

2004-07

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 141

THURSDAY, 29 MARCH 2007

Contents

1	Meeting of Senate	3718
2	Notices.....	3718
3	Selection of Bills—Standing Committee—Report No. 5 of 2007	3719
4	Foreign Affairs, Defence and Trade—Standing Committee—Extension of Time to Report	3720
5	Postponements.....	3720
6	Foreign Affairs—Human Rights—Interrogation and Torture.....	3720
7	Environment—Macquarie Island	3721
8	Repatriation of Citizens Bill 2007	3722
9	Environment, Communications, Information Technology and the Arts— Standing Committee—Extension of Time to Report	3722
10	Foreign Affairs—European Union	3722
11	Law and Justice—Human Rights—Slavery.....	3723
12	Workplace Relations (Restoring Family Work Balance) Amendment Bill 2007	3723
13	Economics—Standing Committee—Reference.....	3723
14	Foreign Affairs—Mr David Hicks	3724
15	Publications—Standing Committee—20th Report.....	3724
16	Corporations and Financial Services—Joint Statutory Committee— Report—Exposure Draft of Corporations Amendment (Insolvency) Bill 2007	3725
17	Community Affairs References Committee—Additional Information— Petrol Sniffing in Aboriginal Communities.....	3725
18	Committees—Additional information—Additional Estimates 2005-06 and 2006-07 and Budget Estimates 2006-07.....	3725
19	Primary Industries and Energy Research and Development Amendment Bill 2007 Governance Review Implementation (Treasury Portfolio Agencies) Bill 2007	3726

20	Anti-Money Laundering and Counter-Terrorism Financing Amendment Bill 2007 AusCheck Bill 2006 Native Title Amendment Bill 2006	3726
21	Bankruptcy Legislation Amendment (Superannuation Contributions) Bill 2006 [2007]	3727
22	Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—Appointment of Members	3727
23	Environment, Communications, Information Technology and the Arts— Standing Committee—Proposed Reference	3727
24	Employment and Workplace Relations Legislation Amendment (Welfare to Work and Vocational Rehabilitation Services) Bill 2006	3728
25	Corporations Amendment (Takeovers) Bill 2007	3731
26	Migration Amendment (Review Provisions) Bill 2006 [2007] Migration Amendment (Border Integrity) Bill 2007	3733
27	Questions	3733
28	Answers to Questions	3733
29	Environment—Carbon Dioxide Emissions—Answer to Question	3734
30	Notice	3734
31	Environment—Global Initiative on Forests and Climate—Ministerial Statement—Document	3734
32	Scrutiny of Bills—Standing Committee—Government Response—3rd Report of 2004	3734
33	Foreign Affairs, Defence and Trade—Joint Standing Committee— Government Response—Australia’s Free Trade Agreements	3734
34	Foreign Affairs, Defence and Trade—Joint Standing Committee— Government Response—Australia’s Relationship with the Republic of Korea and Developments on the Korean Peninsula	3735
35	Community Affairs—Standing Committee—Changes in Membership	3735
36	Department of the Senate—Training Programs for Overseas Legislatures— Documents	3735
37	Department of the Senate—Guide for Senators Preparing Private Senators’ Bills and Related Documents—Document	3735
38	Auditor-General—Audit Report No. 31 of 2006-07—Document	3735
39	Foreign Affairs, Defence and Trade—Standing Committee—Second Progress Report—Reforms to Australia’s Military Justice System	3736
40	Selection of Bills—Standing Committee—Report No. 6 of 2007	3736
41	Australian Parliamentary Delegation to United Kingdom and Poland— Document	3736
42	Documents	3737
43	Departmental and Agency Contracts—Order for Production of Documents—Document	3738
44	Economics—Standing Committee—Changes in Membership	3738
45	Migration Amendment (Review Provisions) Bill 2006 [2007] Migration Amendment (Border Integrity) Bill 2007	3738
46	Hours of Meeting—Variation	3738
47	Migration Amendment (Review Provisions) Bill 2006 [2007] Migration Amendment (Border Integrity) Bill 2007	3739
48	Health Insurance Amendment (Provider Number Review) Bill 2007	3740

49	Advance to the Finance Minister—2005-06	3740
50	Appropriation Bill (No. 3) 2006-2007	
	Appropriation Bill (No. 4) 2006-2007.....	3740
51	Adjournment	3741
52	Attendance.....	3741

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 NOTICES

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 business of the Senate notice of motion no. 1 standing in his name for 7 sitting days after today for the disallowance of the Veterans' Entitlements (Special Disability Trust Beneficiary Requirements) Nomination of Agreement 2006, made under subsection 52ZZZWA(3) of the *Veterans' Entitlements Act 1986*.

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

Notices of motion:

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

- (a) notes the pledge by United States of America (US) Republican presidential candidate Senator John McCain that he will close Guantanamo Bay if he becomes President; and
- (b) calls on the Government to make representations to the US Administration to shut down Guantanamo Bay. (*general business notice of motion no. 779*)

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

- (a) congratulates the Government on its leadership in achieving the outcomes of the United Nations General Assembly (UNGA) Resolution on sustainable fisheries in November 2006;
- (b) calls on the Government to implement UNGA Resolution 61/105 on sustainable fisheries as soon as possible;
- (c) urges the Government to actively assist other nations to implement the resolution in the timeframe set;
- (d) calls on the Government to continue its leadership through the United Nations to ensure integrated global governance of high seas areas;
- (e) recognises this opportunity to put in place best practice regional agreements that include a commitment to the conservation and the sustainable, equitable use of the marine environment through the implementation of the ecosystem approach based on the precautionary principle; and
- (f) calls on the Government to take a leadership role in the negotiations on the development of the South Pacific Regional Fisheries Management Agreement. (*general business notice of motion no. 780*)

