

2004-07

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 153

TUESDAY, 7 AUGUST 2007

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1 MEETING OF SENATE

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

2 GOVERNMENT DOCUMENTS

The following government documents were tabled:

Air Passenger Ticket Levy (Collection) Act 2001—Report for 1 April 2006 to 31 March 2007.

Australian Land Transport Development Programme—Report for 2004-05 [Final report].

Australian Meat and Live-stock Industry Act 1997—Live-stock mortalities for exports by sea—Report for the period 1 January to 30 June 2007.

Customs Act 1901—Customs (Prohibited Exports) Regulations 1958—Report on permissions to export human embryos for the period 1 January to 12 June 2007.

Family Law Council—Report—Relocation—Government response.

Human Rights and Equal Opportunity Commission—National inquiry into discrimination against people in same-sex relationships: Financial and work-related entitlements and benefits—Report—Same-Sex: Same Entitlements, May 2007.

Judge Advocate General—Report for 2006.

National Health and Medical Research Council Act—National Health and Medical Research Council—Ethical guidelines on the use of assisted reproductive technology in clinical practice and research, June 2007.

Productivity Commission—Report—No. 39—Tasmanian freight subsidy arrangements—Government response.

Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 January to 31 March 2007.

Treaties—*Bilateral*—Text, together with national interest analysis and annexures—

Agreement between Australia and Japan on Social Security (Canberra, 27 February 2007).

Agreement between Australia and the Hellenic Republic on Social Security (Canberra, 23 May 2007).

Agreement between the Government of Australia and the Government of the Republic of the Philippines Concerning the Status of Visiting Forces of Each State in the Territory of the Other State, done at Canberra on 31 May 2007.

3 RESIGNATION OF PRESIDENT—STATEMENT BY PRESIDENT

The President made a statement informing the Senate of his intention to resign from the office of President of the Senate and from the Senate.

4 CRIMES LEGISLATION AMENDMENT (NATIONAL INVESTIGATIVE POWERS AND WITNESS PROTECTION) BILL 2006 [2007]

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

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

Bill debated.

Document: Senator Johnston tabled the following document:

Legal and Constitutional Affairs—Standing Committee—Report—Crimes Legislation Amendment (National Investigative Powers and Witness Protection) Bill 2006—Government response, dated August 2007.

Bill further debated.

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

5 QUESTIONS

Questions without notice were answered.

Distinguished visitors: The President welcomed members of a parliamentary delegation from the Kingdom of Morocco led by the Speaker of the House of Representatives, His Excellency Mr Abdelwahad Radi, and, with the concurrence of honourable senators, invited the Speaker to take a seat on the floor of the chamber.

Further questions without notice were answered.

6 ANSWERS TO QUESTIONS

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

Debate ensued.

Question put and passed.

7 HEALTH—ALCOHOL ABUSE—ANSWER TO QUESTION

The Leader of the Australian Democrats (Senator Allison) moved—That the Senate take note of the answer given by the Minister for Human Services (Senator Ellison) to a question without notice asked by Senator Allison today relating to alcohol abuse.

Question put and passed.

8 PETITIONS

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

From 24 petitioners, requesting that the Senate take action to adopt a 10-year moratorium on Muslim immigration and review immigration policy to ensure priority for Christians from all races, as both immigrants and refugees.

From 108 petitioners, requesting that the Senate legislate to create an offence of transmission by mail of child pornography and child abuse material.

9 NOTICES

Notices of motion:

Senators Siewert and Bartlett: To move on the next day of sitting—That the provisions of the Social Security and Other Legislation Amendment (Welfare Payment Reform) Bill 2007 be referred to the Community Affairs Committee for inquiry and report by 10 September 2007, with particular reference to:

- (a) the likely effects of the new income management regime on the health and well-being of children in affected communities;
- (b) the demonstrable need to restrict the appeal rights of those on the new income management regime in affected communities;
- (c) the interaction of the bill with the *Racial Discrimination Act 1975* and the extent to which the provisions can be characterised as ‘special measures’; and
- (d) the effects of these measures on community governance and the development of remote communities.

Senators Bartlett and Siewert: To move on the next day of sitting—That the provisions of the Northern Territory National Emergency Response Bill 2007 and the Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Northern Territory National Emergency Response and Other Measures) Bill 2007 be referred to the Legal and Constitutional Affairs Committee for inquiry and report by 10 September 2007, with particular reference to:

- (a) the relevance of the acquisition of Aboriginal land and changes to the permit system to address the problems of child protection, health and development;
- (b) the possible impacts of the prohibition of alcohol on child safety;
- (c) the interaction of the bills with the *Racial Discrimination Act 1975* and the extent to which the provisions can be characterised as ‘special measures’; and
- (d) the effects of these measures on community governance and the development of remote communities.

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

- (a) notes that, on 6 December 2006, 125 nations voted in favour of United Nations General Assembly Resolution 61/83, which, inter alia, called on all nations immediately to commence multilateral negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons, and providing for their elimination;
- (b) supports the International Campaign to Abolish Nuclear Weapons in its endeavour to persuade nations to commence negotiations leading to such a convention; and
- (c) urges the Government to promote, at international forums such as the Conference on Disarmament and the United Nations General Assembly, multilateral negotiations leading to such a convention. (*general business notice of motion no. 834*)

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

- (a) notes the growing body of evidence for the harmful effect of sexualisation in the media of children, especially young girls, including the:
 - (i) negative impact on development, self-image and emotional development including shame, anxiety and even self disgust,
 - (ii) increased incidence of eating disorders, depression and low self-esteem,
 - (iii) negative consequences in terms of the ability of girls to develop health sexuality, as well as unrealistic and/or negative expectations of their sexuality, and
 - (iv) the promotion of negative stereotypes of women as sex objects; and
- (b) urges the Government to establish an expert advisory group including representatives of major mental health professional, marketing and media organisations, as well as young women themselves, to:
 - (i) support research into the effects of the sexualisation of children by the media in Australia, including the:
 - (A) sources and beneficiaries of sexualisation,
 - (B) short- and long-term effects of viewing or buying sexualising and objectifying images, and their influence on cognitive functioning, physical and mental health, sexuality, attitudes and beliefs, and
 - (C) effectiveness of different approaches to reducing the amount of sexualisation that occurs and to ameliorating its effects, and
 - (ii) report and make recommendations on effective programs and interventions that promote positive alternatives and approaches and reduce the use of sexualised images of children in all forms of media and products. (*general business notice of motion no. 835*)

Senator Murray: To move on the next day of sitting—

- (1) That the Senate, noting concern in the community at the abuse of alcohol, asks that the Government refer the following matter to an appropriate body or a specially-established task force for inquiry and report:
The need to significantly reduce alcohol abuse in Australia, especially in geographic or demographic hot spots, and what the Commonwealth, states and territories should separately and jointly do with respect to:

- (a) the pricing of alcohol, including taxation;
 - (b) the marketing of alcohol; and
 - (c) regulating the distribution, availability and consumption of alcohol.
- (2) In undertaking the inquiry, regard is to be had to:
- (a) economic as well as social issues;
 - (b) alcohol rehabilitation and education;
 - (c) the need for a flexible responsive and adaptable regulatory regime; and
 - (d) the need for a consistent harmonised Australian approach. (*general business notice of motion no. 836*)

Senator Bartlett: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Migration Act 1958* to restore rights and procedural fairness to persons affected by decisions taken under that Act, and for related purposes. ***Migration Legislation Amendment (Restoration of Rights and Procedural Fairness) Bill 2007***. (*general business notice of motion no. 837*)

Senator Bartlett: To move on 9 August 2007—That the Senate—

- (a) notes that:
 - (i) 9 August 2007 is International Day of the World's Indigenous People,
 - (ii) it marks a day that we honour and pay respect to Australia's First Peoples as well as Indigenous peoples across the world for their traditions and knowledge, as well as to the valuable contribution they have made to the cultures of the world and to environmental conservation, and
 - (iii) it is appropriate to reflect on the positive advancements that have been made internationally to protect the rights of Indigenous peoples and to guarantee them equal treatment, as well as to provide a reminder of how much more needs to be done; and
- (b) calls on the Government to support the adoption of the Declaration on the Rights of Indigenous Peoples when it is considered later in 2007. (*general business notice of motion no. 838*)

Senator Bartlett: To move 3 sitting days after today—That the Senate—

- (a) notes the report by Voiceless, the fund for animals, *From Label to Liable: Scams, Scandals and Secrecy—Lifting the veil on animal-derived food product labelling in Australia* which reports that:
 - (i) most jurisdictions in Australia do not require animal-derived food products to identify the farm production system from which they have been sourced,
 - (ii) the majority of Australia's animal-derived food products such as pork, chicken and eggs are sourced from factory farms where animals live their lives in conditions that most people would find unacceptable if they were fully aware of them,
 - (iii) a number of terms are currently used to differentiate animal products such as barn laid eggs, free range, open range or range eggs, grain-fed beef, free-range, bred free-range, organic and biodynamic but most of these terms are not defined in legislation, which means there is broad scope for consumer uncertainty as to their meaning, and
 - (iv) Australia has no standard for labelling of vegetarian or vegan products; and

- (b) calls on the Government to explore the need for clear and enforceable national standards, identifying the farm production system from which food is sourced. (*general business notice of motion no. 839*)

The Chair of the Foreign Affairs, Defence and Trade Committee (Senator Payne): To move on the next day of sitting—That the time for the presentation of reports of the Foreign Affairs, Defence and Trade Committee be extended as follows:

- (a) Australia's public diplomacy—to 16 August 2007; and
- (b) Australia's involvement in international peacekeeping operations—to 25 October 2007. (*general business notice of motion no. 840*)

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

- (a) notes that:
 - (i) 8 August 2007 is the 19th anniversary of the pro-democracy uprising in Burma, an uprising brutally suppressed by the Burmese military regime,
 - (ii) the Burmese military junta refused to recognise the results of democratic elections in 1990 that saw the National League for Democracy (NLD) emerge with a clear majority,
 - (iii) the National Convention in Burma, whose role is to recommend changes to Burma's constitution aimed at legitimising military rule, includes delegates hand-picked by the military regime and excludes representatives of the NLD and ethnic minority groups, and
 - (iv) the convention is expected to report in the near future;
- (b) condemns the ongoing persecution of pro-democracy groups in Burma and the detention of Daw Aung San Suu Kyi and other political prisoners; and
- (c) urges the Government to maintain international pressure on the Burmese military regime to:
 - (i) end state-sponsored human rights abuses in Burma,
 - (ii) release political prisoners,
 - (iii) hold a dialogue with the NLD and ethnic minority groups to pursue national reconciliation and democratisation, and
 - (iv) include pro-democracy and ethnic minority groups in the National Convention process. (*general business notice of motion no. 841*)

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

- (a) notes:
 - (i) that 2007 marks the 20th anniversary of the Montreal Protocol on Substances that Deplete the Ozone Layer (Montreal Protocol), arguably the most successful multilateral environmental agreement and that since 1987, the Montreal Protocol has resulted in a 95 per cent reduction in global emissions of ozone depleting substances through the use of binding controls with strict compliance measures, financing mechanisms and trade restrictions,
 - (ii) the Montreal Protocol has already postponed the impacts of climate change by approximately 10 years, because the ozone depleting substances also have extremely high global warming potentials,
 - (iii) a number of parties to the Montreal Protocol have proposed amendments to the Montreal Protocol to accelerate the phase-out of hydrochlorofluorocarbons (HCFCs) in order to further delay these impacts by preventing the emission of approximately 2.5 gigatonnes of CO₂ equivalent, and

- (iv) that an accelerated HCFC phase-out gives environmentally-friendly alternatives a fairer chance to compete on the market, particularly as alternatives exist for HCFCs in all applications, and that additional measures are needed to ensure natural refrigerants are used in preference to hydrofluorocarbons which are themselves potent industrial greenhouse gases covered by the Kyoto Protocol; and
- (b) calls on the Government to support the recommendations of the Stockholm Group, the Environmental Investigation Agency and the parties proposing amendments to the Montreal Protocol to accelerate the phase-out of HCFCs at the 19th meeting of the parties in Montreal, Canada, to be held in September 2007. (*general business notice of motion no. 842*)

The Minister for Fisheries, Forestry and Conservation (Senator Abetz): To move on the next day of sitting—That consideration of the business before the Senate on Wednesday, 8 August 2007 and on Wednesday, 15 August 2007 be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senators Fisher and Cormann, respectively, to make their first speeches without any question before the chair.

