

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

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Contents

1	Meeting of Senate	93
2	Government Documents	93
3	National Apology to the Stolen Generations	93
4	Governor-General's Opening Speech—Address-in-Reply	95
5	Committee Membership	95
6	Days of Meeting	97
7	Standing Orders—Amendment—Committees—Allocation of Departments	97
8	Committees—Estimates Hearings	98
9	Adjournment Debate on Tuesday—Divisions on Thursday—Substitute Members of Committees—Temporary Orders	99
10	National Apology to the Stolen Generations	99
11	Questions	100
12	Motion to Take Note of Answers	100
13	Petitions	100
14	Notices	100
15	Postponements	107
16	Hours of Meeting and Routine of Business—Variation	107
17	Cross-Border Insolvency Bill 2008 Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill 2008	108
18	Death of Trooper David Pearce	108
19	Death of Sergeant Matthew Locke	109
20	Death of Private Luke Worsley	109
21	Bills—Restoration to <i>Notice Paper</i>	109
22	Defence Amendment (Parliamentary Approval of Overseas Service) Bill 2008	109
23	Foreign Affairs—United Nations Mine Action Coordination Centre, Southern Lebanon	110
24	Finance and Public Administration—Standing Committee—Additional Information—Additional Estimates 2002-03 and 2006-07 and Budget Estimates 2007-08	111

25	Particulars of Proposed Additional Expenditure and Advance to the Finance Minister—2007-08—Documents	111
26	Estimates of Proposed Additional Expenditure for 2007-08—Portfolio Additional Estimates Statements—Portfolios and Executive Departments—Documents	111
27	Commonwealth Ombudsman—Monitoring of Controlled Operations—Report for 2006-07—Document	112
28	Joint Committees—Proposed Appointment	112
29	National Apology to the Stolen Generations	126
30	Government Documents—Consideration	126
31	Adjournment	132
32	Attendance	132

1 MEETING OF SENATE

The Senate met at 9.30 am. The President (Senator the Honourable Alan Ferguson) took the chair and read prayers.

2 GOVERNMENT DOCUMENTS

The following government documents were tabled:

Audio-Visual Copyright Society Limited (Screenrights)—Report for 2006-07.

Australian Broadcasting Corporation (ABC)—Equity and diversity—Report for 1 September 2006 to 31 August 2007.

Australian Government Solicitor (AGS)—Statement of corporate intent 2007-08.

Australian Law Reform Commission—Report No. 107—Privilege in perspective: Client legal privilege in federal investigations, January 2008.

Copyright Agency Limited—Report for 2006-07.

Crimes Act 1914—Authorisations for the acquisition and use of assumed identities—Report for 2006-07—Australian Commission for Law Enforcement Integrity.

Gene Technology Regulator—Quarterly report for the period 1 July to 30 September 2007.

IIF Investments Pty Limited, IIF (CM) Investments Pty Limited, IIF BioVentures Pty Limited, IIF Foundation Pty Limited and IIF Neo Pty Limited—Reports for 2006-07.

Medibank Private Limited—Statement of corporate intent 2008-10.

Migration Act 1958—Section 486O—Assessment of appropriateness of detention arrangements—Personal identifiers 221/07 to 346/07—

Commonwealth Ombudsman's reports.

Commonwealth Ombudsman's reports—Government response.

National Blood Authority—Report for 2006-07.

National Security Information (Criminal and Civil Proceedings) Act 2004—Non-disclosure and witness exclusion certificates—Reports for 2004-05, 2005-06 and 2006-07.

Surveillance Devices Act 2004—Report for 2006-07 on the operation of the Act.

Telecommunications (Interception and Access) Act 1979—Report for 2006-07 on the operation of the Act.

3 NATIONAL APOLOGY TO THE STOLEN GENERATIONS

The Leader of the Government in the Senate (Senator Evans), pursuant to notice, moved government business notice of motion no. 1—That—

Today we honour the Indigenous peoples of this land, the oldest continuing cultures in human history.

We reflect on their past mistreatment.

We reflect in particular on the mistreatment of those who were Stolen Generations – this blemished chapter in our nation's history.

The time has now come for the nation to turn a new page in Australia's history by righting the wrongs of the past and so moving forward with confidence to the future.