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

- (a) notes:
 - (i) the recent report on student finances by the Australian Vice-Chancellors' Committee (AVCC), *Australian University Student Finances 2006*, and
 - (ii) that the Government has yet to respond to the Employment, Workplace Relations and Education References Committee report, *Student income support*, tabled on 23 June 2005; and

- (b) urges the Government to respond to both the committee report and the recommendations for alleviating student financial stress put forward by the AVCC on 15 March 2007. (*general business notice of motion no. 781*)

The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That the Senate calls on the Government to halt the burning of old-growth forests and wildlife habitats in Australia. (*general business notice of motion no. 782*)

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

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

SELECTION OF BILLS COMMITTEE

REPORT NO. 5 OF 2007

1. The committee met in private session on Wednesday, 28 March 2007 at 4.16 pm.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Aged Care Amendment (Residential Care) Bill 2007 be *referred immediately* to the Community Affairs Committee for inquiry and report by 17 May 2007;
 - (b) the Gene Technology Amendment Bill 2007 be *referred immediately* to the Community Affairs Committee for inquiry and report by 1 May 2007;
 - (c) the Food Standards Australia New Zealand Amendment Bill 2007 be *referred immediately* to the Community Affairs Committee for inquiry and report by 1 May 2007;
 - (d) the *provisions* of the Liquid Fuel Emergency Amendment Bill 2007 be *referred immediately* to the Economics Committee for inquiry and report by 8 May 2007; and
 - (e) the *provisions* of the Broadcasting Legislation Amendment (Digital Radio) Bill 2007 and the Radio Licence Fees Amendment Bill 2007 be *referred immediately* to the Environment, Communications, Information Technology and the Arts Committee for inquiry and report by 30 April 2007.
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
 - Classification (Publications, Films and Computer Games) Amendment (Advertising and Other Matters) Bill 2007
 - Criminal Code Amendment (Anti-Child Abuse and Pornography Materials) Bill 2007
 - Education Services for Overseas Students Legislation Amendment Bill 2007
 - Food Safety (Trans Fats) Bill 2007
 - Migration Legislation Amendment (Information and Other Measures) Bill 2007
 - Veterans' Affairs Legislation Amendment (2007 Measures No. 1) Bill 2007.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
 Governance Review Implementation (Science Research Agencies)
 Bill 2007
 Great Barrier Reef Marine Park Amendment Bill 2007.

Stephen Parry
 Deputy Chair
 29 March 2007.

Senator Parry moved—That the report be adopted.

Question put and passed.

4 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Parry, by leave and at the request of the Chair of the Foreign Affairs, Defence and Trade Committee (Senator Payne), moved—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade Committee on the Cluster Munitions (Prohibition) Bill 2006 be extended to 10 May 2007.

Question put and passed.

5 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 2 standing in the name of Senator Bartlett for today, proposing the reference of a matter to the Rural and Regional Affairs and Transport Committee, postponed till 8 May 2007.

General business notice of motion no. 634 standing in the name of Senator Adams for today, proposing the introduction of the Wheat Marketing Legislation Amendment Bill 2007, postponed till 10 May 2007.

General business notice of motion no. 747 standing in the name of the Leader of the Australian Greens (Senator Bob Brown) for today, proposing the introduction of the Lobbying and Ministerial Accountability Bill 2007, postponed till 9 May 2007.

General business notice of motion no. 775 standing in the name of the Leader of the Australian Democrats (Senator Allison) for today, proposing the introduction of the Energy Savings (White Certificate Trading) and Productivity Bill 2007, postponed till 10 May 2007.

6 FOREIGN AFFAIRS—HUMAN RIGHTS—INTERROGATION AND TORTURE

The Leader of the Australian Greens (Senator Bob Brown) amended general business notice of motion no. 770 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate rejects the dictum of former United States Secretary of Defense Donald Rumsfeld that ‘interrogations must always be planned deliberate actions that take into account a detainee’s physical strengths and weaknesses’ as tantamount to endorsing torture.

Question put.

The Senate divided—

AYES, 4

Senators—

Brown, Bob

Milne

Nettle

Siewert (Teller)

NOES, 48

Senators—

Abetz	Evans	Ludwig	Patterson
Adams	Ferguson	Lundy	Payne
Barnett	Fielding	Macdonald, Ian	Polley
Bernardi	Fierravanti-Wells	Marshall	Ray
Bishop	Fifield	Mason	Ronaldson
Boswell	Forshaw	McEwen	Sterle
Brown, Carol	Humphries	McGauran	Troeth
Calvert	Hurley	McLucas	Trood
Campbell, George	Hutchins	Moore	Vanstone
Chapman	Johnston	Nash	Watson
Colbeck	Joyce	O'Brien	Webber
Crossin	Kemp	Parry (Teller)	Wortley

Question negatived.

Statements by leave: Senators Stott Despoja, Ludwig and Bob Brown, by leave, made statements relating to the motion.

7 ENVIRONMENT—MACQUARIE ISLAND

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. 777—That the Senate—

- (a) condemns the failure of Tasmania's Minister for Tourism, Arts and the Environment, Ms Paula Wriedt, to respond reasonably and adequately to the environmental crisis caused by the explosion in the number of rats and rabbits on the World Heritage-listed Macquarie Island; and
- (b) calls on the Tasmanian Government to accept its responsibilities for reversing the extraordinary damage to the island's native plant life and threat to its wildlife by:
 - (i) immediately matching the Federal Government's offer to pay half of the \$24.6 million required for a rescue plan,
 - (ii) rejecting Ms Wriedt's contention that World Heritage areas are 'locked up' and a 'cost burden', and
 - (iii) having the Tasmanian Premier, Mr Paul Lennon, intervene, if necessary, to ensure adequate action is taken before winter closes important options.