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

- (a) notes that:
 - (i) 2007 is the Year of the Lifesaver,
 - (ii) the Cronulla Surf Life Saving Club, one of the seven foundation clubs of the Australian Surf Life Saving Association, is currently celebrating its centenary year and held its 100th annual general meeting on Sunday, 5 August 2007, and
 - (iii) during the past 100 years members of the club have performed more than 9 000 rescues with no lives lost;
- (b) recognises that the Cronulla Surf Life Saving Club has been one of the most successful clubs in the history of surf life saving championships, including being the only club to win three consecutive World, Australian, State and Branch Championships Pointscores; and
- (c) congratulates the Cronulla Surf Life Saving Club for its 100 years of ‘vigilance and service’ to the community. (*general business notice of motion no. 843*)

The Minister for Fisheries, Forestry and Conservation (Senator Abetz): To move on the next day of sitting—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:

APEC Public Holiday Bill 2007

Appropriation (Northern Territory National Emergency Response) Bill (No. 1) 2007-2008

Appropriation (Northern Territory National Emergency Response) Bill (No. 2) 2007-2008

Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Northern Territory National Emergency Response and Other Measures) Bill 2007

Northern Territory National Emergency Response Bill 2007

Social Security and Other Legislation Amendment (Welfare Payment Reform) Bill 2007.

Documents: Senator Abetz tabled the following documents:

Consideration of legislation—Statements of reasons [2] for introduction and passage of the bills in the 2007 spring sittings.

Senator Stott Despoja: To move on 9 August 2007—

- (1) That a select committee, to be known as the Select Committee on Australia's Anti-terrorism Laws be established to inquire into and report upon Australia's anti-terrorism laws in light of the case of Dr Mohamed Haneef, including whether the laws which enabled the detention and charging of Dr Haneef:
 - (a) adequately safeguard Australian citizens from the threat of terrorism;
 - (b) reasonably and adequately define 'terrorism' and terrorism-related offences;
 - (c) provide reasonable and adequate guidance on matters of policy, practice and procedure to investigative and enforcement agencies, such as the Australian Federal Police;
 - (d) maintain an appropriate balance between the need to curtail individual freedoms in situations involving a terrorist threat and the fundamental civil liberties and human rights of Australian citizens;
 - (e) have affected fundamental principles of justice such as the presumption of innocence and habeus corpus, and the granting of bail;
 - (f) allow for periods of indefinite detention of suspects while being questioned or contain provisions allowing for periods of 'dead time' which require amendment or review;
 - (g) are in accordance with notions of procedural fairness and natural justice;
 - (h) contain or require provisions allowing parliamentary or judicial review;
 - (i) are compatible with Australia's obligations under international law;
 - (j) interact appropriately with other powers of detention or deportation, for example immigration laws; and
 - (k) any other related matters pertaining to the operation of the laws.
- (2) That the committee present its final report on or before 1 December 2007.
- (3) That the committee consist of 9 senators, as follows:
 - (a) 4 to be nominated by the Leader of the Government in the Senate;
 - (b) 3 to be nominated by the Leader of the Opposition in the Senate; and
 - (c) 2 to be nominated by minority groups or independents.
- (4) That the committee may proceed to the dispatch of business notwithstanding that all members have not been duly nominated and appointed and notwithstanding any vacancy.
- (5) That the committee elect as chair one of the members nominated by the non-government parties in the Senate.
- (6) That the chair of the committee may, from time to time, appoint another member of the committee to be the deputy chair of the committee, and that the member so appointed act as chair of the committee at any time when there is no chair or the chair is not present at a meeting of the committee.
- (7) That, in the event of an equality of voting, the chair, or the deputy chair when acting as chair, have a casting vote.

- (8) That the quorum of the committee be 5 members.
- (9) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings and the evidence taken and such interim recommendations as it may deem fit.
- (10) That the committee have power to appoint subcommittees consisting of 3 or more of its members, and to refer to any such subcommittee any of the matters which the committee is empowered to consider, and that the quorum of a subcommittee be a majority of the senators appointed to the subcommittee.
- (11) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.
- (12) That the committee be empowered to print from day to day such papers and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public. (*general business notice of motion no. 844*)

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

- (a) notes that:
 - (i) India is not a signatory to the Nuclear Non-Proliferation Treaty (NPT),
 - (ii) the United States of America (US) and India have agreed to the terms of a deal to exempt India from US laws and international rules that seek to prevent states that are not parties to the NPT from using commercial imports of nuclear technology and fuel to aid their nuclear weapons ambitions,
 - (iii) under the India-US nuclear deal two reactors dedicated to making plutonium for nuclear weapons and nine power reactors, including a plutonium breeder reactor that is under construction, will be outside international safeguards,
 - (iv) India needs to import uranium to relieve an acute fuel shortage for its existing nuclear reactors and that importing uranium will free up more of India's domestic uranium for its military program,
 - (v) Pakistan has expressed its fears about the India-US nuclear deal, and
 - (vi) any sale of Australian uranium would contravene the NPT; and
- (b) calls on the Government to use its position in the Nuclear Suppliers Group to block the India-US nuclear deal and reject any sale of Australian uranium to India. (*general business notice of motion no. 845*)

The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That the Senate—

- (a) calls on the Prime Minister (Mr Howard) and the Leader of the Opposition (Mr Rudd) to extend the same pre-election courtesy and access to all other sectors in the diverse Australian community that they are showing to the Australian Christian Lobby at the Press Club and around Australia on Thursday, 9 August 2007; and

- (b) notes that Indigenous groups, welfare groups, other religions, non-religious groups, unions, small business groups, students, environmental non-government organisations and other sectors of the Australian community are not currently offered the same opportunity to have direct access to addresses by the leaders of the Coalition and Labor Party. (*general business notice of motion no. 846*)

Senator Nettle: To move on the next day of sitting—That the following matter be referred to the Legal and Constitutional Affairs Committee for inquiry and report by 15 October 2007:

All aspects of the detention and release of Dr Mohamed Haneef, including:

- (a) the source and veracity of information upon which decisions were made;
- (b) the actions of the Minister for Immigration and Citizenship (Mr Andrews), including his overriding of the decision of the Brisbane Magistrates Court to grant bail to Dr Haneef;
- (c) the role of other ministers, including the Attorney-General (Mr Ruddock) and the Prime Minister (Mr Howard);
- (d) the investigation by the Australian Federal Police and other agencies;
- (e) the decisions taken by the Director of Public Prosecutions;
- (f) the international impact on Australia of the Government's handling of the case; and
- (g) any future decisions to be made in relation to Dr Haneef.

The Leader of The Nationals in the Senate (Senator Boswell): To move on the next day of sitting—That the Senate—

- (a) condemns the dictatorial actions of the Beattie Queensland Government in imposing forced amalgamations on Queensland local government without the opportunity for appeal;
- (b) expresses serious concern at the Queensland Government's decision to impose fines on councillors who put the amalgamation policy to local citizens by referendum;
- (c) notes that the International Convention on Civil and Political Rights states that every citizen shall have the right and the opportunity to take part in the conduct of public affairs and that this right is being undermined by the Queensland State Government; and
- (d) calls on the Beattie Government to make any amalgamations voluntary as recommended by the Federal Leader of the Opposition (Mr Rudd). (*general business notice of motion no. 847*)

The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That Determination 2007/08: Principal Executive Office (PEO) Classification Structure and Terms and Conditions, made pursuant to subsections 5(2A), 7(3D) and 7(4) of the *Remuneration Tribunal Act 1973*, be disapproved.

The Leader of the Australian Democrats (Senator Allison) and Senators Bartlett, Murray and Stott Despoja: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to implement the recommendations of the Human Rights and Equal Opportunity Commission report *Same-Sex: Same Entitlements*, and for related purposes. ***Same-Sex: Same Entitlements Bill 2007***. (*general business notice of motion no. 848*)

The Leader of the Australian Greens (Senator Bob Brown): To move on 9 August 2007—That the Senate requests the Irish Government to inform the Senate about:

- (a) the project to route the M3 motorway through the Royal Demesne of Tara and the unique archaeological, historical and cultural site of the Hill of Tara;
- (b) the current progress of the project; and
- (c) any alternative routes which could be used to protect this unique site. (*general business notice of motion no. 849*)

Intention to withdraw: The Leader of the Australian Greens (Senator Bob Brown), 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 10 September 2007 for the disapproval of Determination 2007/04: Principal Executive Office (PEO) Classification Structure and Terms and Conditions, made pursuant to subsections 5(2A), 7(3D) and 7(4) of the *Remuneration Tribunal Act 1973*.

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

Senator Parry, by leave and at the request of the Chair of the Environment, Communications, Information Technology and the Arts Committee (Senator Eggleston), moved—That the time for the presentation of the report of the Environment, Communications, Information Technology and the Arts Committee on the provisions of the Communications Legislation Amendment (Information Sharing and Datacasting) Bill 2007 be extended to 9 August 2007.

Question put and passed.

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

Senator Parry, by leave and at the request of the Chair of the Environment, Communications, Information Technology and the Arts Committee (Senator Eggleston), moved—That the Environment, Communications, Information Technology and the Arts 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 provisions of the Communications Legislation Amendment (Information Sharing and Datacasting) Bill 2007.

Question put and passed.

12 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Faulkner for today, proposing the reference of a matter to the Foreign Affairs, Defence and Trade Committee, postponed till 8 August 2007.

Business of the Senate notice of motion no. 2 standing in the name of Senator Milne for today, proposing the reference of a matter to the Environment, Communications, Information Technology and the Arts Committee, postponed till 13 August 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 14 August 2007.

13 LEAVE OF ABSENCE

Senator Moore, by leave, moved—That leave of absence be granted to Senator Sherry from 7 August to 9 August 2007, on account of ill health.

Question put and passed.

14 DEATH OF MR MULRUNJI DOOMADGEE

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. 833—That the Senate—

- (a) notes the terrible story of Mr Mulrunji Doomadgee, which extends beyond his death in custody in 2004, to encompass the following:
 - (i) Mr Doomadgee's son Eric has since committed suicide,
 - (ii) Mr Patrick Bramwell, a 24-year old Aboriginal man, who was in the Palm Island police lock-up as Mr Doomadgee died, has since hanged himself, and
 - (iii) Mr Doomadgee's mother, too ill to attend his funeral, has since died; and
- (b) expresses its condolences to the Doomadgee family and the Palm Island community for the suffering and despair which these tragic events have entailed.

Question put and passed.

15 ENVIRONMENT—VICTORIA—DESALINATION PLANT

The Leader of the Australian Democrats (Senator Allison), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 832—That the Senate—

- (a) notes:
 - (i) the announcement by the Victorian State Government that a desalination plant costing \$3.1 billion will be built near Wonthaggi to provide a third of Melbourne's demand for water, approximately 150 billion litres, by 2012,
 - (ii) that the desalination plant and associated pumping of more than 200 km will likely emit more than a million tonnes of greenhouse gas emissions a year and increase electricity use in Victoria by 2 per cent,
 - (iii) that the Victorian Government intends to 'offset' greenhouse emissions through the purchase of renewable energy,
 - (iv) that the ongoing drought in Victoria is highly likely to be related to climate change,
 - (v) that 95 per cent of Victoria's electricity is from ageing, low efficiency, brown coal-fired generators,
 - (vi) that \$3.1 billion could fund rebates for approximately 2 million household water tanks that could provide 80 billion litres of water for cistern, laundry and garden use, and
 - (vii) that coal-fired power generation in Victoria uses approximately 400 billion litres of water a year;
- (b) urges the Victorian State Government to develop desalination only if necessary after:
 - (i) stringent standards are implemented for water appliances,

- (ii) substantial quantities of potable water have been displaced by stormwater or other harvested water,
 - (iii) water reticulation infrastructure leaks have been fixed,
 - (iv) water intensive industry and commercial operations are water efficient,
 - (v) all Victorians have low flow shower heads, dual flush cisterns and grey water systems, and
 - (vi) there is widespread application of water sensitive urban design; and
- (c) encourages the Victorian State Government to ensure that any desalination still required uses only renewable-powered technology.

Question put.