We apologise for the laws and policies of successive Parliaments and governments that have inflicted profound grief, suffering and loss on these our fellow Australians.

We apologise especially for the removal of Aboriginal and Torres Strait Islander children from their families, their communities and their country.

For the pain, suffering and hurt of these Stolen Generations, their descendants and for their families left behind, we say sorry.

To the mothers and the fathers, the brothers and the sisters, for the breaking up of families and communities, we say sorry.

And for the indignity and degradation thus inflicted on a proud people and a proud culture, we say sorry.

We the Parliament of Australia respectfully request that this apology be received in the spirit in which it is offered as part of the healing of the nation.

For the future we take heart; resolving that this new page in the history of our great continent can now be written.

We today take this first step by acknowledging the past and laying claim to a future that embraces all Australians.

A future where this Parliament resolves that the injustices of the past must never, never happen again.

A future where we harness the determination of all Australians, Indigenous and non-Indigenous, to close the gap that lies between us in life expectancy, educational achievement and economic opportunity.

A future where we embrace the possibility of new solutions to enduring problems where old approaches have failed.

A future based on mutual respect, mutual resolve and mutual responsibility.

A future where all Australians, whatever their origins, are truly equal partners, with equal opportunities and with an equal stake in shaping the next chapter in the history of this great country, Australia.

Debate ensued.

The Leader of the Australian Greens (Senator Bob Brown) moved the following amendment to paragraph 10:

After the words: 'We the Parliament of Australia', insert 'commit to offering just compensation to all those who suffered loss and'.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 4

Senators—

Brown, Bob

Milne

Nettle

Siewert (Teller)

NOES, 65

Senators—

Abetz	Cormann	Kemp	Payne
Adams	Crossin	Kirk	Polley
Barnett	Eggleston	Ludwig	Ray
Bernardi	Ellison	Lundy	Ronaldson
Birmingham	Evans	Macdonald, Ian	Scullion
Bishop	Faulkner	Macdonald, Sandy	Sherry
Boswell	Ferguson	Marshall	Stephens
Boyce	Fielding	Mason	Sterle
Brandis	Fierravanti-Wells	McEwen	Troeth
Brown, Carol	Fifield	McGauran	Trood
Bushby	Fisher	McLucas	Watson
Campbell	Forshaw	Minchin	Webber (Teller)
Carr	Hogg	Moore	Wong
Chapman	Humphries	Nash	Wortley
Colbeck	Hurley	O'Brien	
Conroy	Hutchins	Parry	
Coonan	Joyce	Patterson	

Question negatived.

Main question put and passed.

4 GOVERNOR-GENERAL'S OPENING SPEECH—ADDRESS-IN-REPLY

Order of the day read for the consideration of the Governor-General's opening speech.

Senator Wortley moved—That the following address-in-reply be agreed to:

To His Excellency the Governor-General

MAY IT PLEASE YOUR EXCELLENCY—

We, the Senate of the Commonwealth of Australia in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the speech which you have been pleased to address to Parliament.

Senator McEwen seconded the motion.

On the motion of the Minister for Human Services (Senator Ludwig) the debate was adjourned till the next day of sitting.

5 COMMITTEE MEMBERSHIP

The Acting Deputy President (Senator Moore) informed the Senate that the President had received letters nominating senators to be members of committees.

The Minister for Human Services (Senator Ludwig), by leave, moved—That senators be appointed to committees as follows:

Appropriations and Staffing—Standing Committee—

Appointed—Senator Parry

Community Affairs—Standing Committee—

Appointed—

Senator Allison

Participating members: Senators Bartlett, Fielding and Stott Despoja

Economics—Standing Committee—

Appointed—

Senator Murray

Participating members: Senators Allison, Bartlett and Fielding

Employment, Workplace Relations and Education—Standing Committee—

Appointed—

Senator Stott Despoja

Participating members: Senators Allison, Bartlett, Fielding and Murray

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

Appointed—

Senator Bartlett

Participating members: Senators Allison, Fielding and Stott Despoja

Finance and Public Administration—Standing Committee—

Appointed—

Senator Murray

Participating members: Senators Bartlett and Fielding

Foreign Affairs, Defence and Trade—Standing Committee—

Appointed—Participating members: Senators Allison, Bartlett, Fielding and Stott Despoja