Question put.

The Senate divided—

AYES, 37

Senators—

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

NOES, 22

Senators—

Bishop	Forshaw	Marshall	Ray
Brown, Carol	Hogg	McEwen	Sterle
Campbell, G (Teller)	Hurley	McLucas	Webber
Crossin	Hutchins	Moore	Wortley
Evans	Ludwig	O'Brien	
Fielding	Lundy	Polley	

Question agreed to.

8 REPATRIATION OF CITIZENS BILL 2007

The Leader of the Australian Democrats (Senator Allison), also on behalf of Senator Stott Despoja, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 776—That the following bill be introduced:

A Bill for an Act to provide for the repatriation of Australian citizens held in detention overseas, and for related purposes.

Question put and passed.

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

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

9 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS— STANDING COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Parry, 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. 771—That the time for the presentation of the report of the Environment, Communications, Information Technology and the Arts Committee on Australia's national parks be extended to 12 April 2007.

Question put and passed.

10 FOREIGN AFFAIRS—EUROPEAN UNION

Senator Watson, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 772—That the Senate—

- (a) notes that the week beginning 25 March 2007 marks 50 years of European integration with the 50th anniversary of the Treaty of Rome; and
- (b) acknowledges that through European integration, the Treaty of Rome has led to peace, stability and prosperity within Europe and paved the way for the establishment of the European Union.

Question put and passed.

11 LAW AND JUSTICE—HUMAN RIGHTS—SLAVERY

Senator Joyce, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 778—That the Senate—

- (a) notes that 25 March 2007 was the 200th anniversary of the passing of William Wilberforce's bill for the abolition of the trans-Atlantic slave trade;
- (b) commends the Government for continuing its work to eradicate the modern day version of slavery, the trafficking of humans for the sex industry in Australia; and
- (c) congratulates the Australian Catholic Religious Against Trafficking in Humans for its work in the fight against trafficking, including its publication warning women in Thailand about the dangers of working in the Australian sex industry.

Question put and passed.

12 WORKPLACE RELATIONS (RESTORING FAMILY WORK BALANCE) AMENDMENT BILL 2007

The Leader of the Family First Party (Senator Fielding), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 761—That the following bill be introduced:

A Bill for an Act to give back Australian workers their public holidays, meal breaks, penalty rates and overtime and to protect their redundancy, and for related purposes.

Question put and passed.

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

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

13 ECONOMICS—STANDING COMMITTEE—REFERENCE

Senator Murray amended business of the Senate notice of motion no. 3 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate, noting that private equity may often include investment by funds holding the superannuation savings or investment monies of millions of Australians, and because of the actual and potential scale of private equity market activity, refers the following matters to the Economics Committee for inquiry and report by 20 June 2007:

- (a) an assessment of domestic and international trends concerning private equity and its effects on capital markets;
- (b) an assessment of whether private equity could become a matter of concern to the Australian economy if ownership, debt/equity and risk profiles of Australian business are significantly altered;
- (c) an assessment of long-term government revenue effects, arising from consequences to income tax and capital gains tax, or from any other effects;
- (d) an assessment of whether appropriate regulation or laws already apply to private equity acquisitions when the national economic or strategic interest is at stake and, if not, what those should be; and

- (e) an assessment of the appropriate regulatory or legislative response required to this market phenomenon, if any.

Question put and passed.

14 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. 774—That the Senate—

- (a) notes that the guilt or innocence of Mr David Hicks cannot be definitively assessed as he has not faced a fair and proper legal process; and
 (b) calls on the Government to expedite his return to Australia.

Question put.

The Senate divided—

AYES, 8

Senators—

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

NOES, 45

Senators—

Abetz	Evans	Ludwig	Polley
Adams	Ferguson	Lundy	Ray
Barnett	Fielding	Macdonald, Ian	Sterle
Bernardi	Fierravanti-Wells	Marshall	Troeth
Bishop	Fifield	McEwen	Trood
Brown, Carol	Forshaw	McGauran	Vanstone
Calvert	Hogg	McLucas	Watson
Campbell, George	Humphries	Moore	Webber
Chapman	Hurley	Nash	Wortley
Colbeck	Hutchins	O'Brien	
Crossin	Johnston	Parry (Teller)	
Eggleston	Kemp	Payne	

Question negatived.

15 PUBLICATIONS—STANDING COMMITTEE—20TH REPORT

Senator Parry, at the request of the Chair of the Standing Committee on Publications (Senator Barnett), tabled the following report:

PUBLICATIONS COMMITTEE
20TH REPORT

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

The Committee, having considered documents presented to the Parliament since 1 March 2007, recommends that the following be printed:

Australia and the International Financial Institutions—Report for 2005-06.

Native Title Act—Native title representative body—Ngaanyatjarra Council (Aboriginal Corporation)—Report for 2005-06.

Senator Guy Barnett

Chairperson

29 March 2007.

Senator Parry moved—That the report be adopted.

Question put and passed.

**16 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—
REPORT—EXPOSURE DRAFT OF CORPORATIONS AMENDMENT (INSOLVENCY) BILL
2007**

The Chair of the Parliamentary Joint Committee on Corporations and Financial Services (Senator Chapman) tabled the following report and documents:

Corporations and Financial Services—Joint Statutory Committee—Corporations Amendment (Insolvency) Bill 2007 [Exposure Draft] and Corporations and Australian Securities and Investments Commission Amendment Regulations 2007 [Exposure Draft]—Report, dated March 2007, Hansard record of proceedings, additional information and submissions [14].