The Senate divided—

AYES, 8

Senators—

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

NOES, 50

Senators—

Abetz	Crossin	Kirk	Payne
Adams	Eggleston	Ludwig	Polley
Barnett	Faulkner	Lundy	Ray
Bernardi	Fielding	Marshall	Stephens
Birmingham	Fierravanti-Wells	Mason	Sterle
Bishop	Fifield	McEwen	Troeth
Boyce	Fisher	McGauran	Trood
Brown, Carol	Forshaw	McLucas	Watson
Campbell	Hogg	Moore	Webber
Carr	Humphries	Nash	Wong
Chapman	Hurley	O'Brien	Wortley
Colbeck	Hutchins	Parry (Teller)	
Cormann	Kemp	Patterson	

Question negatived.

**16 FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—
SUPERANNUATION LEGISLATION AMENDMENT BILL 2007**

The Deputy President (Senator Hogg) tabled the following report and documents received on 27 July 2007:

Finance and Public Administration—Standing Committee—Superannuation Legislation Amendment Bill 2007 [Provisions]—Report, dated July 2007, Hansard record of proceedings, document presented to the committee and submissions [6].

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

**17 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS—
STANDING COMMITTEE—INTERIM REPORT—COMMUNICATIONS LEGISLATION
AMENDMENT (INFORMATION SHARING AND DATACASTING) BILL 2007**

The Deputy President (Senator Hogg) tabled the following report received on 27 July 2007:

Environment, Communications, Information Technology and the Arts—Standing Committee—Communications Legislation Amendment (Information Sharing and Datacasting) Bill 2007 [Provisions]—Interim report, dated 27 July 2007.

**18 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS—
STANDING COMMITTEE—REPORT—TELECOMMUNICATIONS LEGISLATION
AMENDMENT (PROTECTING SERVICES FOR RURAL AND REGIONAL AUSTRALIA
INTO THE FUTURE) BILL 2007**

The Deputy President (Senator Hogg) tabled the following report and documents received on 27 July 2007:

Environment, Communications, Information Technology and the Arts—Standing Committee—Telecommunications Legislation Amendment (Protecting Services for Rural and Regional Australia into the Future) Bill 2007 [Provisions]—Report, dated July 2007 and submissions [2].

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

**19 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—
REPORT—AVIATION LEGISLATION AMENDMENT (2007 MEASURES NO. 1) BILL
2007**

The Deputy President (Senator Hogg) tabled the following report and documents received on 30 July 2007:

Rural and Regional Affairs and Transport—Standing Committee—Aviation Legislation Amendment (2007 Measures No. 1) Bill 2007—Report, dated July 2007, Hansard record of proceedings, document presented to the committee and submissions [9].

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

**20 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING
COMMITTEE—REPORT—SOCIAL SECURITY AMENDMENT (2007 MEASURES NO. 1)
BILL 2007**

The Deputy President (Senator Hogg) tabled the following report and documents received on 30 July 2007:

Employment, Workplace Relations and Education—Standing Committee—Social Security Amendment (2007 Measures No. 1) Bill 2007 [Provisions]—Report, dated July 2007 and submissions [7].

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

**21 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING
COMMITTEE—REPORT—HIGHER EDUCATION SUPPORT AMENDMENT (EXTENDING
FEE-HELP FOR VET DIPLOMA AND VET ADVANCED DIPLOMA COURSES) BILL
2007**

The Deputy President (Senator Hogg) tabled the following report and documents received on 30 July 2007:

Employment, Workplace Relations and Education—Standing Committee—Higher Education Support Amendment (Extending FEE-HELP for VET Diploma and VET Advanced Diploma Courses) Bill 2007 [Provisions]—Report, dated July 2007 and submissions [7].

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

22 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING COMMITTEE—REPORT—SOCIAL SECURITY LEGISLATION AMENDMENT (2007 BUDGET MEASURES FOR STUDENTS) BILL 2007

The Deputy President (Senator Hogg) tabled the following report and documents received on 30 July 2007:

Employment, Workplace Relations and Education—Standing Committee—Social Security Legislation Amendment (2007 Budget Measures for Students) Bill 2007 [Provisions]—Report, dated July 2007 and submissions [7].

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

23 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT (TERRORIST MATERIAL) BILL 2007

The Deputy President (Senator Hogg) tabled the following report and documents received on 30 July 2007:

Legal and Constitutional Affairs—Standing Committee—Classification (Publications, Films and Computer Games) Amendment (Terrorist Material) Bill 2007 [Provisions]—Report, dated July 2007, Hansard record of proceedings, additional information and submissions [22].

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

24 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—MIGRATION AMENDMENT (SPONSORSHIP OBLIGATIONS) BILL 2007

The Deputy President (Senator Hogg) tabled the following report and documents received on 30 July 2007:

Legal and Constitutional Affairs—Standing Committee—Migration Amendment (Sponsorship Obligations) Bill 2007 [Provisions]—Report, dated July 2007, additional information and submissions [7].

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

25 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—AUSTRALIAN CITIZENSHIP AMENDMENT (CITIZENSHIP TESTING) BILL 2007

The Deputy President (Senator Hogg) tabled the following report and documents received on 31 July 2007:

Legal and Constitutional Affairs—Standing Committee—Australian Citizenship Amendment (Citizenship Testing) Bill 2007 [Provisions]—Report, dated July 2007, Hansard record of proceedings, additional information and submissions [59].

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

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

Question put and passed.

26 ECONOMICS—STANDING COMMITTEE—INTERIM REPORT—FINANCIAL SECTOR, TAX LAWS AND TAXATION BILLS

The Deputy President (Senator Hogg) tabled the following report received on 31 July 2007:

Economics—Standing Committee—Financial Sector Legislation Amendment (Discretionary Mutual Funds and Direct Offshore Foreign Insurers) Bill 2007 [Provisions] and Corporations (National Guarantee Fund Levies) Amendment Bill 2007 [Provisions]; Financial Sector Legislation Amendment (Simplifying Regulation and Review) Bill 2007 [Provisions]; and Tax Laws Amendment (2007 Measures No. 4) Bill 2007 [Provisions], Taxation (Trustee Beneficiary Non-disclosure Tax) Bill (No. 1) 2007 [Provisions] and Taxation (Trustee Beneficiary Non-disclosure Tax) Bill (No. 2) 2007 [Provisions]—Interim report, dated 31 July 2007.

27 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—INTERNATIONAL TRADE INTEGRITY BILL 2007

The Deputy President (Senator Hogg) tabled the following report and documents received on 1 August 2007:

Legal and Constitutional Affairs—Standing Committee—International Trade Integrity Bill 2007 [Provisions]—Report, dated August 2007, Hansard record of proceedings, document presented to the committee, additional information and submissions [4].

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

28 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—TELECOMMUNICATIONS (INTERCEPTION AND ACCESS) AMENDMENT BILL 2007

The Deputy President (Senator Hogg) tabled the following report and documents received on 1 August 2007:

Legal and Constitutional Affairs—Standing Committee—Telecommunications (Interception and Access) Amendment Bill 2007 [Provisions]—Report, dated August 2007, Hansard record of proceedings, additional information and submissions [27].

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

29 ECONOMICS—STANDING COMMITTEE—REPORT—FINANCIAL SECTOR LEGISLATION AMENDMENT (SIMPLIFYING REGULATION AND REVIEW) BILL 2007

The Deputy President (Senator Hogg) tabled the following report and documents received on 1 August 2007:

Economics—Standing Committee—Financial Sector Legislation Amendment (Simplifying Regulation and Review) Bill 2007 [Provisions]—Report, dated August 2007, Hansard record of proceedings and submissions [4].

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

30 ECONOMICS—STANDING COMMITTEE—REPORT—TAX LAWS AMENDMENT (2007 MEASURES NO. 4) BILL 2007 AND RELATED BILLS

The Deputy President (Senator Hogg) tabled the following report and documents received on 1 August 2007:

Economics—Standing Committee—Tax Laws Amendment (2007 Measures No. 4) Bill 2007 [Provisions], Taxation (Trustee Beneficiary Non-disclosure Tax) Bill (No. 1) 2007 [Provisions] and Taxation (Trustee Beneficiary Non-disclosure Tax) Bill (No. 2) 2007 [Provisions]—Report, dated August 2007, Hansard record of proceedings and submissions [3].

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

31 ECONOMICS—STANDING COMMITTEE—REPORT—FINANCIAL SECTOR LEGISLATION AMENDMENT (DISCRETIONARY MUTUAL FUNDS AND DIRECT OFFSHORE FOREIGN INSURERS) BILL 2007 AND A RELATED BILL

The Deputy President (Senator Hogg) tabled the following report and documents received on 1 August 2007:

Economics—Standing Committee—Financial Sector Legislation Amendment (Discretionary Mutual Funds and Direct Offshore Foreign Insurers) Bill 2007 [Provisions] and Corporations (National Guarantee Fund Levies) Amendment Bill 2007 [Provisions]—Report, dated August 2007, Hansard record of proceedings and submissions [8].

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

32 ECONOMICS—STANDING COMMITTEE—REPORT—TRADE PRACTICES LEGISLATION AMENDMENT BILL (NO. 1) 2007

The Deputy President (Senator Hogg) tabled the following report and documents received on 1 August 2007:

Economics—Standing Committee—Trade Practices Legislation Amendment Bill (No. 1) 2007 [Provisions]—Report, dated August 2007, Hansard record of proceedings and submissions [27].

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

33 ECONOMICS—STANDING COMMITTEE—REPORT—TRADE PRACTICES AMENDMENT (PREDATORY PRICING) BILL 2007

The Deputy President (Senator Hogg) tabled the following report and documents received on 1 August 2007:

Economics—Standing Committee—Trade Practices Amendment (Predatory Pricing) Bill 2007—Report, dated August 2007, Hansard record of proceedings and submissions [23].

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

34 GOVERNMENT DOCUMENTS

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

Department of Defence—Special purpose flights—Schedule for the period 1 July to 31 December 2006—Errata. [*Received 9 July 2007*]

National Environment Protection Council—Second review of the National Environment Protection Council Acts (Commonwealth, State and Territory). [Received 2 July 2007]

Productivity Commission—Report—No. 38—Waste management—Government response. [Received 31 July 2007]

Superannuation (Government Co-contribution for Low Income Earners) Act 2003—Quarterly report on the Government co-contribution scheme for the period 1 January to 31 March 2007. [Received 18 July 2007]

United Nations—Common core document forming part of the reports of State Parties, incorporating—

Australia's fifth report under the International Covenant on Civil and Political Rights for the period January 1997 to June 2006, and

Australia's fourth report under the International Covenant on Economic, Social and Cultural Rights for the period January 1998 to June 2006.

[Received 25 July 2007]

Wreck Bay Aboriginal Community Council—Report for 2005-06. [Received 23 July 2007]

35 TREATIES—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—66TH REPORT

The Deputy President (Senator Hogg) tabled the following document received on 2 August 2007:

Treaties—Joint Standing Committee—66th report—Treaties tabled on 7 December 2004 (4), 15 March and 11 May 2005—Government response.

36 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—FUNDING AND DISCLOSURE

The Deputy President (Senator Hogg) tabled the following document received on 3 August 2007:

Electoral Matters—Joint Standing Committee—Report—Funding and disclosure: Inquiry into disclosure of donations to political parties and candidates—Government response, dated August 2007.

37 AUDITOR-GENERAL—AUDIT REPORTS NOS 48 TO 53 OF 2006-07 AND AUDIT REPORTS NOS 1 TO 3 OF 2007-08—DOCUMENTS

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

Auditor-General—Audit reports for—
2006-07—

No. 48—Performance audit—Superannuation payments for contractors working for the Australian Government follow-up audit. [Received 22 June 2007]

No. 49—Performance audit—Non-APS workers. [Received 25 June 2007]

No. 50—Performance audit—The Higher Education Loan Programme: Department of Education, Science and Training. [Received 26 June 2007]

No. 51—Financial statement audit—Interim phase of the audit of financial statements of general government sector agencies for the year ending 30 June 2007. [Received 27 June 2007]

No. 52—Performance audit—The Australian Taxation Office's approach to regulating and registering self managed superannuation funds: Australian Taxation Office. [*Received 28 June 2007*]

No. 53—Performance audit—Australian Federal Police overseas operations. [*Received 29 June 2007*]

2007-08—

No. 1—Performance audit—Acquisition of the Abrams Main Battle Tank: Department of Defence; Defence Materiel Organisation. [*Received 17 July 2007*]

No. 2—Performance audit—Electronic travel authority follow-up audit: Department of Immigration and Citizenship. [*Received 18 July 2007*]

No. 3—Performance audit—Australian Technical Colleges Programme: Department of Education, Science and Training. [*Received 19 July 2007*]

38 VACANCY IN THE REPRESENTATION OF WESTERN AUSTRALIA—CHOICE OF MATHIAS HUBERT PAUL CORMANN—DOCUMENT

The Acting Deputy President (Senator Moore) tabled the original certificate of the choice by the Parliament of Western Australia of Mathias Hubert Paul Cormann to fill the vacancy caused by the resignation of Senator Ian Campbell (*see entry no. 36, 20 June 2007*).

