustment Assistance Package 2006) (DEWR) Determination 2007 [F2007L00482]*.

Social Security Exempt Lump Sum (Restructuring Grants under the Tobacco Grower Adjustment Assistance Package 2006) (FaCSIA) Determination 2007 [F2007L00481]*.

Social Security (Participation Exemption – Parenting Order) (DEWR) Instrument 2007 [F2007L00337]*.

Social Security (Participation Exemption – Parenting Order) (FaCSIA) Instrument 2007 [F2007L00432]*.

Stevedoring Levy (Collection) Act—Select Legislative Instruments 2007 Nos—

16—Stevedoring Levy (Collection) Amendment Regulations 2007 (No. 1) [F2007L00380]*.

17—Stevedoring Levy (Distribution of Surplus Levy) Regulations 2007 [F2007L00385]*.

Telecommunications (Carrier Licence Charges) Act—Telecommunications (Carrier Licence Application Charge) Determination 2007 [F2007L00367]*.

Trade Practices Act—

Consumer Protection Notice (Revocation) No. 4 of 2007 [F2007L00212]*.

Select Legislative Instruments 2007 Nos—

20—Trade Practices (Consumer Product Information Standards) (Tobacco) Amendment Regulations 2007 (No. 1) [F2007L00233]*.

21—Trade Practices (Consumer Product Safety Standards) (Children's Nightwear and Paper Patterns for Children's Nightwear) Regulations 2007 [F2007L00215]*.

Water Efficiency Labelling and Standards Act—Water Efficiency Labelling and Standards Determination 2007 [F2007L00330]*.

Workplace Relations Act—Select Legislative Instrument 2007 No. 24—Workplace Relations Amendment Regulations 2007 (No. 1) [F2007L00415]*.

Governor-General's Proclamations—Commencement of Provisions of Acts

Environment and Heritage Legislation Amendment Act (No. 1) 2006—Items 1 to 604, 606, 608 to 762, 764 to 780, 783 to 807, 809 to 835, 840, 846 to 851 and 854 to 869 of Schedule 1—19 February 2007 [F2007L00411]*.

Independent Contractors Act 2006—Sections 3 to 43—1 March 2007 [F2007L00412]*.

Trade Marks Amendment Act 2006—Part 2 of Schedule 1—27 March 2007 [F2007L00392]*.

* Explanatory statement tabled with legislative instrument.

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

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

Departmental and agency contracts for 2006—Letters of advice—
Attorney-General's portfolio agencies.
Finance and Administration portfolio agencies.

34 AUSTRALIAN TECHNICAL COLLEGES (FLEXIBILITY IN ACHIEVING AUSTRALIA'S SKILLS NEEDS) AMENDMENT BILL (NO. 2) 2006

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

Message no. 471, dated 8 February 2007—A Bill for an Act to amend the *Australian Technical Colleges (Flexibility in Achieving Australia's Skills Needs) Act 2005*, and for related purposes.

The Minister for Community Services (Senator Scullion) 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 Scullion moved—That this bill be now read a second time.

On the motion of Senator Scullion the debate was adjourned and the resumption of the debate made an order of the day for a later hour.

**35 ACIS ADMINISTRATION AMENDMENT (UNEARNED CREDIT LIABILITY) BILL 2007
AGED CARE AMENDMENT (SECURITY AND PROTECTION) BILL 2007
FAMILY LAW (DIVORCE FEES VALIDATION) BILL 2007
SUPERANNUATION LEGISLATION AMENDMENT (SIMPLIFICATION) BILL 2007
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**

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

Message no. 495, dated 14 February 2007—A Bill for an Act to amend the *ACIS Administration Act 1999*, and for related purposes.

Message no. 497, dated 15 February 2007—A Bill for an Act to amend the law relating to aged care, and for related purposes.

Message no. 487, dated 14 February 2007—A Bill for an Act to validate certain increases in court fees, and for related purposes.

Message no. 481, dated 13 February 2007—A Bill for an Act to amend the law relating to taxation, superannuation, social security and veterans' entitlements, and for related purposes.

Message no. 482, dated 13 February 2007—A Bill for an Act to amend the *Income Tax Act 1986*, and for related purposes.

Message no. 483, dated 13 February 2007—A Bill for an Act to amend the *Income Tax (Former Complying Superannuation Funds) Act 1994*, and for related purposes.

Message no. 484, dated 13 February 2007—A Bill for an Act to amend the *Income Tax (Former Non-resident Superannuation Funds) Act 1994*, and for related purposes.