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

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

Debate ensued.

Question put and passed.

**17 COMMUNITY AFFAIRS REFERENCES COMMITTEE—ADDITIONAL INFORMATION—
PETROL SNIFFING IN ABORIGINAL COMMUNITIES**

The Chair of the Community Affairs Committee (Senator Humphries) tabled the following document:

Community Affairs References Committee—Report—Beyond petrol sniffing: Renewing hope for Indigenous communities—Additional information.

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

Debate ensued.

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

**18 COMMITTEES—ADDITIONAL INFORMATION—ADDITIONAL ESTIMATES 2005-06
AND 2006-07 AND BUDGET ESTIMATES 2006-07**

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

Additional estimates 2005-06—Rural and Regional Affairs and Transport—Standing Committee—Additional information received between 19 May 2006 and 27 March 2007—Transport and Regional Services portfolio.

Budget estimates 2006-07 (Supplementary)—

Environment, Communications, Information Technology and the Arts—Standing Committee—Additional information received between 8 February and 28 March 2007—

Communications, Information Technology and the Arts portfolio.

Environment and Heritage portfolio.

Foreign Affairs, Defence and Trade—Standing Committee—Additional information received between 8 February and 21 March 2007—

Defence portfolio.

Foreign Affairs and Trade portfolio.

Rural and Regional Affairs and Transport—Standing Committee—Additional information received between 6 February and 27 February 2007—Transport and Regional Services portfolio.

Additional estimates 2006-07—

Environment, Communications, Information Technology and the Arts—
Standing Committee—Additional information received between 12 February
and 28 March 2007—

Communications, Information Technology and the Arts portfolio.

Environment and Water Resources portfolio.

Rural and Regional Affairs and Transport—Standing Committee—Additional
information received between 19 February and 27 March 2007—Transport and
Regional Services portfolio.

**19 PRIMARY INDUSTRIES AND ENERGY RESEARCH AND DEVELOPMENT AMENDMENT
BILL 2007
GOVERNANCE REVIEW IMPLEMENTATION (TREASURY PORTFOLIO AGENCIES)
BILL 2007**

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

Message no. 530, dated 28 March 2007—A Bill for an Act to amend the *Primary
Industries and Energy Research and Development Act 1989*, and for related
purposes.

Message no. 531, dated 28 March 2007—A Bill for an Act to amend the law
relating to statutory agencies in the Treasury portfolio, and for related purposes.

The Minister for Communications, Information Technology and the Arts (Senator
Coonan) 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 Coonan 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 Coonan moved—That the bills be listed on the *Notice Paper* as separate
orders of the day.

Question put and passed.

**20 ANTI-MONEY LAUNDERING AND COUNTER-TERRORISM FINANCING AMENDMENT
BILL 2007
AUSCHECK BILL 2006
NATIVE TITLE AMENDMENT BILL 2006**

Messages from the House of Representatives were reported agreeing to the
amendments made by the Senate to the following bills:

Message no. 533, dated 28 March 2007—Anti-Money Laundering and
Counter-Terrorism Financing Amendment Bill 2007.

Message no. 534, dated 28 March 2007—AusCheck Bill 2006.

Message no. 532, dated 28 March 2007—Native Title Amendment Bill 2006.

**21 BANKRUPTCY LEGISLATION AMENDMENT (SUPERANNUATION CONTRIBUTIONS)
BILL 2006 [2007]**

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

Message no. 535, dated 28 March 2007—Bankruptcy Legislation Amendment (Superannuation Contributions) Bill 2006 [2007].

**22 AUSTRALIAN COMMISSION FOR LAW ENFORCEMENT INTEGRITY—JOINT
STATUTORY COMMITTEE—APPOINTMENT OF MEMBERS**

The Acting Deputy President (Senator Crossin) informed the Senate that the President had received a letter nominating senators to be members of a committee.

The Minister for Communications, Information Technology and the Arts (Senator Coonan), by leave, moved—That Senators Bishop and Crossin be appointed to the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity.

Question put and passed.

**23 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS—
STANDING COMMITTEE—PROPOSED REFERENCE**

Senator Milne, pursuant to notice, moved business of the Senate notice of motion no. 1—

(1) That the Senate notes that:

- (a) the 4th assessment report of the Working Group I of the Intergovernmental Panel on Climate Change (IPCC), published in February 2007, indicates that sea levels will rise by between 0.18 metres to 0.59 metres by the end of the century and that these projections do not include the full effects of changes in ice sheet flow because a basis in published literature is lacking;
- (b) the next IPCC report on impacts, adaptation and vulnerability, to be released in April 2007, is expected to conclude that there is a medium confidence, that is a 50 per cent chance, that the Greenland and Antarctic ice sheets would be committed to partial deglaciation for a global average temperature increase greater than 1° to 2°C, causing a sea level rise of 4 to 6 metres over centuries to millennia;
- (c) recent scientific research, published too late for inclusion in the IPCC reports, suggest that sea levels are rising more quickly than previously thought and many scientists, including Dr James Hansen, head of Atmospheric Research for the National Aeronautics and Space Administration, warn that a warming of 2° to 3°C could melt the ice sheets of West Antarctica and parts of Greenland resulting in a sea level rise of 5 metres within a century;
- (d) the assessment of the impact of even a moderate sea level rise in Australia remains inadequate for adaptation planning;
- (e) assessing the vulnerability of low coastal and estuarine regions requires not only mapping height above sea level but must take into account factors such as coastal morphology, susceptibility to long-shore erosion, near shore bathymetry and storm surge frequency;

- (f) delaying analysis of the risk of sea level rise exacerbates the likelihood that such information may affect property values and investment through disclosure of increased hazards and possible reduced or more expensive insurance cover; and
 - (g) an early response to the threat of a rise in sea level may include avoiding investment in long-lived infrastructure in high risk areas.
- (2) That the following matter be referred to the Environment, Communications, Information Technology and the Arts Committee for inquiry and report by 20 September 2007:
An assessment of the risks associated with projected rises in sea levels around Australia, including an appraisal of:
- (a) ecological, social and economic impacts;
 - (b) adaptation and mitigation strategies;
 - (c) knowledge gaps and research needs; and
 - (d) options to communicate risks and vulnerabilities to the Australian community.