39 ODGERS' AUSTRALIAN SENATE PRACTICE—11TH EDITION (SUPPLEMENT)—DOCUMENT

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

Odgers' Australian Senate Practice—11th edition (Supplement)—Updates to 30 June 2007.

40 BUSINESS OF THE SENATE—1 JANUARY TO 30 JUNE 2007—DOCUMENT

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

Business of the Senate—1 January to 30 June 2007.

41 QUESTIONS ON NOTICE SUMMARY—DOCUMENT

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

Questions on notice summary—16 November 2004 to 30 June 2007.

42 WORK OF COMMITTEES—DOCUMENT

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

Work of committees—Financial year statistics: 1 July 2006 to 30 June 2007; and half-year statistics: 1 January to 30 June 2007.

Document ordered to be printed on the motion of Senator Nash.

43 PRESIDING OFFICERS AND CLERKS CONFERENCE—DOCUMENTS

Senator Hogg, by leave, tabled the following documents:

Presiding Officers and Clerks Conference, 38th, Rarotonga, Cook Islands, 7 to 14 July 2007—Report by Senator John Hogg, Deputy President of the Senate, dated August 2007 and conference official report.

Senator Hogg, by leave, moved—That the Senate take note of the documents.

Question put and passed.

44 PARTICULARS OF PROPOSED EXPENDITURE AND ESTIMATES OF PROPOSED EXPENDITURE FOR 2007-08 IN RELATION TO THE NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE—DOCUMENTS

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

Particulars of certain proposed expenditure in relation to the Northern Territory national emergency response in respect of the year ending on 30 June 2008.

Particulars of proposed expenditure in relation to the Northern Territory national emergency response in respect of the year ending on 30 June 2008.

Estimates of proposed expenditure in relation to the Northern Territory national emergency response for 2007-08—Portfolio supplementary estimates statements 2007-08—Portfolios—

Attorney-General.

Defence.

Education, Science and Training.

Employment and Workplace Relations.

Families, Community Services and Indigenous Affairs.

Health and Ageing.

Human Services.

Prime Minister and Cabinet.

45 PRIVILEGES—STANDING COMMITTEE—130TH REPORT

The Chair of the Standing Committee of Privileges (Senator Faulkner) tabled the following report:

Privileges—Standing Committee—130th report—Person referred to in the Senate (Mr Darryl Hockey), dated August 2007.

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

Senator Faulkner, by leave, moved—That the report be adopted.

Question put and passed.

Response as recommended by the committee incorporated in Hansard accordingly.

46 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—ADDITIONAL INFORMATION—AUSTRALIAN CITIZENSHIP AMENDMENT (CITIZENSHIP TESTING) BILL 2007

Senator Nash, at the request of the Chair of the Legal and Constitutional Affairs Committee (Senator Barnett), tabled the following document:

Legal and Constitutional Affairs—Standing Committee—Report—Australian Citizenship Amendment (Citizenship Testing) Bill 2007—Additional information.

47 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—REPORT—SUPERANNUATION INDUSTRY

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—The structure and operation of the superannuation industry—Report, dated August 2007, Hansard record of proceedings, documents presented to the committee, additional information and submissions [96].

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

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

Debate ensued.

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

48 DOCUMENTS

The following documents were tabled by the Clerk:

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

A New Tax System (Commonwealth-State Financial Arrangements) Act—
Determination of the Guaranteed Minimum Amount for 2006-07 [F2007L01906]*.

A New Tax System (Goods and Services) Tax Act—

A New Tax System (Goods and Services Tax) (Average Input Tax Credit Fraction) Determination 2007 [F2007L01905]*.

A New Tax System (Goods and Services Tax) (Exempt Taxes, Fees and Charges) Determination 2007 (No. 1) [F2007L01863]*.

Select Legislative Instruments 2007 Nos—

175—A New Tax System (Goods and Services Tax) Amendment Regulations 2007 (No. 1) [F2007L01756]*.

206—A New Tax System (Goods and Services Tax) Amendment Regulations 2007 (No. 2) [F2007L01975]*.

Aboriginal Land Rights (Northern Territory) Act—Select Legislative Instrument 2007 No. 184—Aboriginal Land Rights (Northern Territory) Regulations 2007 [F2007L01935]*.

Aged Care Act—

Aged Care (Amount of Flexible Care Subsidy – Multi-purpose Services) Determination 2007 (No. 1)—ACA Ch. 3 No. 21/2007 [F2007L02051]*.

Aged Care (Amount of Flexible Care Subsidy – Transition Care) Determination 2007—ACA Ch. 3 No. 19/2007 [F2007L02048]*.

Aged Care (Residential Care Subsidy – Amount of Respite Supplement) Determination 2007—ACA Ch. 3 No. 9/2007 [F2007L02037]*.

Aged Care (Residential Care Subsidy – Amount of Viability Supplement) Determination 2007—ACA Ch. 3 No. 15/2007 [F2007L02043]*.

Residential Care Subsidy Amendment Principles 2007 (No. 1) [F2007L02344]*.

Determinations of—

Adjusted Subsidy Residential Care Services—ACA Ch. 3 No. 5/2007 [F2007L01960]*.

Amount of Community Care Subsidy—ACA Ch. 3 No. 16/2007 [F2007L02045]*.

Amount of Flexible Care Subsidy—

ACA Ch. 3 No. 22/2007.

Extended aged care at home—ACA Ch. 3 No. 17/2007 [F2007L02047]*.

Extended aged care at home – dementia—ACA Ch. 3 No. 20/2007 [F2007L02050]*.

Rates of Financial Assistance—

Adjusted Subsidy Reduction—ACA Ch. 3 No. 13/2007 [F2007L02041]*.

- Basic Subsidy—ACA Ch. 3 No. 6/2007 [F2007L02035]*.
 Charge Exempt Resident Supplement—ACA Ch. 3 No. 8/2007 [F2007L02109]*.
 Concessional Resident Supplement—ACA Ch. 3 No. 7/2007 [F2007L02036]*.
 Enteral Feeding Supplement—ACA Ch. 3 No. 11/2007 [F2007L02039]*.
 Oxygen Supplement—ACA Ch. 3 No. 10/2007 [F2007L02038]*.
 Pensioner Supplement—ACA Ch. 3 No. 14/2007 [F2007L02042]*.
 Transitional Supplement—ACA Ch. 3 No. 12/2007 [F2007L02040]*.
- Aged Care (Consequential Provisions) Act—Determination of additional amount payable in respect of residential care services—AC(CP)A Ch. 3 No. 1/2007 [F2007L02053]*.
- Air Services Act—
 Air Services Regulations—Instruments Nos—
 AERU 07-60—Designation of Airroute [F2007L02062]*.
 AERU 07-86—Temporary Reclassification of Airspace [F2007L02063]*.
 Select Legislative Instrument 2007 No. 168—Air Services Amendment Regulations 2007 (No. 1) [F2007L01838]*.
- Airports Act—Select Legislative Instrument 2007 No. 192—Airports Amendment Regulations 2007 (No. 1) [F2007L01963]*.
- Airspace Act—Australian Airspace Policy Statement [F2007L02056]*.
- Airspace Act and Airspace (Consequentials and Other Measures) Act—Select Legislative Instrument 2007 No. 169—Airspace Regulations 2007 [F2007L01835]*.
- Anti-Money Laundering and Counter-Terrorism Financing Act—
 Anti-Money Laundering and Counter-Terrorism Financing Rules Amendment Instrument 2007 (No. 1) [F2007L01959]*.
 Anti-Money Laundering and Counter-Terrorism Financing Rules Amendment Instrument 2007 (No. 2) [F2007L02318]*.
- Appropriation Act (No. 3) 2003-2004*—Determinations to reduce appropriations upon request—Determinations Nos—
 13 of 2006-2007 [F2007L02090]*.
 15 of 2006-2007 [F2007L02095]*.
 17 of 2006-2007 [F2007L02088]*.
 20 of 2006-2007 [F2007L02094]*.
- Appropriation Act (No. 3) 2003-2004* and *Appropriation Act (No. 4) 2003-2004*—Determination to reduce appropriation upon request—Determination No. 19 of 2006-2007 [F2007L02091]*.
- Appropriation Act (No. 3) 2003-2004*, *Appropriation Act (No. 4) 2003-2004*, *Appropriation Act (No. 1) 2005-2006* and *Appropriation Act (No. 2) 2005-2006*—Determination to reduce appropriation upon request—Determination No. 16 of 2006-2007 [F2007L02084]*.
- Appropriation Act (No. 3) 2003-2004* and *Appropriation Act (No. 1) 2006-2007*—Determination to reduce appropriation upon request—Determination No. 14 of 2006-2007 [F2007L02092]*.

*Appropriation Act (No. 4) 2003-2004 and Appropriation Act (No. 1) 2005-2006—*Determination to reduce appropriation upon request—Determination No. 12 of 2006-2007 [F2007L02087]*.

*Appropriation Act (No. 4) 2003-2004 and Appropriation Act (No. 1) 2006-2007—*Determination to reduce appropriation upon request—Determination No. 11 of 2006-2007 [F2007L02085]*.

Appropriation Act (No. 1) 2006-2007—

Advance to the Finance Minister—Determinations Nos—

4 of 2006-2007 [F2007L01884]*.

8 of 2006-2007 [F2007L02027]*.

Determination to reduce appropriation upon request—Determination No. 10 of 2006-2007 [F2007L02112]*.

*Appropriation Act (No. 1) 2006-2007 and Appropriation Act (No. 2) 2006-2007—*Determination to reduce appropriation upon request—Determination No. 18 of 2006-2007 [F2007L02113]*.

*Appropriation Act (No. 2) 2006-2007—*Advance to the Finance Minister—Determinations Nos—

5 of 2006-2007 [F2007L01934]*.

6 of 2006-2007 [F2007L01925]*.

7 of 2006-2007 [F2007L02028]*.

*Appropriation Act (No. 1) 2007-2008—*Advance to the Finance Minister—Determinations Nos—

1 of 2007-2008 [F2007L02200]*.

2 of 2007-2008 [F2007L02389]*.

AusLink (National Land Transport) Act—Variation of AusLink Roads to Recovery List Instrument No. 2007/2 [F2007L02150]*.

Australian Bureau of Statistics Act—Proposals Nos—

5 of 2007—New topic for the monthly population survey: Characteristics of Migrants Survey.

6 of 2007—Service Industries Surveys – 2006-07.

7 of 2007—Not-For-Profit Institutions Survey – 2006-07.

8 of 2007—New topics in the monthly population survey.

Australian Capital Territory (Planning and Land Management) Act—National Capital Plan—Amendment 66—Diplomatic Mission Yarralumla [F2007L02317]*.

Australian Citizenship Act—

Instruments—

IMMI 07/037—Australian Citizenship (Permanent Resident Status) [F2007L02008]*.

IMMI 07/040—Instrument of Authorisation—Persons who may receive pledge of commitment [F2007L01971]*.

IMMI 07/043—Instrument of Delegation and Authorisation—Citizenship decision making [F2007L01974]*.

IMMI 07/045—Instrument of Authorisation—Classes of persons authorised to access identifying information [F2007L01973]*.

Select Legislative Instrument 2007 No. 164—Australian Citizenship Regulations 2007 [F2007L01799]*.