House—Standing Committee—

Appointed—Senator Parry

Legal and Constitutional Affairs—Standing Committee—

Appointed—

Senator Bartlett

Participating members: Senators Allison, Fielding, Murray and Stott Despoja

Library—Standing Committee—

Appointed—Senators Barnett and Payne

Privileges—Standing Committee—

Appointed—Senators Brandis, McGauran and Payne

Procedure—Standing Committee—

Appointed—Senators Bartlett and Parry

Publications—Standing Committee—

Appointed—Senator Mason

Regulations and Ordinances—Standing Committee—

Appointed—Senators Bartlett, Cormann and Ronaldson

Rural and Regional Affairs and Transport—Standing Committee—

Appointed—Participating members: Senators Allison and Fielding

Scrutiny of Bills—Standing Committee—

Appointed—Senators Ellison, Murray and Troeth

Selection of Bills—Standing Committee—

Appointed—Senators Adams and Ellison

Senators' Interests—Standing Committee—

Appointed—Senators Adams, Allison, Humphries, Johnston and Lightfoot.

Question put and passed.

6 DAYS OF MEETING

The Minister for Human Services (Senator Ludwig), pursuant to notice, moved government business notice of motion no. 2—That the days of meeting of the Senate for 2008 be as follows:

Autumn sittings:

Tuesday, 12 February to Thursday, 14 February

Autumn sittings (2):

Tuesday, 11 March to Thursday, 13 March

Monday, 17 March to Thursday, 20 March

Budget sittings:

Tuesday, 13 May to Thursday, 15 May

Winter sittings:

Monday, 16 June to Thursday, 19 June

Monday, 23 June to Thursday, 26 June

Spring sittings:

Tuesday, 26 August to Thursday, 28 August

Monday, 1 September to Thursday, 4 September

Monday, 15 September to Thursday, 18 September

Monday, 22 September to Thursday, 25 September

Monday, 13 October to Thursday, 16 October

Spring sittings (2):

Monday, 10 November to Thursday, 13 November

Monday, 24 November to Thursday, 27 November

Monday, 1 December to Thursday, 4 December.

Debate ensued.

Question put and passed.

7 STANDING ORDERS—AMENDMENT—COMMITTEES—ALLOCATION OF DEPARTMENTS

The Minister for Human Services (Senator Ludwig), pursuant to notice, moved government business notice of motion no. 3—

- (1) That standing order 25(1) be amended as follows:
 - Omit: ‘Employment, Workplace Relations and Education’
 - Substitute: ‘Education, Employment and Workplace Relations’
 - Omit: ‘Environment, Communications, Information Technology and the Arts’
 - Substitute: ‘Environment, Communications and the Arts’.
- (2) That departments and agencies be allocated to legislative and general purpose standing committees as follows:
 - Community Affairs*
 - Families, Housing, Community Services and Indigenous Affairs
 - Health and Ageing
 - Economics*
 - Treasury
 - Innovation, Industry, Science and Research
 - Resources, Energy and Tourism
 - Education, Employment and Workplace Relations*
 - Education, Employment and Workplace Relations

Environment, Communications and the Arts

Environment, Water, Heritage and the Arts
 Broadband, Communications and the Digital Economy

Finance and Public Administration

Parliament
 Prime Minister and Cabinet (including Climate Change)
 Finance and Deregulation
 Human Services

Foreign Affairs, Defence and Trade

Foreign Affairs and Trade
 Defence (including Veterans' Affairs)

Legal and Constitutional Affairs

Attorney-General
 Immigration and Citizenship

Rural and Regional Affairs and Transport

Infrastructure, Transport, Regional Development and Local Government
 Agriculture, Fisheries and Forestry.

Question put and passed.

8 **COMMITTEES—ESTIMATES HEARINGS**

The Minister for Human Services (Senator Ludwig), pursuant to notice, moved government business notice of motion no. 4—

- (1) That estimates hearings by standing committees for 2008 be scheduled as follows:

2007-08 additional estimates:

Monday, 18 February and Tuesday, 19 February and, if required, Friday, 22 February (*Group A*)
 Wednesday, 20 February and Thursday, 21 February and, if required, Friday, 22 February (*Group B*).