Question put and negatived.

**24 EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION AMENDMENT
(WELFARE TO WORK AND VOCATIONAL REHABILITATION SERVICES) BILL 2006**

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

In the committee

Bill, taken as a whole by leave, debated.

Senator Siewert moved the following amendment:

Schedule 1, item 4, page 4 (after line 11), after subsection 19(3), add:

- (4) The arrangements provided for in subsections (2) and (3) cease to operate on 30 June 2008.

Debate ensued.

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

Senator Siewert moved the following amendment:

Schedule 1, item 5, page 5 (after line 11), after section 20, insert:

20A Application to Administrative Appeals Tribunal

An application may be made by a person to the Administrative Appeals Tribunal for a review of a decision relating to his or her rehabilitation program where that program was provided by a non-CRS officer.

Debate ensued.

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

Senator Siewert moved the following amendments together by leave:

Schedule 1, page 7 (after line 19), before item 18, insert:

17A Subsection 5(18) (and the heading)

Repeat the heading and the subsection, substitute:

Principal carer – a child may have more than one principal carer

(18) Where:

- (a) a court orders that more than one parent has a significant proportion of responsibility for the care of a child; and
- (b) the difference in percentage of responsibility for the care of a child between the two parents is 12% or less;

both parents must be treated for all purposes of this Act as a principal carer for the child.

Schedule 1, page 7 (after line 19), before item 18, insert:

17B After subsection 5(19)

Insert:

- (19A) Notwithstanding subsection (19), where a court orders that more than one parent has a significant proportion of responsibility for the care of a child and the difference in percentage of responsibility for the care of a child between the two parents is 12% or less, the Secretary must make a determination that each parent the subject of the court order is the principal carer of the child.

Debate ensued.

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

Question—That the bill be agreed to—divided in respect of Schedule 1, item 4.

Schedule 1, item 4 debated and agreed to.

Question—That the bill be agreed to—divided in respect of Schedule 1, items 19 to 32.

On the motion of the Minister for Fisheries, Forestry and Conservation (Senator Abetz) further consideration of Schedule 1, items 19 to 32 was postponed.

Senator Siewert moved the following amendment:

Schedule 1, item 50, page 11 (after line 27), after subsection 1228(3), add:

- (4) Subsection (3) only applies in cases where:
 - (a) the primary income support payment is restored part way through the 8 week penalty period; or
 - (b) the person had undeclared income at least at the level of their normal income support entitlement.

Debate ensued.

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

Question—That the bill be agreed to—divided in respect of Schedule 1, item 50.

Schedule 1, item 50 agreed to.

Consideration resumed of Schedule 1, items 19 to 32.

Question—That Schedule 1, items 19 to 32 stand as printed—put.

The committee divided—

AYES, 34

Senators—

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

NOES, 30

Senators—

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

Items agreed to.

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of Senator Abetz the report from the committee was adopted.

Senator Abetz moved—That this bill be now read a third time.

Question put.

The Senate divided—

AYES, 34

Senators—

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

NOES, 30

Senators—

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

Question agreed to.

Bill read a third time.

25 CORPORATIONS AMENDMENT (TAKEOVERS) BILL 2007

Order of the day read for the adjourned debate on the motion of the Minister for Communications, Information Technology and the Arts (Senator Coonan)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

Senator Wong moved the following amendment:

Schedule 1, item 4, page 4 (line 9), omit “having regard to”, substitute “because they are inconsistent with or contrary to”.

Debate ensued.

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

Senator Murray moved the following amendment:

Page 3 (after line 8), after item 1, insert:

1A After Division 8 of Part 2M.3

Insert:

Division 8A—Disclosure by companies of political donations**323DB Object of Division**

The object of this Division is to authorise gifts and other political donations as defined in the *Commonwealth Electoral Act 1918* and in this Division, made by companies to political organisations.

323DC Prohibition of gifts and political donations by companies

- (1) It is unlawful for a gift or other political donation as defined in this section to be made by a company to a political organisation or a candidate except as authorised by this Division.

(2) In this Division:

candidate means a candidate for election to the Commonwealth Parliament, a State Parliament or for a position in a registered organisation as defined in the *Workplace Relations Act 1996*.

political donation means:

- (a) a ***gift*** as defined by the *Commonwealth Electoral Act 1918*; or
- (b) a ***disposition of property*** as defined by the *Commonwealth Electoral Act 1918*.

political organisation means a ***registered political party*** or an associated entity as defined by the *Commonwealth Electoral Act 1918*.

relevant time, in relation to any political donation made by a company, means:

- (a) the time when the donation is made; or
- (b) the time, if earlier, when any contract or undertaking is entered into by a company in pursuance of which the political donation is made.

323DD Approval of gifts and political donations by companies

(1) It is unlawful for a company or an officer of a company to make any political donation to a political organisation or candidate unless:

- (a) the political donation is authorised by a resolution passed at a general meeting by a majority of shareholders of the company before the relevant time; or
- (b) the political donation is made on the authority of the company, board or management body in accordance with a donation policy which has been approved by a general meeting of the company before the relevant time.