- Australian Communications and Media Authority Act—Radiocommunications (Charges) Amendment Determination 2007 (No. 2) [F2007L01926]*.
- Australian Hearing Services Act—Declared Hearing Services Amendment Determination 2007 (No. 1) [F2007L02197]*.
- Australian National University Act—Programs and Awards Statute 2006—Academic Progress Rules 2007 [F2007L02418]*.
- Australian Participants in British Nuclear Tests (Treatment) Act—Select Legislative Instrument 2007 No. 154—Australian Participants in British Nuclear Tests (Treatment) Regulations 2007 [F2007L01780]*.
- Australian Passports Act—
- Australian Passports Amendment Determination 2007 (No. 1) [F2007L02258]*.
 - Australian Passports Amendment Determination 2007 (No. 2) [F2007L02269]*.
 - Australian Passports Amendment Determination (No. 4) [F2007L02328]*.
- Australian Prudential Regulation Authority Act—
- Australian Prudential Regulation Authority (Commonwealth Costs) Determination 2007 [F2007L02074]*.
 - Australian Prudential Regulation Authority (Confidentiality) Determination No. 8 of 2007—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 (2005) [F2007L01820]*.
 - Australian Prudential Regulation Authority (Confidentiality) Determination No. 9 of 2007—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 (2005) [F2007L02316]*.
 - Australian Prudential Regulation Authority (Confidentiality) Determination No. 11 of 2007—Information provided by general insurers under certain reporting standards [F2007L02421]*.
- Australian Research Council Act—
- Approval of proposals under section 51—Determinations Nos—
 - 46—Linkage Learned Academies Special Projects for funding commencing in 2006, dated 1 May 2007 [*in substitution for instrument tabled on 12 June 2007*].
 - 47—ARC Federation Fellowships, dated 27 April 2007 [*in substitution for instrument tabled on 12 June 2007*].
 - 48—Linkage Projects 2007 (Round 2), dated 10 May 2007 [*in substitution for instrument tabled on 12 June 2007*].
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 - GSTR 2000/12, GSTR 2000/26, GSTR 2000/29 and GSTR 2000/34.
 - GSTR 2002/3.
 - GSTR 2003/12 and 2003/14.
 - GSTR 2006/2.
- Governance Review Implementation (Treasury Portfolio Agencies) Act—Select Legislative Instrument 2007 No. 201—Governance Review Implementation (Treasury Portfolio Agencies) (Application and Transitional Provisions) Regulations 2007 [F2007L01897]*.
- Health Insurance Act—
 - Determinations—
 - HIB 11/2007 [F2007L01978]*.
 - HIB 12/2007 [F2007L01979]*.
 - Health Insurance (Eligible Collection Centres) Approval Amendment Principles 2007 [F2007L02032]*.
 - Health Insurance (Eligible Collection Centres) Approval Principles 2007 [F2007L01909]*.
 - Select Legislative Instruments 2007 Nos—
 - 187—Health Insurance Amendment Regulations 2007 (No. 4) [F2007L01519]*.
 - 188—Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2007 (No. 4) [F2007L01517]*.
 - 189—Health Insurance (General Medical Services Table) Amendment Regulations 2007 (No. 5) [F2007L01520]*.
 - 224—Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2007 (No. 5) [F2007L02006]*.
- Hearing Services Administration Act—Hearing Services Amendment Rules of Conduct 2007 (No. 1) [F2007L02199]*.
- Higher Education Support Act—Commonwealth Scholarships Guidelines—Amendment No. 3 [F2007L01824]*.
- Immigration (Education) Act—Select Legislative Instrument 2007 No. 165—Immigration (Education) Amendment Regulations 2007 (No. 1) [F2007L01827]*.

Income Tax Assessment Act 1936—Select Legislative Instrument 2007 No. 176—Income Tax Amendment Regulations 2007 (No. 2) [F2007L01736]*.

Income Tax Assessment Act 1936, Income Tax Assessment Act 1997, Taxation Administration Act, Superannuation Industry (Supervision) Act and Income Tax (Transitional Provisions) Act—Lodgement of returns for the year of income ended 30 June 2007 [F2007L01886]*.

Income Tax Assessment Act 1997—Select Legislative Instruments 2007 Nos—

177—Income Tax Assessment Amendment Regulations 2007 (No. 4) [F2007L01757]*.

178—Income Tax Assessment Amendment Regulations 2007 (No. 5) [F2007L01735]*.

202—Income Tax Assessment Amendment Regulations 2007 (No. 6) [F2007L01893]*.

Industry Research and Development Act—Industry Cooperative Innovation Program Directions No. 1 of 2007 [F2007L01532]*.

Lands Acquisition Act—Select Legislative Instrument 2007 No. 223—Lands Acquisition Amendment Regulations 2007 (No. 1) [F2007L02272]*.

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Maritime Transport and Offshore Facilities Security Act—Select Legislative Instrument 2007 No. 173—Maritime Transport and Offshore Facilities Security Amendment Regulations 2007 (No. 2) [F2007L01803]*.

Medical Indemnity Act—Premium Support Amendment Scheme 2007 [F2007L02034]*.

Medical Indemnity (Prudential Supervision and Product Standards) Act—Medical Indemnity (Prudential Supervision and Product Standards – Notice of Provision of Run-off Cover) Determination 2007 [F2007L02208]*.

Migration Act—

Direction under section 499—Direction No. 37—Guidelines for considering cancellations of student visas for breach of Condition 8202 [F2007L01860]*.

Migration Agents Regulations—MARA Notices—

MN29-07a of 2007—Migration Agents (Continuing Professional Development – Program of Education) [F2007L02311]*.

MN29-07b of 2007—Migration Agents (Continuing Professional Development – Private Study of Audio, Video or Written Material) [F2007L02312]*.

MN29-07c of 2007—Migration Agents (Continuing Professional Development – Attendance at a Seminar, Workshop, Conference or Lecture) [F2007L02313]*.

MN29-07f of 2007—Migration Agents (Continuing Professional Development – Miscellaneous Activities) [F2007L02314]*.

Migration Regulations—Instruments—

IMMI 07/008—Migration Occupations in Demand [F2007L02388]*.

IMMI 07/024—Places and Currencies for Paying of Fees [F2007L01825]*.

IMMI 07/025—Payment of Visa Application Charges and Fees in Foreign Currencies [F2007L01855]*.

IMMI 07/031—Substantive Visa Classes [F2007L01939]*.

IMMI 07/032—Addresses for Maritime Crew Visa Applications [F2007L01936]*.

IMMI 07/035—Class of Persons [F2007L01933]*.

IMMI 07/036—Classes of Persons [F2007L01929]*.

IMMI 07/038—Class of Persons [F2007L02117]*.

IMMI 07/042—Access to Movement Records [F2007L01882]*.

IMMI 07/044—Exemptions to the English Language Requirement for the Temporary Business (Long Stay) Visa [F2007L02077]*.

IMMI 07/051—Organisations that may sponsor Short Stay Business Visitors [F2007L02345]*.

IMMI 07/052—Classes of Persons [F2007L02410]*.

Migration (United Nations Security Council Resolutions) Regulations—Instrument IMMI 07/033—Specification of United Nations Security Council Resolutions [F2007L01877]*.

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166—Migration Amendment Regulations 2007 (No. 4) [F2007L01798]*.

167—Migration (United Nations Security Council Resolutions) Regulations 2007 [F2007L01791]*.

190—Migration Amendment Regulations 2007 (No. 5) [F2007L01980]*.

191—Migration Amendment Regulations 2007 (No. 6) [F2007L01896]*.

Statements for period 1 January to 30 June 2007 under sections—

33 [3].

48B [92].

91L [4].

91Q [4].

195A [6].

197AB [18].

197AD [3].

345.

351 [259].

417 [284].

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Instrument No. M6/2007—MRCA Treatment Principles (Removal of Arrangements for Health Care Providers) Instrument 2007 [F2007L01225]*.

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Military Superannuation and Benefits Act—Military Superannuation and Benefits Amendment Trust Deed 2007 (No. 3) [F2007L02209]*.

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Vehicle Standard (Australian Design Rule 35/02 – Commercial Vehicle Brake Systems) 2007 [F2007L02220]*.

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Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005 Amendment 2 [F2007L02227]*.

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PB 48 of 2007—Drugs and medicinal preparations [F2007L02391]*.

PB 49 of 2007—Pharmaceutical benefits [F2007L02393]*.

PB 50 of 2007—Responsible persons [F2007L02394]*.

PB 51 of 2007—Price determinations and special patient contributions [F2007L02395]*.

PB 52 of 2007—Conditions [F2007L02396]*.

PB 53 of 2007—Special Arrangements – highly specialised drugs program [F2007L02397]*.

PB 54 of 2007—Special Arrangements – Chemotherapy Pharmaceuticals Access Program [F2007L02398]*.

PB 55 of 2007—Special Arrangements: Special Authority Program – Imatinib [F2007L02399]*.

PB 56 of 2007—Special Arrangements: Special Authority Program – Trastuzumab [F2007L02402]*.

PB 57 of 2007—Pharmaceutical benefits supplied by medical practitioners [F2007L02403]*.

PB 58 of 2007—Exempt items [F2007L02404]*.

PB 59 of 2007—Classes of pharmaceutical items to which 12.5% administrative price reduction has applied [F2007L02405]*.

PB 60 of 2007—Drugs in same therapeutic group [F2007L02411]*.

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7 [F2007L01888]*.

8 [F2007L02167]*.

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Select Legislative Instruments 2007 Nos—

160—National Health (Pharmaceutical Benefits) Amendment Regulations 2007 (No. 1) [F2007L01518]*.

225—National Health (Pharmaceutical Benefits) Amendment Regulations 2007 (No. 2) [F2007L02206]*.

National Residue Survey (Excise) Levy Act—Select Legislative Instrument 2007 No. 149—Primary Industries Levies and Charges (National Residue Survey Levies) Amendment Regulations 2007 (No. 3) [F2007L01778]*.

Native Title Act—

Recognition as Representative Aboriginal/Torres Strait Islander Body 2007 (No. 1)—Aboriginal Legal Rights Movement Incorporated [F2007L02009]*.

Recognition as Representative Aboriginal/Torres Strait Islander Body 2007 (No. 2)—Central Queensland Land Council Aboriginal Corporation [F2007L02010]*.

Recognition as Representative Aboriginal/Torres Strait Islander Body 2007 (No. 3)—South West Aboriginal Land and Sea Council Aboriginal Corporation [F2007L02011]*.

Recognition as Representative Aboriginal/Torres Strait Islander Body 2007 (No. 4)—North Queensland Land Council Native Title Representative Body Aboriginal Corporation [F2007L02012]*.

Recognition as Representative Aboriginal/Torres Strait Islander Body 2007 (No. 5)—Northern Land Council [F2007L02013]*.

Recognition as Representative Aboriginal/Torres Strait Islander Body 2007 (No. 6)—Central Land Council [F2007L02014]*.

Recognition as Representative Aboriginal/Torres Strait Islander Body 2007 (No. 7)—Goldfields Land and Sea Council Aboriginal Corporation [F2007L02015]*.

Recognition as Representative Aboriginal/Torres Strait Islander Body 2007 (No. 8)—Torres Strait Regional Authority [F2007L02016]*.

Recognition as Representative Aboriginal/Torres Strait Islander Body 2007 (No. 9)—Gurang Land Council Aboriginal Corporation [F2007L02017]*.

Recognition as Representative Aboriginal/Torres Strait Islander Body 2007 (No. 10)—Carpentaria Land Council Aboriginal Corporation [F2007L02018]*.

Recognition as Representative Aboriginal/Torres Strait Islander Body 2007 (No. 11)—Kimberley Land Council Aboriginal Corporation [F2007L02019]*.

Recognition as Representative Aboriginal/Torres Strait Islander Body 2007 (No. 12)—Cape York Land Council Aboriginal Corporation [F2007L02020]*.

Recognition as Representative Aboriginal/Torres Strait Islander Body 2007 (No. 13)—Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation [F2007L02021]*.

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Ozone Protection and Synthetic Greenhouse Gas Management Act—Select Legislative Instrument 2007 No. 217—Ozone Protection and Synthetic Greenhouse Gas Management Amendment Regulations 2007 (No. 1) [F2007L02307]*.

Parliamentary Entitlements Act—Parliamentary Entitlements Regulations—Advice of decision to pay assistance under Part 3, dated 11 July 2007 [2].

Parliamentary Service Act—Determination No. 1 of 2007—Parliamentary Librarian – Remuneration and Other Conditions of Employment.

Primary Industries (Customs) Charges Act—Select Legislative Instrument 2007 No. 131—Primary Industries (Customs) Charges Amendment Regulations 2007 (No. 4) [F2007L01675]*.

Primary Industries (Excise) Levies Act—Select Legislative Instruments 2007 Nos—

133—Primary Industries (Excise) Levies Amendment Regulations 2007 (No. 5) [F2007L01673]*.

208—Primary Industries (Excise) Levies Amendment Regulations 2007 (No. 7) [F2007L02286]*.