2008-09 Budget estimates:

Monday, 26 May to Thursday, 29 May and, if required, Friday, 30 May (*Group A*)
 Monday, 2 June to Thursday, 5 June and, if required, Friday, 6 June (*Group B*)
 Monday, 20 October and Tuesday, 21 October, and if required, 24 October (*supplementary hearings—Group A*)
 Wednesday, 22 October and Wednesday, 23 October and, if required, 24 October (*supplementary hearings—Group B*).

- (2) That the committees consider the proposed expenditure in accordance with the allocation of departments and agencies to committees agreed to by the Senate.
 (3) That committees meet in the following groups:

Group A:

Environment, Communications and the Arts
 Finance and Public Administration
 Legal and Constitutional Affairs
 Rural and Regional Affairs and Transport

Group B:

Community Affairs
 Economics

Education, Employment and Workplace Relations
Foreign Affairs, Defence and Trade.

- (4) That the committees report to the Senate on the following dates:
- (a) Tuesday, 18 March 2008 in respect of the 2007-08 additional estimates; and
 - (b) Tuesday, 24 June 2008 in respect of the 2008-09 Budget estimates.
- Question put and passed.

9 ADJOURNMENT DEBATE ON TUESDAY—DIVISIONS ON THURSDAY—SUBSTITUTE MEMBERS OF COMMITTEES—TEMPORARY ORDERS

The Minister for Human Services (Senator Ludwig), pursuant to notice, moved government business notice of motion no. 5—That the following operate as temporary orders until the conclusion of the 2008 sittings:

(1) Adjournment debate on Tuesday

On the question for the adjournment of the Senate on Tuesday, a senator who has spoken once subject to the time limit of 10 minutes may speak again for not more than 10 minutes if no other senator who has not already spoken once wishes to speak, provided that a senator may by leave speak for not more than 20 minutes on one occasion.

(2) Divisions on Thursday

If a division is called for on Thursday after 4.30 pm, the matter before the Senate shall be adjourned until the next day of sitting at a time fixed by the Senate.

(3) Substitute members of committees

If a member of a committee appointed under standing order 25 is unable to attend a meeting of the committee, that member may in writing to the chair of the committee appoint a participating member to act as a substitute member of the committee at that meeting. If the member is incapacitated or unavailable, a letter to the chair of a committee appointing a participating member to act as a substitute member of the committee may be signed on behalf of the member by the leader of the party or group on whose nomination the member was appointed to the committee.

Question put and passed.

10 NATIONAL APOLOGY TO THE STOLEN GENERATIONS

The Minister for Human Services (Senator Ludwig), pursuant to notice, moved government business notice of motion no. 6—That the Senate take note of the National Apology to the Stolen Generations.

Debate ensued.

On the motion of the Special Minister of State (Senator Faulkner) the debate was adjourned and the resumption of the debate made an order of the day for a later hour.

Suspension of sitting: On the motion of Senator Faulkner the sitting of the Senate was suspended at 1.58 pm till 2 pm.

At 2 pm—

11 QUESTIONS

Questions without notice were answered.

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

Family and community services—Centrelink—Copy of media release—Minister for Finance and Deregulation (Mr Tanner)—‘Government details initial round of savings measures to assist inflation fight’, dated 6 February 2008.

Further questions without notice were answered.

12 MOTION TO TAKE NOTE OF ANSWERS

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

Debate ensued.

Question put and passed.

13 PETITIONS

The following 4 petitions, lodged with the Clerk by Senator Bartlett, were received:

From 24 petitioners, requesting that the Senate commission an assessment of the impact of proposed dams at Traveston crossing on the Mary River and Wyaralong in the Logan River catchment.

From 335 petitioners, requesting that the Senate implement necessary reforms to the *Migration Act 1958* to ensure proper independent oversight of the use of ministerial powers and to provide adequate protections against politically motivated decisions, violations of natural justice, due process and the presumption of innocence.

From 211 petitioners, requesting that the Senate enact laws to give effect to all recommendations yet to be implemented from the report of the Human Rights and Equal Opportunity Commission, *Bringing them home*.