Penalty:

- (a) in the case of an individual—by a fine not exceeding 2000 penalty units; or
- (b) in the case of a body corporate—by a fine not exceeding 10,000 penalty units.

(2) For the purposes of this section, an approval resolution is a qualifying resolution which specifically authorises the company to make donations to nominated political organisations not exceeding in total a sum specified in the resolution, during the requisite period beginning with the date of the resolution and concluding at the expiration of 3 years after the date of the resolution, after which a further resolution is required in accordance with paragraph (1)(a).

(3) In this section:

qualifying resolution means an ordinary resolution or, if the directors so determine or the articles so require:

- (a) a special resolution; or
- (b) a resolution passed by any percentage of the members greater than that required for an ordinary resolution.

requisite period means three years or such shorter period as the directors may determine or the articles may require.

- (4) The directors may make a determination in relation to a qualifying resolution or the requisite period unless any provision of the articles of the company operates to prevent them from doing so.
- (5) An approval resolution must be expressed in specific terms which conform with subsection (2).
- (6) If a company or an officer of a company makes any donation in contravention of subsection (1), no ratification or other approval made or given by the company or its members after the relevant time is capable of operating to nullify that contravention.
- (7) For the purposes of this section, *company* includes a subsidiary of a company.

Explanatory memorandum: Senator Murray, by leave, tabled a supplementary explanatory memorandum relating to the Australian Democrats amendment to be moved to the bill.

Debate ensued.

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

Bill agreed to.

Bill to be reported without amendment.

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

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

**26 MIGRATION AMENDMENT (REVIEW PROVISIONS) BILL 2006 [2007]
MIGRATION AMENDMENT (BORDER INTEGRITY) BILL 2007**

Order of the day read for the adjourned debate on the motions of the Minister for Human Services (Senator Ellison) and the Minister for Community Services (Senator Scullion)—That these bills be now read a second time.

Debate resumed.

At 2 pm: Debate was interrupted while Senator Bartlett was speaking.

27 QUESTIONS

Questions without notice were answered.

28 ANSWERS TO QUESTIONS

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

Debate ensued.

Question put and passed.

29 ENVIRONMENT—CARBON DIOXIDE EMISSIONS—ANSWER TO QUESTION

Senator Milne moved—That the Senate take note of the answer given by the Minister for Finance and Administration (Senator Minchin) to a question without notice asked by Senator Milne today relating to carbon dioxide emissions and deforestation.

Question put and passed.

30 NOTICE

The Minister for the Arts and Sport (Senator Brandis), by leave and at the request of the Minister for Fisheries, Forestry and Conservation (Senator Abetz), gave a notice of motion as follows: To move on the next day of sitting—That the hours of meeting for Tuesday, 8 May 2007 be from 12.30 pm to 6.30 pm and 8 pm to adjournment, and for Thursday, 10 May 2007 be from 9.30 am to 6 pm and 8 pm to adjournment, and that:

- (a) the routine of business from 8 pm on Tuesday, 8 May 2007 shall be:
 - (i) Budget statement and documents 2007-08, and
 - (ii) adjournment; and
- (b) the routine of business from 8 pm on Thursday, 10 May 2007 shall be:
 - (i) Budget statement and documents—party leaders to make responses to the statement and documents for not more than 30 minutes each, and
 - (ii) adjournment.

31 ENVIRONMENT—GLOBAL INITIATIVE ON FORESTS AND CLIMATE—MINISTERIAL STATEMENT—DOCUMENT

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

Environment—Global initiative on forests and climate—Ministerial statement by the Minister for the Environment and Water Resources (Mr Turnbull).

The Leader of the Australian Greens (Senator Bob Brown), by leave, moved—That the Senate take note of the document.

Debate ensued.

Debate adjourned till the next day of sitting, the Leader of the Australian Democrats (Senator Allison) in continuation.

32 SCRUTINY OF BILLS—STANDING COMMITTEE—GOVERNMENT RESPONSE—3RD REPORT OF 2004

The Parliamentary Secretary to the Minister for Health and Ageing (Senator Mason) tabled the following document:

Scrutiny of Bills—Standing Committee—3rd report of 2004—The quality of explanatory memoranda accompanying bills—Government response.

33 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—AUSTRALIA'S FREE TRADE AGREEMENTS

The Parliamentary Secretary to the Minister for Health and Ageing (Senator Mason) tabled the following document:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Australia's free trade agreements with Singapore, Thailand and the United States: Progress to date and lessons for the future—Government response.

**34 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—
GOVERNMENT RESPONSE—AUSTRALIA’S RELATIONSHIP WITH THE REPUBLIC OF
KOREA AND DEVELOPMENTS ON THE KOREAN PENINSULA**

The Parliamentary Secretary to the Minister for Health and Ageing (Senator Mason) tabled the following document:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Australia’s relationship with the Republic of Korea; and developments on the Korean peninsula—Government response, dated March 2007.

35 COMMUNITY AFFAIRS—STANDING COMMITTEE—CHANGES IN MEMBERSHIP

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

The Parliamentary Secretary to the Minister for Health and Ageing (Senator Mason), by leave, moved—That senators be discharged from and appointed to the Community Affairs Committee as follows:

Substitute member: Senator Siewert to replace Senator Allison for the committee’s inquiries into the Food Standards Australia New Zealand Amendment Bill 2007 and the provisions of the Families, Community Services and Indigenous Affairs Legislation Amendment (Child Support Reform Consolidation and Other Measures) Bill 2007

Participating member: Senator Allison.

Question put and passed.