Primary Industries Levies and Charges Collection Act—Select Legislative Instrument 2007 No. 209—Primary Industries Levies and Charges Collection Amendment Regulations 2007 (No. 5) [F2007L02289]*.

Privacy Act—

Market and Social Research Privacy Code – Variation [F2007L02061]*.

Select Legislative Instrument 2007 No. 153—Privacy (Private Sector) Amendment Regulations 2007 (No. 2) [F2007L01763]*.

Private Health Insurance Act—

Private Health Insurance (Benefit Requirements) Amendment Rules (No. 1) 2007 (No. 2) [F2007L02222]*.

Private Health Insurance (Benefit Requirements) Amendment Rules 2007 (No. 3) [F2007L02409]*.

Private Health Insurance (Benefit Requirements) Rules 2007 (No. 2) [F2007L01977]*.

Private Health Insurance (Prostheses Application and Listing Fees) Act—Private Health Insurance (Prostheses Application and Listing Fee) Rules 2007 (No. 2) [F2007L02347]*.

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Addenda—PR 2007/16, PR 2007/23 and PR 2007/31.

Erratum—PR 2007/68.

Notices of Withdrawal—

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PR 2002/135.

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PR 2006/5, PR 2006/26, PR 2006/104, PR 2006/109 and PR 2006/126.

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PR 2007/62-PR 2007/73.

Protection of the Sea (Shipping Levy) Act—Select Legislative Instrument 2007 No. 174—Protection of the Sea (Shipping Levy) Amendment Regulations 2007 (No. 1) [F2007L01797]*.

Public Service Act—

Public Service Commissioner's Amendment Directions 2007 (No. 1).

Select Legislative Instrument 2007 No. 215—Public Service Amendment Regulations 2007 (No. 1) [F2007L02267]*.

Radiocommunications Act—Radiocommunications (Foreign Space Objects) Amendment Determination 2007 (No. 1) [F2007L01931]*.

Radiocommunications (Receiver Licence Tax) Act—Radiocommunications (Receiver Licence Tax) Amendment Determination 2007 (No. 2) [F2007L02339]*.

Radiocommunications (Transmitter Licence Tax) Act—Radiocommunications (Transmitter Licence Tax) Amendment Determination 2007 (No. 2) [F2007L02338]*.

Remuneration Tribunal Act—Determinations—

2007/10: Remuneration and Allowances for Holders of Part-Time Public Office [F2007L01790]*.

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Renewable Energy (Electricity) Act—Select Legislative Instrument 2007 No. 218—Renewable Energy (Electricity) Amendment Regulations 2007 (No. 1) [F2007L02204]*.

Retirement Savings Accounts Act—

Retirement Savings Accounts Tax File Number Approval No. 1 of 2007 [F2007L02022]*.

Select Legislative Instrument 2007 No. 203—Retirement Savings Accounts Amendment Regulations 2007 (No. 2) [F2007L01894]*.

Retirement Savings Account Providers Supervisory Levy Imposition Act—Retirement Savings Account Levy Imposition Determination 2007 [F2007L02071]*.

Safety, Rehabilitation and Compensation Act—

Safety, Rehabilitation and Compensation (Declaration and Specification) Notice 2007 (1) [F2007L02005]*.

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STD 96/1-STD 96/3 and STD 96/5-STD 96/11.

STD 97/1-STD 97/5.

STD 98/1 and STD 98/3-STD 98/7.

STD 1999/1-STD 1999/6.

STD 2000/1 and STD 2000/2.

Sales Tax Rulings—Notices of Withdrawal—STNS 1-STNS 3, STNS 5, STNS 3002, STNS 3003 and STNS 3005.

Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Act—Select Legislative Instrument 2007 No. 156—Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Amendment Regulations 2007 (No. 1) [F2007L01829]*.

Social Security Act—

Social Security (Australian Government Disaster Recovery Payment) Determination 2007 (No. 5) [F2007L02116]*.

Social Security Exempt Lump Sum (Compensation paid by Aviva Australia) (DEST) Determination 2007 [F2007L02115]*.

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Social Security Exempt Lump Sum (Compensation paid by Aviva Australia) (FaCSIA) Determination 2007 [F2007L02111]*.

Social Security Exempt Lump Sum (Remote Area Family Day Care Start Up Payment) (DEST) Determination 2007 [F2007L02320]*.

Social Security Exempt Lump Sum (Remote Area Family Day Care Start Up Payment) (DEWR) Determination 2007 [F2007L02249]*.

Social Security Exempt Lump Sum (Remote Area Family Day Care Start Up Payment) (FaCSIA) Determination 2007 [F2007L02321]*.

Social Security Foreign Currency Exchange Rate Determination 2006 (No. 3) [F2007L02343]*.

Social Security (Income Stream) (DEST) Determination 2007 [F2007L02294]*.

Social Security (Income Stream) (DEWR) Determination 2007 [F2007L02308]*.

Social Security (Income Stream) (FaCSIA) Determination 2007 [F2007L02246]*.

Social Security (Means Test Treatment of Private Trusts – Excluded Trusts) Declaration 2007 (DEWR) [F2007L01870]*.

Social Security (Administration) Act—

Social Security (Payment Pending—ARO Application for Review) (DEST) Guidelines 2007 [F2007L02276]*.

Social Security (Payment Pending—ARO Application for Review) (DEWR) Guidelines 2007 [F2007L02281]*.

Social Security (Payment Pending—ARO Application for Review) (FaCSIA) Guidelines 2007 [F2007L02309]*.

Social Security (Payment Pending—ARO Application for Review) Guidelines 2004 (Revocation) 2007 [F2007L02279]*.

Social Security (Payment Pending—SSAT Application for Review) (DEST) Guidelines 2007 [F2007L02275]*.

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Superannuation Act 1990—Twenty-eighth Amending Deed to the Public Sector Superannuation Scheme [F2007L01943]*.

Superannuation Act 2005—Second Amending Deed to the Superannuation Public Sector Superannuation Accumulation Plan [F2007L01942]*.

Superannuation (Government Co-contribution for Low Income Earners) Act and Superannuation Guarantee (Administration) Act—Lodgement of statements by superannuation providers for the year ended 30 June 2007 [F2007L01887]*.

Superannuation Industry (Supervision) Act—

Select Legislative Instrument 2007 No. 204—Superannuation Industry (Supervision) Amendment Regulations 2007 (No. 3) [F2007L01891]*.

Superannuation Industry (Supervision) Modification Declaration No. 1 of 2007 [F2007L02104]*.

Superannuation Industry (Supervision) Modification Declaration No. 2 of 2007 [F2007L02413]*.

Superannuation Industry (Supervision) Tax File Number Approval No. 1 of 2007 [F2007L02023]*.

Superannuation (Productivity Benefit) Act—

Superannuation (Productivity Benefit) (2007-2008 Continuing Contributions) Declaration 2007 [F2007L01965]*.

Superannuation (Productivity Benefit) (2007-2008 First Interest Factor) Declaration 2007 [F2007L01966]*.

Superannuation (Productivity Benefit) (2007-2008 Second Interest Factor) Declaration 2007 [F2007L01967]*.

Superannuation (Productivity Benefit) (Penalty Interest) Amendment Determination 2007 (No. 1) [F2007L01964]*.

Superannuation Supervisory Levy Imposition Act—Superannuation Supervisory Levy Imposition Determination 2007 [F2007L02073]*.

Taxation Administration Act—Variation to the rate of withholding for certain superannuation beneficiaries who have not quoted a tax file number [F2007L02031]*.

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Addenda—

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Taxation Rulings—

Addenda—

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TR 1999/5.

TR 2006/15.

Old series—

Notices of Partial Withdrawal—IT 2624 and IT 2662.

Notice of Withdrawal—IT 2035.

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Submarine Cable (Northern Sydney Protection Zone) Declaration 2007 [F2007L02216]*.

Submarine Cable (Southern Sydney Protection Zone) Declaration 2007 [F2007L02217]*.

Telecommunications (Carrier Licence Charges) Act—Telecommunications (Annual Carrier Licence Charge) Amendment Determination 2007 (No. 1) [F2007L01927]*.

Textile, Clothing and Footwear Strategic Investment Program Act—Textile, Clothing and Footwear Post-2005 Strategic Investment Program Scheme Amendment 2007 (No. 2) [F2007L02059]*.

Therapeutic Goods Act—

Select Legislative Instruments 2007 Nos—

161—Therapeutic Goods Amendment Regulations 2007 (No. 1) [F2007L01521]*.

163—Therapeutic Goods (Medical Devices) Amendment Regulations 2007 (No. 1) [F2007L01522]*.

Therapeutic Goods (Emergency) Exemption 2007 (No. 2) [F2007L02417]*.

Therapeutic Goods (Emergency) Exemption 2007 (No. 3) [F2007L02271]*.

Therapeutic Goods (Charges) Act—Select Legislative Instrument 2007 No. 162—Therapeutic Goods (Charges) Amendment Regulations 2007 (No. 1) [F2007L01523]*.

Trade Practices Act—

Consumer Protection Notice No. 8 of 2007—Consumer Product Safety Standard for Prams and Strollers [F2007L01895]*.

Direction No. 29, dated 28 June 2007 [F2007L02060]*.

Select Legislative Instruments 2007 Nos—

205—Trade Practices Amendment Regulations 2007 (No. 3) [F2007L01961]*.

228—Trade Practices Amendment Regulations 2007 (No. 4) [F2007L02257]*.

Veterans' Entitlements Act—

Determination of Non-warlike Service—Operation VIGILANCE, dated 20 June 2007 [F2007L02362]*.

Instruments Nos—

R4/2007—Veterans' Entitlements (Treatment Principles – Removal of Arrangements for Health Care Providers) Instrument 2007 [F2007L01222]*.

R22/2007—Veterans' Entitlements (Child-Related Payments) Determination 2007 [F2007L01892]*.

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Dental Caries No. 71 of 2007 [F2007L01841]*.

Dental Caries No. 72 of 2007 [F2007L01844]*.

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Malignant Melanoma of the Skin No. 80 of 2007 [F2007L01857]*.

Malignant Neoplasm of the Lung No. 87 of 2007 [F2007L01874]*.

Malignant Neoplasm of the Lung No. 88 of 2007 [F2007L01876]*.
 Mesothelioma No. 83 of 2007 [F2007L01864]*.
 Mesothelioma No. 84 of 2007 [F2007L01865]*.
 Myopia, Hypermetropia and Astigmatism No. 69 of 2007 [F2007L01831]*.
 Myopia, Hypermetropia and Astigmatism No. 70 of 2007 [F2007L01837]*.
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 Pinguecula No. 77 of 2007 [F2007L01852]*.
 Pinguecula No. 78 of 2007 [F2007L01853]*.
 Pterygium No. 75 of 2007 [F2007L01849]*.
 Pterygium No. 76 of 2007 [F2007L01850]*.
 Systemic Lupus Erythematosus No. 85 of 2007 [F2007L01867]*.
 Systemic Lupus Erythematosus No. 86 of 2007 [F2007L01868]*.

Veterans' Entitlements (Income stream) Determination 2007 [F2007L02007]*.

Workplace Relations Act—

Directions to Inspectors, dated 4 July 2007 [F2007L02341]*.

Select Legislative Instruments 2007 Nos—

183—Workplace Relations Amendment Regulations 2007 (No. 2) [F2007L01880]*.

216—Workplace Relations Amendment Regulations 2007 (No. 3) [F2007L02288]*.

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

Aboriginal Land Rights (Northern Territory) Amendment Act 2006—Items 4A to 4C of Schedule 1—1 July 2007 [F2007L01930]*.

Aboriginal Land Rights (Northern Territory) Amendment (Township Leasing) Act 2007—Schedule 1—1 July 2007 [F2007L01932]*.

Airspace Act 2007—Sections 3 to 15—1 July 2007 [F2007L01854]*.

Classification (Publications, Films and Computer Games) Amendment Act 2007—Schedule 1; and items 1, 3 to 6, 10 to 12, 13, 15, 19, 20 and 26 of Part 1 of Schedule 2—1 July 2007 [F2007L01781]*.

Food Standards Australia New Zealand Amendment Act 2007—Parts 1 and 2 of Schedule 1—1 July 2007 [F2007L01822]*.

Migration Amendment (Border Integrity) Act 2007—Schedules 1, 2 and 3—1 July 2007 [F2007L01792]*.