From 220 petitioners, requesting that the Senate consult with Indigenous communities and state governments to fund housing, health, education and counselling services to prevent sexual violence.

14 NOTICES

Senator Bartlett: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to provide for ex gratia payments to be made to the stolen generation of Aboriginal children, and for related purposes. ***Stolen Generation Compensation Bill 2008***. (*general business notice of motion no. 16*)

The Leader of the Australian Democrats (Senator Allison): To move on 11 March 2008—That the Senate—

(a) notes that:

(i) among Indigenous Australians, blindness and visual impairment is significantly higher than in other populations,

- (ii) most blindness and vision loss is preventable or correctable and for each \$1 spent on eye care there is a \$5 return,
- (iii) trachoma is the most common cause of infectious blindness and Australia is the only developed country that still has blinding endemic trachoma:
 - (A) the study *Surveillance report for active trachoma, 2006* for which Aboriginal children from most regions of the Northern Territory, Western Australia and South Australia were screened, showed prevalence rates of active trachoma of 16 per cent in rural Darwin, 30 per cent in Katherine, 21 per cent in Barkly, 18 per cent in Alice Springs Remote, 18 per cent in Nganampa, 18 per cent in Tullawon, 12 per cent in Pika Wiya, 18 per cent in Kimberley, 53 per cent in Pilbara, and 19 per cent in Western Australia's midwest and goldfields,
 - (B) rates of active trachoma are highest in young children and for children aged 0-5 who were for the most part not included in the survey and therefore rates could be expected to be higher,
 - (C) concerted trachoma control activities over the past 10 years have eliminated active trachoma in Morocco, Oman and Iran, and
 - (D) even in Niger, the poorest country in Africa, trachoma is being controlled by an active intervention program,
- (iv) cataracts occur more commonly in Aboriginal people, and Indigenous Australians report vision loss from cataracts 50 per cent more commonly than mainstream Australia, and
- (v) few Aboriginal people have access to refractive services, although 20 per cent of all children need glasses and there is an almost universal need for reading glasses over the age of 40;
- (b) according to the Centre for Eye Research Australia, trachoma can be eliminated in Australia, vision loss substantially reduced and equality in eye health for all Australians achieved within 5 years; and
- (c) urges the Government to provide \$25 million over 5 years for:
 - (i) antibiotics for active trachoma, screening and programs promoting facial cleanliness, environmental improvement and trichiasis surgery for later stage trachoma to prevent irreversible blindness,
 - (ii) sustainable programs for screening for diabetic retinopathy and timely laser treatment,
 - (iii) regular eye examinations, and
 - (iv) current eye health data. (*general business notice of motion no. 17*)

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

- (a) notes:
 - (i) the contempt in which the Australian Labor Party (ALP) has historically held upper houses around the country, including a platform to abolish all upper houses until 1979, the abolition of the upper house in Queensland and a current policy to abolish the South Australian Legislative Council,
 - (ii) that the Prime Minister (Mr Rudd) has reduced the number of sitting weeks in the Senate in 2008, and
 - (iii) that the Deputy Prime Minister (Ms Gillard) has already demanded legislation be passed without adequate scrutiny in the Senate; and

- (b) given the above, condemns the Rudd Labor Government for continuing the ALP's legacy of inherent contempt for the Senate. (*general business notice of motion no. 18*)

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

- (1) That so much of standing orders be suspended as would prevent this resolution having effect.
- (2) That the following bills be restored to the *Notice Paper* and that consideration of each bill resume at the stage reached in the 41st Parliament:

Cluster Munitions (Prohibition) Bill 2006
 Constitution Alteration (Appropriations for the Ordinary Annual Services of the Government) 2001 [2004]
 Constitution Alteration (Electors' Initiative, Fixed Term Parliaments and Qualification of Members) 2000 [2004]
 Electoral Amendment (Political Honesty) Bill 2003 [2004]
 Electoral (Greater Fairness of Electoral Processes) Amendment Bill 2007
 Euthanasia Laws (Repeal) Bill 2004
 Genetic Privacy and Non-discrimination Bill 1998 [2004]
 Ministers of State (Post-Retirement Employment Restrictions) Bill 2002 [2004]
 National Market Driven Energy Efficiency Target Bill 2007
 Parliamentary Charter of Rights and Freedoms Bill 2001 [2005]
 Patents Amendment Bill 1996 [2004]
 Peace and Non-Violence Commission Bill 2007
 Privacy (Data Security Breach Notification) Amendment Bill 2007
 Privacy (Extension to Political Acts and Practices) Amendment Bill 2006
 Protecting Children from Junk Food Advertising Bill 2006
 Public Interest Disclosures Bill 2007
 Repatriation of Citizens Bill 2007
 Republic (Consultation of the People) Bill 2001 [2004]
 Same-Sex Marriages Bill 2006
 Same-Sex: Same Entitlements Bill 2007
 State Elections (One Vote, One Value) Bill 2001 [2004]
 Taxation Laws Amendment (Scholarships) Bill 2005
 Textbook Subsidy Bill 2003 [2004]
 Uranium Mining in or near Australian World Heritage Properties (Prohibition) Bill 1998 [2004]
 Workplace Relations (Guaranteeing Paid Maternity Leave) Amendment Bill 2007. (*general business notice of motion no. 19*)

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

- (a) notes that:
- (i) in December 2007 Ausra Inc. announced that it will build a manufacturing plant in Nevada for solar thermal power systems,
- (ii) Ausra's innovations in mirror systems have brought the price of solar power down to the level of gas-fired power and is expected soon to be price competitive with coal-fired power, and
- (iii) the plant will produce 700 MW a year in solar thermal power systems for the American Southwest;

- (b) congratulates the founder of Ausra, world-renowned, Dr David Mills, for this development and for his longstanding solar technology innovation at the University of Sydney, including:
 - (i) the evacuated tube solar water heater technology that is now in use in 60 per cent of these units worldwide,
 - (ii) the Compact Linear Fresnel Reflector for use in solar thermal energy,
 - (iii) photovoltaic systems, and
 - (iv) a solar steriliser design which won a World Health Organization award in 2002;
- (c) regrets that the economic benefits of this important innovation in renewable, clean, base load power have been lost to Australia; and
- (d) urges the Government to:
 - (i) recognise that Australia, like Nevada and California, has excellent sources of solar energy from which to generate solar thermal base load power, and
 - (ii) provide the necessary incentives for the technology to be established in Australia. (*general business notice of motion no. 20*)

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

- (1) That a select committee, to be known as the Select Committee on State Government Financial Management, be established to inquire into and report upon:

Commonwealth and state and territory fiscal relations and state and territory government financial management, including:

 - (a) Commonwealth funding to the states and territories – historic, current and projected;
 - (b) the cash and fiscal budgetary positions of state and territory governments – historic, current and projected;
 - (c) the level of debt of state/territory government businesses and utilities – historic, current and projected;
 - (d) the level of borrowing by state/territory governments – historic, current and projected;
 - (e) an examination of state/territory net government debt and its projected level – historic, current and projected;
 - (f) the reasons for any government debt including an analysis of the level and efficiency of revenue and spending;
 - (g) the level of investment in infrastructure and state-owned utilities by state and territory governments;
 - (h) the effect of dividends paid by state-owned utilities on their ability to invest;
 - (i) present and future ownership structures of current and former state-owned utilities and the impact of ownership on investment capacity; and
 - (j) the effect of investment by state-owned utilities on Australia's capacity constraints.
- (2) That the committee present its final report on or before 16 June 2008.
- (3) That the committee consist of 6 senators, as follows:
 - (a) 2 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) 1 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 Leader of the Opposition in the Senate.
- (6) That the quorum of the committee be 3 members
- (7) 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.
- (8) That, in the event of an equality of voting, the chair, or the deputy chair when acting as chair, have a casting vote.
- (9) 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 2 members.
- (10) 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.
- (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. 21*)

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

- (1) That a select committee, to be known as the Select Committee on Housing Affordability in Australia, be established to inquire into and report upon:
The barriers to home ownership in Australia, including:
 - (a) the taxes and levies imposed by state and territory governments;
 - (b) the rate of release of new land by state and territory governments;
 - (c) proposed assistance for first home owners by state, territory and the Commonwealth governments and their effectiveness in the absence of increased supply;
 - (d) the role of all levels of government in facilitating affordable home ownership;
 - (e) the effect on the market of government intervention in the housing sector including planning and industrial relations laws;
 - (f) the role of financial institutions in home lending; and
 - (g) the contribution of home ownership to retirement incomes.
- (2) That the committee present its final report on or before 16 June 2008.