Message no. 485, dated 13 February 2007—A Bill for an Act to amend the *Income Tax Rates Act 1986*, and for related purposes.

The Minister for Community Services (Senator Scullion) 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 Scullion moved—That these bills be now read a second time.

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

Senator Scullion moved—That the ACIS Administration Amendment (Unearned Credit Liability) Bill 2007, the Aged Care Amendment (Security and Protection) Bill 2007 and the Family Law (Divorce Fees Validation) Bill 2007 be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

36 AUSCHECK BILL 2006

MARITIME LEGISLATION AMENDMENT (PREVENTION OF AIR POLLUTION FROM SHIPS) BILL 2006

NATIVE TITLE AMENDMENT BILL 2006

PRIVATE HEALTH INSURANCE BILL 2006

PRIVATE HEALTH INSURANCE (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 2006

PRIVATE HEALTH INSURANCE (PROSTHESES APPLICATION AND LISTING FEES) BILL 2006

PRIVATE HEALTH INSURANCE (COLLAPSED ORGANIZATION LEVY) AMENDMENT BILL 2006

PRIVATE HEALTH INSURANCE COMPLAINTS LEVY AMENDMENT BILL 2006

PRIVATE HEALTH INSURANCE (COUNCIL ADMINISTRATION LEVY) AMENDMENT BILL 2006

PRIVATE HEALTH INSURANCE (REINSURANCE TRUST FUND LEVY) AMENDMENT BILL 2006

TAX LAWS AMENDMENT (SIMPLIFIED SUPERANNUATION) BILL 2006

SUPERANNUATION (EXCESS CONCESSIONAL CONTRIBUTIONS TAX) BILL 2006

SUPERANNUATION (EXCESS NON-CONCESSIONAL CONTRIBUTIONS TAX) BILL 2006

SUPERANNUATION (EXCESS UNTAXED ROLL-OVER AMOUNTS TAX) BILL 2006

SUPERANNUATION (DEPARTING AUSTRALIA SUPERANNUATION PAYMENTS TAX) BILL 2006

SUPERANNUATION (SELF MANAGED SUPERANNUATION FUNDS) SUPERVISORY LEVY AMENDMENT BILL 2006

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

Message no. 472, dated 8 February 2007—A Bill for an Act to provide a regulatory framework for coordinating and conducting centralised criminal, security and other background checking, and for related purposes.

Message no. 473, dated 8 February 2007—A Bill for an Act to amend the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983*, and for other purposes.

Message no. 486, dated 14 February 2007—A Bill for an Act to amend legislation in relation to native title, and for related purposes.

Message no. 488, dated 14 February 2007—A Bill for an Act to regulate private health insurance, and for related purposes.

Message no. 489, dated 14 February 2007—A Bill for an Act to provide for transitional matters, and make consequential amendments, relating to the enactment of the *Private Health Insurance Act 2006*, and for related purposes.

Message no. 490, dated 14 February 2007—A Bill for an Act to impose, as a tax, fees in relation to applications for listing, and listing, of prostheses, and for related purposes.

Message no. 491, dated 14 February 2007—A Bill for an Act to amend the *Private Health Insurance (Collapsed Organization Levy) Act 2003*, and for related purposes.

Message no. 492, dated 14 February 2007—A Bill for an Act to amend the *Private Health Insurance Complaints Levy Act 1995*, and for related purposes.

Message no. 493, dated 14 February 2007—A Bill for an Act to amend the *Private Health Insurance (Council Administration Levy) Act 2003*, and for related purposes.

Message no. 494, dated 14 February 2007—A Bill for an Act to amend the *Private Health Insurance (Reinsurance Trust Fund Levy) Act 2003*, and for related purposes.

Message no. 475, dated 13 February 2007—A Bill for an Act to amend the law relating to taxation, superannuation, social security and veterans' entitlements, and for related purposes.

Message no. 476, dated 13 February 2007—A Bill for an Act to impose excess concessional contributions tax, and for related purposes.

Message no. 477, dated 13 February 2007—A Bill for an Act to impose excess non-concessional contributions tax, and for related purposes.

Message no. 478, dated 13 February 2007—A Bill for an Act to impose tax on excess untaxed roll-over amounts of superannuation benefits, and for related purposes.

Message no. 479, dated 13 February 2007—A Bill for an Act to impose tax on departing Australia superannuation payments, and for related purposes.

Message no. 480, dated 13 February 2007—A Bill for an Act to amend the *Superannuation (Self Managed Superannuation Funds) Supervisory Levy Imposition Act 1991*, and for related purposes.