**36 DEPARTMENT OF THE SENATE—TRAINING PROGRAMS FOR OVERSEAS
LEGISLATURES—DOCUMENTS**

The President tabled the following documents:

Department of the Senate—

Consolidated report of parliamentary training provided by staff of the Australian Senate to overseas legislatures 1997-2007, dated March 2007.

Report of training program for staff of the National Assembly of Vietnam, 11 to 15 December 2006, dated 15 March 2007.

**37 DEPARTMENT OF THE SENATE—GUIDE FOR SENATORS PREPARING PRIVATE
SENATORS’ BILLS AND RELATED DOCUMENTS—DOCUMENT**

The President tabled the following document:

Department of the Senate—Preparing private senators’ bills, explanatory memoranda and second reading speeches—A guide for senators, dated August 2004.

38 AUDITOR-GENERAL—AUDIT REPORT NO. 31 OF 2006-07—DOCUMENT

The President tabled the following document:

Auditor-General—Audit report no. 31 of 2006-07—Performance audit—The conservation and protection of national threatened species and ecological communities: Department of the Environment and Water Resources.

The Leader of the Australian Greens (Senator Bob Brown), by leave, moved—That the Senate take note of the document.

Question put and passed.

39 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—SECOND PROGRESS REPORT—REFORMS TO AUSTRALIA’S MILITARY JUSTICE SYSTEM

The Chair of the Foreign Affairs, Defence and Trade Committee (Senator Payne) tabled the following report and documents:

Foreign Affairs, Defence and Trade—Standing Committee—Reforms to Australia’s military justice system: Second progress report, dated March 2007 and Hansard record of proceedings.

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

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

Question put and passed.

40 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 6 OF 2007

Senator Nash, by leave and at the request of the Deputy Chair of the Selection of Bills Committee (Senator Parry), tabled the following report:

SELECTION OF BILLS COMMITTEE

REPORT NO. 6 OF 2007

1. The committee met in private session on Thursday, 29 March 2007 at 3.15 pm.

2. The committee resolved to recommend—That—

(a) the *provisions* of the Corporations (NZ Closer Economic Relations) and Other Legislation Amendment Bill 2007 be *referred immediately* to the Economics Committee for inquiry and report by 4 May 2007;

(b) the *provisions* of the Families, Community Services and Indigenous Affairs Legislation Amendment (Child Support Reform Consolidation and Other Measures) Bill 2007 be *referred immediately* to the Community Affairs Committee for inquiry and report by 8 May 2007;

(c) the *provisions* of the Native Title Amendment (Technical Amendments) Bill 2007 be *referred immediately* to the Legal and Constitutional Affairs Committee for inquiry and report by 8 May 2007; and

(d) the *provisions* of the Tax Laws Amendment (2007 Measures No. 2) Bill 2007 be *referred immediately* to the Economics Committee for inquiry and report by 30 April 2007.

The committee recommends accordingly.

3. The committee deferred consideration of the following bills to its next meeting:

Governance Review Implementation (Science Research Agencies)

Bill 2007

Great Barrier Reef Marine Park Amendment Bill 2007.

Stephen Parry

Deputy Chair

29 March 2007.

Senator Nash moved—That the report be adopted.

Question put and passed.

41 AUSTRALIAN PARLIAMENTARY DELEGATION TO UNITED KINGDOM AND POLAND—DOCUMENT

Senator Nash, by leave, tabled the following document:

United Kingdom and Poland—Report of the Australian parliamentary delegation, 25 June to 8 July 2006, dated March 2007.

42 DOCUMENTS

The following documents were tabled by the Clerk:

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

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives—Part 105—AD/A330/73—APU Generator Oil Pump Module [F2007L00844]*.

Christmas Island Act—List of applied Western Australian Acts for the period 2 September 2006 to 15 March 2007.

Cocos (Keeling) Islands Act—List of applied Western Australian Acts for the period 2 September 2006 to 15 March 2007.

Customs Act—

Tariff Concession Orders—

- 0619539 [F2007L00789]*.
- 0619605 [F2007L00790]*.
- 0619606 [F2007L00787]*.
- 0619611 [F2007L00785]*.
- 0619684 [F2007L00793]*.
- 0619773 [F2007L00786]*.
- 0619783 [F2007L00782]*.
- 0619949 [F2007L00763]*.
- 0619950 [F2007L00791]*.
- 0619969 [F2007L00788]*.
- 0619970 [F2007L00764]*.
- 0619998 [F2007L00765]*.
- 0620002 [F2007L00767]*.
- 0620218 [F2007L00769]*.

Tariff Concession Revocation Instruments—

- 47/2007 [F2007L00771]*.
- 48/2007 [F2007L00772]*.
- 49/2007 [F2007L00780]*.

Financial Management and Accountability Act—

Financial Management and Accountability Net Appropriation Agreement (Migration Review Tribunal) Cancellation 2007 [F2007L00818]*.

Financial Management and Accountability Net Appropriation Agreement (Refugee Review Tribunal) Cancellation 2007 [F2007L00817]*.

Net Appropriation Agreement for the Migration Review Tribunal and Refugee Review Tribunal [F2007L00774]*.

Fisheries Management Act—Northern Prawn Fishery Management Plan 1995—NPF Directions Nos—

- 103—Prohibition on fishing (prior to seasons) [F2007L00707]*.
- 104—Prohibition on trawling [F2007L00710]*.
- 106—Byproduct limits [F2007L00775]*.

Higher Education Funding Act—Declaration under section 4—Australian College of Physical Education, Brisbane College of Theology, Sydney College of Divinity Ltd, Tabor College Tasmania, Tabor College Victoria [F2007L00840]*.

Higher Education Support Act—Higher Education Provider Approval (No. 5 of 2007)—Gestalt Association of Queensland Incorporated [F2007L00841]*.