- (3) That the committee consist of 6 senators, as follows:
 - (a) 2 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) 1 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 Leader of the Opposition in the Senate.
- (6) That the quorum of the committee be 3 members.
- (7) 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.
- (8) That, in the event of an equality of voting, the chair, or the deputy chair when acting as chair, have a casting vote.
- (9) 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 2 members.
- (10) 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.
- (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. 22*)

Senator Milne: To move on 11 March 2008—

- (1) That the Senate notes:
 - (a) the housing affordability crisis in Australia and the need for a national affordable housing agreement;
 - (b) the need to upgrade Australia's building stock and strengthen building regulations to increase the energy efficiency of existing and new buildings, both residential and commercial;
 - (c) the central role played by the Housing Industry Association in developing government policy;
 - (d) the relationship between housing affordability and mandatory privatised last resort builders warranty insurance, particularly the increasing number of complaints from builders and consumers concerning the failure of the last resort warranty insurance regime to provide consumer or builder protection; and
 - (e) the decision in March 2002 to remove all Commonwealth and state regulatory controls over last resort warranty insurance.

- (2) That the following matter be referred to the Economics Committee for inquiry and report by May 2008:
Australia's mandatory Last Resort Home Warranty Insurance scheme, including:
- (a) the appropriateness and effectiveness of the current mandatory privatised Last Resort Builders Warranty Insurance scheme in providing appropriate consumer protection and industry management;
 - (b) the reasons for and consequences of the ministerial decisions relating to the removal of consumer protection provisions in respect of Corporations Regulation 7.1.12(2);
 - (c) the ramifications for the future supply of this insurance product following the draft recommendations from the Productivity Commission report released in December 2007;
 - (d) the full investigation of the market failure of this insurance product in Tasmania which has resulted in the Tasmanian Government announcing in January 2008 that the product is to be scrapped over the next 12 months;
 - (e) any potential reforms and their costs and benefits which may lead to appropriate consumer and builder protection and improved housing affordability; and
 - (d) any related matters.

Senator Nettle: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Marriage Act 1961* to create marriage equality for all relationships regardless of sexual orientation or gender identity, and for related purposes. ***Marriage (Relationships Equality) Amendment Bill 2008***. (*general business notice of motion no. 23*)

The Minister for Human Services (Senator Ludwig): To move on the next day of sitting—That the provisions of standing order 111(6) which prevent the continuation or resumption of the second reading debate on a bill within 14 days of its first introduction in either House not apply to the following bills:

Aged Care Amendment (2008 Measures No. 1) Bill 2008
 Appropriation (Drought and Equine Influenza Assistance) Bill (No. 1) 2007-2008
 Appropriation (Drought and Equine Influenza Assistance) Bill (No. 2) 2007-2008
 Cross-Border Insolvency Bill 2008
 Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill 2008.

Documents: Senator Ludwig tabled the following documents:

Consideration of legislation—Statements of reasons [4] for introduction and passage of the bills in the 2008 autumn sittings.

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

- (a) notes the evidence provided to the Government by its ship, the *Oceanic Viking*, of whales being slaughtered in Australia's Antarctic territorial waters;
- (b) expresses deep concern at the continued killing of these whales in Australian waters; and

- (c) urges the Government to take immediate action to ensure an end to the slaughter of the whale population, including through the commencement of legal action. (*general business notice of motion no. 24*)

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

- (a) notes the comments of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East on 29 January 2008 that the blockade of Gaza has incarcerated 1.5 million Palestinians, reduced to barely subsistence levels their supplies of food, medicine, fuel and other necessities and has generated fear, fury and distress amongst the Palestinians, through air strikes, incursions, assassinations and other military action that regularly takes civilian lives; and
- (b) calls on the Australian Government to make representations to the Israeli Government to immediately lift the blockade of Gaza. (*general business notice of motion no. 25*)

15 POSTPONEMENTS

The following items of business were postponed:

General business notice of motion no. 5 standing in the name of the Leader of the Family First Party (Senator Fielding) for today, proposing the introduction of the Australian Securities and Investments Commission (Fair Bank and Credit Card Fees) Amendment Bill 2008, postponed till 14 February 2008.