Migration Amendment (Maritime Crew) Act 2007—Part 1 of Schedule 1—1 July 2007 [F2007L01795]*.

Workplace Relations Amendment (A Stronger Safety Net) Act 2007—Schedules 1, 2, 3 and 5—1 July 2007 [F2007L01879]*.

* Explanatory statement tabled with legislative instrument.

49 INDEXED LISTS OF DEPARTMENTAL AND AGENCY FILES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

The following document was tabled pursuant to the order of the Senate of 30 May 1996, as amended:

Indexed lists of departmental and agency files for the period 1 July to 31 December 2006—Statement of compliance—Australian Agency for International Development (AusAID).

50 COMMUNICATIONS LEGISLATION AMENDMENT (CONTENT SERVICES) BILL 2007

A message from the House of Representatives was reported agreeing to the amendments made by the Senate to the following bill:

Message no. 601, dated 21 June 2007—Communications Legislation Amendment (Content Services) Bill 2007.

51 GOVERNOR-GENERAL'S AND DEPUTY OF THE 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:

21 June 2007—Message—

No. 78—

Tax Laws Amendment (2007 Budget Measures) Act 2007 (Act No. 75, 2007)

Tax Laws Amendment (Personal Income Tax Reduction) Act 2007 (Act No. 76, 2007)

Indigenous Education (Targeted Assistance) Amendment (2007 Budget Measures) Act 2007 (Act No. 77, 2007)

Tax Laws Amendment (2007 Measures No. 2) Act 2007 (Act No. 78, 2007).

No. 79—

Tax Laws Amendment (2007 Measures No. 3) Act 2007 (Act No. 79, 2007)

Tax Laws Amendment (Small Business) Act 2007 (Act No. 80, 2007)

Defence Force (Home Loans Assistance) Amendment Act 2007 (Act No. 81, 2007)

Families, Community Services and Indigenous Affairs Legislation Amendment (Child Support Reform Consolidation and Other Measures) Act 2007 (Act No. 82, 2007)

Health Insurance Amendment (Diagnostic Imaging Accreditation) Act 2007 (Act No. 83, 2007).

No. 80—

Governance Review Implementation (Science Research Agencies) Act 2007 (Act No. 84, 2007)

Corporations (NZ Closer Economic Relations) and Other Legislation Amendment Act 2007 (Act No. 85, 2007)

Liquid Fuel Emergency Amendment Act 2007 (Act No. 86, 2007)

Migration Amendment (Statutory Agency) Act 2007 (Act No. 87, 2007)

Health Insurance Amendment (Inappropriate and Prohibited Practices and Other Measures) Act 2007 (Act No. 88, 2007)

Veterans' Affairs Legislation Amendment (2007 Measures No. 1) Act 2007 (Act No. 89, 2007).

22 June 2007—Message—

No. 81—

Agricultural and Veterinary Chemicals (Administration) Amendment Act 2007 (Act No. 90, 2007)

Agriculture, Fisheries and Forestry Legislation Amendment (2007 Measures No. 1) Act 2007 (Act No. 91, 2007)

Australian Wine and Brandy Corporation Amendment Act (No. 1) 2007 (Act No. 92, 2007).

No. 82—

Appropriation Act (No. 5) 2006-2007 (Act No. 93, 2007)

Appropriation Act (No. 6) 2006-2007 (Act No. 94, 2007).

Messages from Her Excellency the Deputy of the Governor-General were reported, informing the Senate that she had assented to the following laws:

28 June 2007—Message—

No. 83—

Appropriation Act (No. 1) 2007-2008 (Act No. 95, 2007)

Appropriation Act (No. 2) 2007-2008 (Act No. 96, 2007)

Appropriation (Parliamentary Departments) Act (No. 1) 2007-2008 (Act No. 97, 2007).

No. 84—

Food Standards Australia New Zealand Amendment Act 2007 (Act No. 98, 2007)

Gene Technology Amendment Act 2007 (Act No. 99, 2007)

Migration Amendment (Review Provisions) Act 2007 (Act No. 100, 2007).

No. 85—

Corporations Legislation Amendment (Simpler Regulatory System) Act 2007 (Act No. 101, 2007)

Corporations (Fees) Amendment Act 2007 (Act No. 102, 2007)

Corporations (Review Fees) Amendment Act 2007 (Act No. 103, 2007).

No. 86—

Fisheries Legislation Amendment Act 2007 (Act No. 104, 2007)

Fisheries Levy Amendment Act 2007 (Act No. 105, 2007)

Great Barrier Reef Marine Park Amendment Act 2007 (Act No. 106, 2007)

Workplace Relations Amendment (A Stronger Safety Net) Act 2007 (Act No. 107, 2007).

No. 87—

Wheat Marketing Amendment Act 2007 (Act No. 108, 2007)

Aged Care Amendment (Residential Care) Act 2007 (Act No. 109, 2007)

Migration (Sponsorship Fees) Act 2007 (Act No. 110, 2007)

National Health Amendment (Pharmaceutical Benefits Scheme) Act 2007 (Act No. 111, 2007)

Tax Laws Amendment (Simplified GST Accounting) Act 2007 (Act No. 112, 2007).

No. 88—

Families, Community Services and Indigenous Affairs Legislation Amendment (Child Care and Other 2007 Budget Measures) Act 2007 (Act No. 113, 2007)

Social Security Amendment (Apprenticeship Wage Top-Up for Australian Apprentices) Act 2007 (Act No. 114, 2007)

Australian Centre for International Agricultural Research Amendment Act 2007 (Act No. 115, 2007).

No. 89—

Evidence Amendment (Journalists' Privilege) Act 2007 (Act No. 116, 2007)
Financial Sector Legislation Amendment (Restructures) Act 2007 (Act No. 117, 2007)

Family Assistance Legislation Amendment (Child Care Management System and Other Measures) Act 2007 (Act No. 118, 2007)

Higher Education Legislation Amendment (2007 Budget Measures) Act 2007 (Act No. 119, 2007)

Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Amendment (2007 Budget Measures) Act 2007 (Act No. 120, 2007).

No. 90—

Aboriginal Land Rights (Northern Territory) Amendment (Township Leasing) Act 2007 (Act No. 121, 2007)

Forestry Marketing and Research and Development Services Act 2007 (Act No. 122, 2007)

Forestry Marketing and Research and Development Services (Transitional and Consequential Provisions) Act 2007 (Act No. 123, 2007).

A Message from His Excellency the Governor-General was reported, informing the Senate that he had assented to the following laws:

20 July 2007—Message No. 91—

Communications Legislation Amendment (Content Services) Act 2007 (Act No. 124, 2007)

Native Title Amendment (Technical Amendments) Act 2007 (Act No. 125, 2007).

52 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING COMMITTEE—REPORT—AUSTRALIAN TECHNICAL COLLEGES (FLEXIBILITY IN ACHIEVING AUSTRALIA'S SKILLS NEEDS) AMENDMENT BILL (NO. 2) 2007

Pursuant to order, Senator Nash, at the request of the Chair of the Employment, Workplace Relations and Education Committee (Senator Troeth), tabled the following report and document:

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

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

53 CRIMES LEGISLATION AMENDMENT (NATIONAL INVESTIGATIVE POWERS AND WITNESS PROTECTION) BILL 2006 [2007]

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

In the committee

Consideration resumed of the bill.

Bill further debated.

On the motion of the Minister for Justice and Customs (Senator Johnston) the following amendments, taken together by leave, were debated and agreed to:

Clause 2, page 2 (at the end of the table), add:

3. Schedule 7, item 1	Immediately after the commencement of item 4 of Schedule 1 to the <i>Law Enforcement Integrity Commissioner (Consequential Amendments) Act 2006</i> .	30 December 2006
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4. Schedule 7, items 2 and 3 At the same time as the provisions covered by table item 2.

Schedule 1, item 1, page 6 (after line 21), after the definition of *major controlled operation* in section 15GC, insert:

nominated Tribunal member means a person in respect of whom a nomination under subsection 15GOB(1) is in force.

Schedule 1, item 1, page 8 (lines 5 to 7), omit subsection 15GE(3).

Schedule 1, item 1, page 16 (line 13), after “(4)”, insert “and section 15GOA”.

Schedule 1, item 1, page 16 (after line 23), after section 15GO, insert:

15GOA Variations resulting in authority extending beyond 12 months

- (1) To the extent that a proposed variation of an authority for a controlled operation:
- (a) is of a kind referred to in paragraph 15GO(2)(a) (extensions of period of effect of authority); and
 - (b) would have the effect that the period of effect of the authority would be longer than 12 months (including any extensions under a previous variation);
- the following rules apply:
- (c) an appropriate authorising officer may not make the variation; and
 - (d) an application (the *extension application*) for the variation may be made under section 15GP to a nominated Tribunal member, instead of to an appropriate authorising officer; and
 - (e) this Part has effect, in relation to the extension application, as if:
 - (i) references in sections 15GO, 15GP, 15GQ and 15GR, and in subsection 15GH(2) as applied by subsection 15GQ(2), to an appropriate authorising officer were references to a nominated Tribunal member; and
 - (ii) references in those provisions to the authorising officer were references to the nominated Tribunal member.

- (2) To avoid doubt, an extension application made to a nominated Tribunal member must not propose a variation that would authorise participants in the controlled operation to which the application relates to engage in additional or alternative controlled conduct.

15GOB Minister may nominate AAT members

- (1) The Minister may, by writing, nominate a person who holds one of the following appointments to the Administrative Appeals Tribunal to deal with extension applications:
- (a) Deputy President;

- (b) full-time senior member;
 - (c) part-time senior member;
 - (d) member.
- (2) Despite subsection (1), the Minister must not nominate a person who holds an appointment as a part-time senior member or a member of the Tribunal unless the person:
- (a) is enrolled as a legal practitioner of the High Court, of another federal court or of the Supreme Court of a State or of the Australian Capital Territory; and
 - (b) has been so enrolled for not less than 5 years.
- (3) A nomination ceases to have effect if:
- (a) the nominated Tribunal member ceases to hold an appointment described in subsection (1); or
 - (b) the Minister, by writing, withdraws the nomination.
- (4) A nominated Tribunal member has, in relation to the performance or exercise of a function or power conferred on a nominated Tribunal member by this Act, the same protection and immunity as a Justice of the High Court has in relation to proceedings in the High Court.
- (5) In this section:

extension application has the same meaning as in section 15GOA.

Schedule 1, item 1, page 24 (line 9), omit “Director National Operations”, substitute “Executive Director Operational Strategies, the Executive Director Intelligence Strategies”.

Schedule 1, item 1, page 28 (after line 6), after paragraph 15HH(2)(b), insert:

- (ba) in relation to extension applications (within the meaning of section 15GOA) made to a nominated Tribunal member, being applications that would have been made to an authorising officer of the agency but for the operation of section 15GOA:
 - (i) the number of authorities that have been varied by formal variations of authority, and the number of applications for such variations that have been refused, during the period to which the report relates; and
 - (ii) the number of authorities that have been varied by urgent variations of authority, and the number of applications for such variations that have been refused, during the period to which the report relates;

Schedule 1, item 1, page 75 (after line 9), at the end of section 15KP, add:

- (3) The presiding officer must not:
 - (a) record information disclosed to the presiding officer under subsection (2); or
 - (b) retain or copy a document or other thing provided to the presiding officer under that subsection.

Schedule 1, item 1, page 84 (line 28), omit “Director National Operations”, substitute “Executive Director Operational Strategies, the Executive Director Intelligence Strategies”.

Schedule 1, item 1, page 84 (line 30), omit “at the rank”, substitute “occupying a position”.

Schedule 2, item 8, page 98 (after line 36), at the end of subsection 3SL(1), add:

Note: Paragraph (1)(b) does not authorise the acquisition or use of an assumed identity (see Part IAC). The protection provided by Part IAC only applies if the requirements of that Part have been complied with.

Schedule 2, item 8, page 109 (line 30), omit “12”, substitute “6”.

Schedule 3, item 4, page 117 (line 23), before “person”, insert “eligible”.

Schedule 3, item 4, page 117 (line 26), before “person”, insert “eligible”.

Schedule 3, item 19, page 120 (line 22), before “person”, insert “eligible”.

Schedule 3, item 19, page 120 (line 23), before “person”, insert “eligible”.

Page 157 (after line 6), at the end of the bill, add:

Schedule 7—Minor amendments

Australian Federal Police Act 1979

1 At the end of subsection 60A(2)

Add:

Penalty: Imprisonment for 2 years.