The Minister for Community Services (Senator Scullion) 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 Scullion moved—That these bills be now read a second time.

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

Consideration of legislation: Senator Scullion moved—That the bills be listed on the *Notice Paper* as five orders of the day, as follows:

- (a) AusCheck Bill 2006;
- (b) Maritime Legislation Amendment (Prevention of Air Pollution from Ships) Bill 2006;
- (c) Native Title Amendment Bill 2006;
- (d) Private Health Insurance Bill 2006, Private Health Insurance (Transitional Provisions and Consequential Amendments) Bill 2006, Private Health Insurance (Prostheses Application and Listing Fees) Bill 2006, Private Health Insurance (Collapsed Organization Levy) Amendment Bill 2006, Private Health Insurance Complaints Levy Amendment Bill 2006, Private Health Insurance (Council Administration Levy) Amendment Bill 2006 and Private Health Insurance (Reinsurance Trust Fund Levy) Amendment Bill 2006; and
- (e) Tax Laws Amendment (Simplified Superannuation) Bill 2006, Superannuation (Excess Concessional Contributions Tax) Bill 2006, Superannuation (Excess Non-concessional Contributions Tax) Bill 2006, Superannuation (Excess Untaxed Roll-over Amounts Tax) Bill 2006, Superannuation (Departing Australia Superannuation Payments Tax) Bill 2006 and Superannuation (Self Managed Superannuation Funds) Supervisory Levy Amendment Bill 2006.

Question put and passed.

37 EXPORT FINANCE AND INSURANCE CORPORATION AMENDMENT BILL 2006 [2007]

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

Message no. 474, dated 8 February 2007—Export Finance and Insurance Corporation Amendment Bill 2006 [2007].

38 JOINT COMMITTEES—CHANGES IN MEMBERSHIP

A message from the House of Representatives was reported informing the Senate of changes in the membership of joint committees, as follows:

Message no. 496, dated 14 February 2007—

Treaties—Joint Standing Committee—Mr Laming in place of Mrs Mirabella
 Broadcasting of Parliamentary Proceedings—Joint Statutory Committee—
 Mr Hardgrave in place of Mr Lindsay
 Electoral Matters—Joint Standing Committee—Mr Forrest in place of
 Mr Lindsay.

39 GOVERNOR-GENERAL'S MESSAGES—ASSENT TO LAWS

Messages from His Excellency the Governor-General were reported, informing the Senate that he had assented to the following laws:

19 February 2007—Message—

No. 57—

Australian Securities and Investments Commission Amendment (Audit Inspection) Act 2007 (Act No. 1, 2007)
Customs Tariff Amendment (Incorporation of Proposals) Act 2007 (Act No. 2, 2007)

Law and Justice Legislation Amendment (Marking of Plastic Explosives) Act 2007 (Act No. 3, 2007)
Tax Laws Amendment (2006 Measures No. 6) Act 2007 (Act No. 4, 2007)
Customs Legislation Amendment (Border Compliance and Other Measures) Act 2007 (Act No. 5, 2007).

No. 58—

Export Finance and Insurance Corporation Amendment Act 2007 (Act No. 6, 2007)
Migration Amendment (Employer Sanctions) Act 2007 (Act No. 7, 2007).

40 AUSTRALIAN CITIZENSHIP BILL 2006

AUSTRALIAN CITIZENSHIP (TRANSITIONALS AND CONSEQUENTIALS) BILL 2006

Order read for the further consideration of the bills in committee of the whole.

In the committee

AUSTRALIAN CITIZENSHIP BILL 2006—

Consideration resumed of the bill, as amended.

Bill, as amended, further debated.

Senator Ludwig moved the following amendment:

Clause 21, page 28 (line 32), after “17”, insert “or 18”.

Debate ensued.

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

Senator Ludwig moved the following amendments together by leave:

Clause 22, page 30 (line 4), omit “4”, substitute “3”.

Clause 22, page 30 (line 8), omit “4”, substitute “3”.

Clause 22, page 30 (line 15), omit “4”, substitute “3”.

Clause 22, page 31 (line 3), omit “4”, substitute “3”.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 32

Senators—

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

NOES, 33

Senators—

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

Question negatived.

Senator Siewert moved the following amendments together by leave:

Clause 22, page 30 (line 4), omit “4 years”, substitute “2 years”.

Clause 22, page 30 (line 8), omit “4 year”, substitute “2 year”.

Clause 22, page 30 (line 15), omit “4 years”, substitute “2 years”.

Clause 22, page 31 (line 3), omit “4 year”, substitute “2 year”.

Debate ensued.