Migration Act—Migration Regulations—Instrument IMMI 07/011—Classes of persons who may make an internet application for a Tourist Visa [F2007L00869]*.

National Health Act—

National Health (Australian Community Pharmacy Authority Rules) Amendment Determination 2007 (No. 1) [F2007L00828]*.

Pharmaceutical Benefits Amendment Determination under paragraph 98B(1)(a) No. 5 [F2007L00839]*.

Public Lending Right Act—Public Lending Right Scheme 1997 (Modification No. 1 of 2007) [F2007L00858]*.

Radiocommunications Act—Radiocommunications (Electromagnetic Radiation – Human Exposure) Amendment Standard 2007 (No. 1) [F2007L00812]*.

Telecommunications Act—Telecommunications Integrated Public Number Database Scheme 2007 [F2007L00813]*.

* Explanatory statement tabled with legislative instrument.

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

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

Departmental and agency contracts for 2006—Letter of advice—Australian Institute of Family Studies.

44 ECONOMICS—STANDING COMMITTEE—CHANGES IN MEMBERSHIP

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

The Parliamentary Secretary to the Minister for Health and Ageing (Senator Mason), by leave, moved—That senators be discharged from and appointed to the Economics Committee as follows:

Substitute member: Senator Allison to replace Senator Murray for the committee's inquiry into the provisions of the Liquid Fuel Emergency Amendment Bill 2007

Participating member: Senator Murray.

Question put and passed.

**45 MIGRATION AMENDMENT (REVIEW PROVISIONS) BILL 2006 [2007]
MIGRATION AMENDMENT (BORDER INTEGRITY) BILL 2007**

Order of the day read for the adjourned debate on the motions of the Minister for Human Services (Senator Ellison) and the Minister for Community Services (Senator Scullion)—That these bills be now read a second time.

Debate resumed.

Question put and passed.

Bills read a second time.

On the motion of Senator Ellison consideration of the bills in committee of the whole was made an order of the day for a later hour.

46 HOURS OF MEETING—VARIATION

The Minister for Human Services (Senator Ellison), by leave, moved—That the Senate continue to sit between 6.30 pm and 7.30 pm today.

Question put and passed.

47 **MIGRATION AMENDMENT (REVIEW PROVISIONS) BILL 2006 [2007]**
MIGRATION AMENDMENT (BORDER INTEGRITY) BILL 2007

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

In the committee

MIGRATION AMENDMENT (REVIEW PROVISIONS) BILL 2006 [2007]—

Bill taken as a whole by leave.

Senator Nettle moved the following amendments together by leave:

Schedule 1, item 2, page 4 (after line 2), at the end of section 359AA, add:

- (2) Information adverse to the applicant may be provided orally only at the election of the applicant.

Schedule 1, item 18, page 6 (after line 23), at the end of section 424AA, add:

- (2) Information adverse to the applicant may be provided orally only at the election of the applicant.

Debate ensued.

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

Senator Ludwig moved the following amendments together by leave:

Schedule 1, item 2, page 3 (line 17), before “the Tribunal”, insert “if the applicant consents,”.

Schedule 1, item 18, page 6 (line 5), before “the Tribunal”, insert “if the applicant consents,”.

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

Bill agreed to.

MIGRATION AMENDMENT (BORDER INTEGRITY) BILL 2007—

Bill, taken as a whole by leave, debated.

Document: The Minister for Human Services (Senator Ellison) tabled the following document:

Migration Amendment (Border Integrity) Bill 2007—Technical analysis of the SmartGate project: Public report—Report prepared by James L Wayman and Anthony J Mansfield, United Kingdom Biometrics Working Group, 6 February 2004.

Bill further debated and agreed to.

Bills to be reported without amendments.

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

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

48 HEALTH INSURANCE AMENDMENT (PROVIDER NUMBER REVIEW) BILL 2007

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 Justice and Customs (Senator Johnston) the bill was read a third time.

49 ADVANCE TO THE FINANCE MINISTER—2005-06

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

In the committee

The Minister for Justice and Customs (Senator Johnston) moved—That the committee approves the statement of Issues from the Advance to the Finance Minister as a final charge for the year ended 30 June 2006.

Question put and passed.

Resolution to be reported.

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

On the motion of Senator Johnston the report from the committee was adopted.

50 APPROPRIATION BILL (NO. 3) 2006-2007

APPROPRIATION BILL (NO. 4) 2006-2007

Order of the day read for the adjourned debate on the motion of the Minister for the Arts and Sport (Senator Brandis)—That these bills be now read a second time.

Debate resumed.

The Leader of the Opposition in the Senate (Senator Evans), also on behalf of Senator Murray, moved the following amendment:

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

- (a) notes that over \$71 million is to be appropriated by these bills for project management and procurement activities for the Access Card project; and
- (b) calls on the Government to report to the Senate on the disposition of those funds should the Access Card project not proceed”.

Debate ensued.

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

Main question put and passed.

Bills read a second time.

No amendments or requests for amendments to the bills were circulated and the bills were not considered in committee.

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

51 ADJOURNMENT

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

Debate ensued.

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

Historical events—Copy of public lecture, ‘William Wilberforce and his impact on Australia: Celebrating 200 years since the abolition of slavery’, by Dr Stuart Piggitt, Parliament House, Canberra, 26 March 2007.

Debate continued.

Time expired: The debate reached the limit of 40 minutes.

The Senate adjourned at 6.36 pm till Tuesday, 8 May 2007 at 12.30 pm.

52 ATTENDANCE

Present, all senators except Senators Ian Campbell, Conroy, Ferris*, Kirk*, Lightfoot*, Santoro and Sherry* (* on leave).

HARRY EVANS
Clerk of the Senate