Crimes (Aviation) Act 1991

2 After subparagraph 15(1)(b)(ii)

Insert:

(ia) the *Criminal Code 2002* of the Australian Capital Territory in its application to the Jervis Bay Territory; or

3 At the end of paragraph 15(1)(b)

Add:

or (iv) any other law of the Australian Capital Territory prescribed by the regulations, in its application to the Jervis Bay Territory;

Senator Stott Despoja moved the following amendments together by leave:

Schedule 1, item 1, page 14 (line 3), omit “principal law enforcement officer”, substitute “authorising officer”.

Schedule 1, item 1, page 14 (line 15), omit “controlled conduct”, substitute “unlawful conduct”.

Schedule 1, item 1, page 14 (line 18), omit “controlled conduct”, substitute “unlawful conduct”.

Schedule 1, item 1, page 14 (lines 20 to 24), omit subsection 15GL(3), substitute:

(3) As soon as reasonably practicable after giving an oral authorisation, the authorising officer for the controlled operation must give to the person authorised to engage in controlled conduct and the principal law enforcement officer for the controlled operation a written authorisation stating the matters in subsection (2).

Schedule 1, item 1, page 14 (line 34), omit “principal law enforcement officer”, substitute “authorising officer”.

Schedule 1, item 1, page 15 (lines 2 to 6), omit subsection 15GL(8), substitute:

- (8) As soon as reasonably practicable after cancelling an authorisation orally, the authorising officer for the controlled operation must give written notice of the cancellation to the person who was authorised to engage in controlled conduct under the authorisation and the principal law enforcement officer for the controlled operation.

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

Bill, as amended, further debated.

Senator Ludwig moved the following amendments together by leave:

Schedule 1, item 1, page 15 (line 29), after “has effect for”, insert “the lesser of 3 months or”.

Schedule 1, item 1, page 17 (after line 23), at the end of the section 15GQ, add:

- (3) Nothing in this section permits an authorising officer to extend the duration of an authorisation beyond 3 months from the date of the initial authorisation.

Schedule 1, item 1, page 17 (after line 23), after section 15GQ, insert:

15GQA Extension of authorisation

- (1) An authorisation expires in accordance with section 15GN unless, while the authorisation is in force, a nominated Tribunal member has:
 - (a) reviewed the authorisation; and
 - (b) decided that the authorisation should remain in force for a longer duration.
- (2) The authorisation must be reviewed by a nominated Tribunal member within 2 weeks before to the date on which the authorisation would expire without an extension granted under this section.
- (3) The nominated Tribunal member must not extend the term of the authorisation under this section unless the Tribunal member is satisfied on reasonable grounds of the matters described in subsection 15GH(2).
- (4) The nominated Tribunal member must not extend the term of any authorisation beyond one year from the date of the commencement of the authorisation.

15GQB Who are nominated Tribunal members?

- (1) A nominated Tribunal member is a member of the Administrative Appeals Tribunal in respect of whom a written nomination by the Minister is in force that permits the member to conduct reviews and to make decisions under section 15GQA.
- (2) The Minister must not nominate a person unless the person:
 - (a) is a Deputy President or full-time senior member; or
 - (b) is enrolled as a legal practitioner of a federal court or of the Supreme Court of a State or Territory and has been enrolled for at least 5 years.
- (3) A nominated Tribunal member has, in conducting a review or making a decision under section 15GQA, the same protection and immunity as a Justice of the High Court has in relation to a proceeding of that court.

Debate ensued.

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

Senator Ludwig moved the following amendment:

Schedule 1, item 1, page 28 (lines 33 to 37), omit subsection 15HH(4).

Debate ensued.

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

Senator Stott Despoja moved the following amendments together by leave:

Schedule 1, item 1, page 49 (lines 4 to 11), omit subsections 15JA(1) and (2), substitute:

- (1) An authority for an authorised civilian of a kind covered by paragraph 15HZ(2)(h) remains in force until the end of the period specified in the authority in accordance with subparagraph 15HZ(2)(h)(iii), unless the authority is cancelled sooner under section 15JB.
- (2) An authority for an authorised person (other than an authorised civilian of a kind covered by paragraph 15HZ(2)(h)) expires at the end of the period of 3 months after the day on which it was given, unless cancelled earlier under section 15JB or, during the period, was extended by a nominated Tribunal member.
- (3) In applying for an extension of a controlled operation authority, the principal law enforcement officer must provide a progress report in accordance with the time period for review under subsection (4) to the nominated Tribunal member that outlines:
 - (a) how effective the operation has been to date in gathering evidence in relation to the offence and targeted person specified in the original authority that may lead to prosecution of a person for a specified serious offence;
 - (b) whether any unlawful conduct authorised and/or carried out in the course of the controlled operation up until that point was outside the scope of the initial authority or went beyond what was necessary to conduct an effective controlled operation;
 - (c) whether any conduct up until that point by an authorised person in the controlled operation:
 - (i) seriously endangered the health or safety of any person; or
 - (ii) caused the death of, or serious injury to, any person; or
 - (iii) involved the commission of a sexual offence against any person; or
 - (iv) resulted in loss of, or serious damage to, property (other than illicit goods);
 - (d) the participation up until that point of any civilians in the controlled operation, particularly any authorised unlawful conduct engaged in by civilian participants, and whether the role played by any civilian participant could have been adequately performed by law enforcement officers.
- (4) An extension granted under subsection (2), must only be granted if the certificate has been reviewed by a nominated Tribunal member during the last 2 weeks of the period of 3 months after the day on which the certificate was given under section 15J.

- (5) An extension granted under subsection (2) can extend a controlled operation to a total duration for the operation of no longer than 6 months.
- (6) The nominated Tribunal member must not decide that the certificate should be in force for 6 months unless he or she is reasonably satisfied:
 - (a) as to all the matters referred to in paragraphs 15GH (2)(a) to (h); and
 - (b) that the benefits of the operation to date, with respect to gathering evidence which may lead to prosecution of a person for a specified serious offence, substantially outweigh the degree and scope of the unlawful conduct required to obtain that benefit, particularly where civilian participants are involved, having regard to factors set out in subsection (3).
- (7) The nominated Tribunal member must give written notice of his or her decision on the review to the principal law enforcement officer in charge of the controlled operation and the chief officer of the agency to which the certificate relates.

Schedule 1, item 1, page 49 (line 15), after “agency”, add “except for granting of extensions as required under 15JA”.

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

Senator Stott Despoja moved the following amendment:

Schedule 1, item 1, page 69 (line 14) to page 70 (line 5), omit subsections 15KI(1) to 15KI(3), substitute:

- (1) A court or tribunal may grant a witness protection certificate provided:
 - (a) the court or tribunal has undertaken an independent assessment of the asserted need for witness anonymity and satisfied itself that the need is genuine and well-founded in the interests of:
 - (i) national security; or
 - (ii) the personal safety of the witness;
 - (b) all other less restrictive protective measures have been considered and found to be inadequate in the circumstances;
 - (c) that a court or tribunal may, only in exceptional circumstances, convict (or enter a judgement against a party) based either solely or to a decisive extent on the testimony of any anonymous witness.

Debate ensued.

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

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

Schedule 1, as amended, debated and agreed to.

Senator Ludwig moved the following amendment:

Schedule 2, item 8, page 88 (lines 4 to 16), omit the definition of *relevant offence*, substitute:

relevant offence means:

- (a) an offence under Division 72 of the *Criminal Code Act 1995*; or
- (b) an offence under Part 5 of the *Criminal Code Act 1995*; or

- (c) an offence involving or resulting in the death of a person; or
- (d) an offence against the person, where the maximum penalty for the offence is imprisonment for life.

Debate ensued.

Senator Ludwig, by leave, withdrew the amendment.

Question—That the bill, as amended, be agreed to—divided in respect of Schedule 2. Schedule 2, as amended, debated.

Question—That Schedule 2, as amended, be agreed to—put.

The committee divided—

AYES, 43

Senators—

Adams	Fielding	Ludwig	Payne
Barnett	Fierravanti-Wells	Marshall	Polley
Bernardi	Fifield	Mason	Ray
Boswell	Fisher	McEwen	Stephens
Brown, Carol	Forshaw	McGauran (Teller)	Sterle
Campbell	Humphries	McLucas	Troeth
Carr	Hurley	Moore	Trood
Colbeck	Hutchins	Nash	Watson
Cormann	Johnston	O'Brien	Webber
Crossin	Kemp	Parry	Wong
Ferguson	Kirk	Patterson	

NOES, 8

Senators—

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

Schedule agreed to.

Senator Stott Despoja moved the following amendment:

Schedule 3, item 4, page 117 (line 21), after “section 22,” add “must be a sworn federal, state or territory policy officer and”.

Debate ensued.

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

Question—That the bill, as amended, be agreed to—divided in respect of Schedule 3, item 27.

Schedule 3, item 27 debated.

Question—That Schedule 3, item 27 stand as printed—put and negatived.

Question—That the bill, as amended, be agreed to—divided in respect of Schedule 3, item 31.

Schedule 3, item 31 debated.

Question—That Schedule 3, item 31 stand as printed—put and negatived.

Senator Stott Despoja moved the following amendment:

Schedule 3, item 32, page 132 (lines 15 to 23), omit subsection (1), substitute:

- (1) An examiner may summon a person to provide evidence to an examination, and the form of that evidence shall be determined by the person including:

- (a) appearing before the examiner at an examination to give evidence;
- (b) producing such documents or other things (if any) as are referred to in the summons;
- (c) giving evidence by tendering written statements.

Debate ensued.

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

Question—That the bill, as amended, be agreed to—divided in respect of Schedule 3, items 39, 42 and 45.

Schedule 3, items 39, 42 and 45 debated and agreed to.

Senator Nettle moved the following amendment:

Schedule 3, page 154 (after line 5), at the end of the Schedule, add:

Part 4—Amendments relating to period of arrest

Crimes Act 1914

23 Subsection 23B(1)(definition of *investigation period*)

Omit “or 23CA, as the case requires”.

24 Subsection 23C(1)

Omit “(other than a terrorism offence)”.

Note: The heading to section 23C is altered by omitting “**if arrested for non-terrorism offence**”.

25 Subsection 23C(6)

Repeal the subsection, substitute:

- (6) If the person has been arrested more than once within any period of 48 hours, the investigation period for each arrest other than the first is reduced by the amount of any earlier investigation period or periods under this section, as occurred within that 48 hours.

26 Section 23CA

Repeal the section.

27 Section 23CB

Repeal the section.

28 Subsection 23D(1)

Omit “a serious offence (other than a terrorism offence)”, substitute “serious terrorism and non-terrorism offences”.

Note: The heading to section 23D is altered by omitting “**if arrested for non-terrorism offence**”.

29 Section 23DA

Repeal the section.

30 Subsection 23E(1)

Omit “or 23DA”.

31 Subsection 23E(3)

Omit “or 23DA(5)(as the case requires)”.

32 Paragraph 23XGD(2)(h)

Omit “or 23CA(8)”.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 8

Senators—

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

NOES, 44

Senators—

Adams	Cormann	Johnston	Parry
Barnett	Crossin	Kemp	Patterson
Bernardi	Ellison	Kirk	Payne
Birmingham	Ferguson	Ludwig	Polley
Bishop	Fielding	Marshall	Ronaldson
Boyce	Fierravanti-Wells	McEwen	Stephens
Brown, Carol	Fifield	McGauran (Teller)	Sterle
Campbell	Fisher	McLucas	Troeth
Carr	Forshaw	Moore	Trood
Chapman	Humphries	Nash	Watson
Colbeck	Hurley	O’Brien	Webber

Question negatived.

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

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

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

Debate ensued.

At 6.50 pm: Debate was interrupted while Senator Nettle was speaking.

54 GOVERNMENT DOCUMENTS—CONSIDERATION

The following government documents tabled earlier today (*see entries nos 2 and 34*) were considered:

Human Rights and Equal Opportunity Commission—National inquiry into discrimination against people in same-sex relationships: Financial and work-related entitlements and benefits—Report—Same-Sex: Same Entitlements, May 2007. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Judge Advocate General—Report for 2006. Motion to take note of document moved by Senator Bishop and agreed to.

55 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.40 pm till Wednesday, 8 August 2007 at 9.30 am.

56 ATTENDANCE

Present, all senators except Senator Sherry (on leave).

HARRY EVANS
Clerk of the Senate