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

Senator Bartlett moved the following amendment:

Clause 22, page 32 (line 26), at the end of subclause (10), add “and includes a same sex partner”.

Debate ensued.

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

Senator Bartlett moved the following amendment:

Clause 22, page 33 (after line 11), at the end of the clause, add:

- (12) For the purpose of subsection (1), the Minister must, if the person was the holder of a Temporary Protection Visa during a period, treat that period as one in which the person was present in Australia as a permanent resident.

Note: Temporary Protection Visas are provided for under the *Migration Regulations 1994*.

Debate ensued.

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

Senator Bartlett moved the following amendment:

Clause 54, page 66 (after line 20), at the end of the clause, add;

- (2) The regulations must include policy guidelines providing that the application of the ministerial discretions in section 22 in relation to significant hardship or disadvantage and activities beneficial to Australia are to be applied broadly to include:

- (a) social and cultural factors; and
(b) economic considerations.

Debate ensued.

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

Senator Bartlett moved the following amendment:

Page 66 (after line 20), at the end of Part 3, add:

55 Review

- (1) The Minister must cause an independent review of:
 - (a) the extent to which Australia discharges its obligations to stateless persons; and
 - (b) the extent to which the Department of Immigration and Citizenship has conferred with the United Nations High Commissioner for Refugees and the Human Rights and Equal Opportunity Commission on Australia's obligations to stateless persons.
- (2) The person who undertakes the review under subsection (1) must give the Minister a written report of the review.
- (3) The Minister must cause a copy of the report of the review to be tabled in each House of Parliament within 12 months after the second anniversary of the commencement of this Act.

Debate ensued.

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

Bill, as amended, agreed to.

AUSTRALIAN CITIZENSHIP (TRANSITIONALS AND CONSEQUENTIALS) BILL 2006—

Bill, taken as a whole by leave, agreed to.

The Australian Citizenship Bill 2006 to be reported with amendments and the Australian Citizenship (Transitionals and Consequentials) Bill 2006 to be reported without amendments.

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

On the motion of the Minister for Community Services (Senator Scullion) the report from the committee was adopted.

Senator Scullion moved—That these bills be now read a third time.

Debate ensued.

Question put and passed.

Bills read a third time.

41 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—CHANGES IN MEMBERSHIP

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

The Minister for Human Services (Senator Ian Campbell), by leave, moved—That Senators Brandis and Mason be discharged from and Senators Adams and Fierravanti-Wells be appointed to the Joint Standing Committee on Electoral Matters.

Question put and passed.

42 ELECTORAL AND REFERENDUM LEGISLATION AMENDMENT BILL 2006

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

On the motion of the Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) the bill was read a third time.

43 AUSTRALIAN TECHNICAL COLLEGES (FLEXIBILITY IN ACHIEVING AUSTRALIA'S SKILLS NEEDS) AMENDMENT BILL (NO. 2) 2006

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

Senator Carr moved the following amendment:

At the end of the motion, add “but the Senate considers that the present government has been complacent and neglectful about the Australian economy by:

- (a) presiding over a skills crisis through its continued failure over more than 10 long years in office to ensure Australians get the training they need to get a skilled job and meet the skills needs of the economy;
- (b) failing to:
 - (i) make the necessary investments in our schools and technical and further education systems to create opportunities for young Australians to access high quality vocational education and training, including at schools, and
 - (ii) increase the number of school-based traditional apprentices and provide funding support for schools in taking up the places;
- (c) creating expensive, inefficient, stand-alone colleges, without cooperation with the states within the existing vocational education and training framework;
- (d) riding roughshod over the states and territories in establishing these colleges, despite the role the states and territories play in vocational education and training;
- (e) making Australian industry wait until 2010 for the Australian technical colleges to produce their first qualified tradesperson; and
- (f) failing to provide support to other regions that have skill shortages, but are not listed for a technical college”.

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

44 NOTICE

Senator Bartlett gave a notice of motion as follows: To move on 1 March 2007—That the following matter be referred to the Rural and Regional Affairs and Transport Committee for inquiry and report by 9 May 2007:

All aspects of the Federal Government's 10 point National Plan for Water Security, including:

- (a) whether it will return sufficient water to the Murray-Darling Basin to meet the environmental needs of the Murray-Darling Basin catchment; and
- (b) what mechanisms are in place to ensure farmers and the environment obtain maximum value from the funds expended.

45 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 10.25 pm till Tuesday, 27 February 2007 at 12.30 pm.

46 ATTENDANCE

Present, all senators.

HARRY EVANS
Clerk of the Senate