General business notice of motion no. 7 standing in the name of Senator Stott Despoja for today, relating to Myanmar, postponed till 14 February 2008.

General business notice of motion no. 10 standing in the name of the Leader of the Family First Party (Senator Fielding) for today, proposing the introduction of the Poker Machine Harm Reduction Tax (Administration) Bill 2008, postponed till 14 February 2008.

16 HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION

The Minister for Human Services (Senator Ludwig), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 7—That, on Thursday, 14 February 2008:

- (a) the hours of meeting shall be 9.30 am to adjournment;
- (b) consideration of general business shall not be proceeded with;
- (c) the routine of business from not later than 4.30 pm shall be further consideration of the motion to take note of the National Apology to the Stolen Generations; and
- (d) if that debate has not concluded by 6 pm, then:
 - (i) consideration of committee reports, government responses and Auditor-General's reports under standing order 62(1) and (2) not be proceeded with, and
 - (ii) at the conclusion of the debate, the question for the adjournment of the Senate shall be proposed.

Question put and passed.

**17 CROSS-BORDER INSOLVENCY BILL 2008
FINANCIAL SECTOR LEGISLATION AMENDMENT (REVIEW OF PRUDENTIAL
DECISIONS) BILL 2008**

The Minister for Human Services (Senator Ludwig), at the request of the Minister for Superannuation and Corporate Law (Senator Sherry) and pursuant to notice of motion not objected to as a formal motion, moved government business notices of motion nos 8 and 9—That the following bills be introduced:

A Bill for an Act to give effect to the Model Law on Cross-Border Insolvency of the United Nations Commission on International Trade Law, and for related purposes.

A Bill for an Act to amend the law relating to the financial sector, and for related purposes.

Question put and passed.

Senator Ludwig presented the bills and moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Ludwig moved—That these bills be now read a second time.

Explanatory memoranda: Senator Ludwig tabled explanatory memoranda [2] relating to the bills.

Consideration of legislation: Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the next day of sitting which is more than 14 days after today.

Senator Ludwig moved—That the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

18 DEATH OF TROOPER DAVID PEARCE

The Leader of the Opposition in the Senate (Senator Minchin), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1—That the Senate—

- (a) records its deep regret and sadness at the death of Trooper David Pearce who died as part of a roadside bomb attack in Afghanistan on 8 October 2007;
- (b) commends his loyal and dedicated service to Australia since enlisting in the Army Reserve in 2002, including his deployment to the Solomon Islands in 2005-06; and
- (c) expresses its sincere condolences to Trooper Pearce's wife and two children, and all loved ones for their tragic loss.

Question put and passed.

19 DEATH OF SERGEANT MATTHEW LOCKE

The Leader of the Opposition in the Senate (Senator Minchin), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 2—That the Senate—

- (a) records its sadness and regret at the death of Sergeant Matthew Locke who died while on operations in Afghanistan on 25 October 2007;
- (b) notes and commends his dedicated commitment to the Australian Defence Force, particularly his courageous service in East Timor, Iraq and Afghanistan, including 10 years with the Special Air Service Regiment; and
- (c) expresses its sincere condolences to Sergeant Locke's wife, son, family and friends for their tragic loss.

Question put and passed.

20 DEATH OF PRIVATE LUKE WORSLEY

The Leader of the Opposition in the Senate (Senator Minchin), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 3—That the Senate—

- (a) records its deep regret at the tragic death of Private Luke Worsley who was killed while serving with the Special Operations Task Group in Afghanistan on 23 November 2007;
- (b) notes and commends his loyal and dedicated service to the Australian Defence Force since 2001; and
- (c) expresses its sincere condolences to Private Worsley's family and loved ones for their sad and tragic loss.

Question put and passed.

21 BILLS—RESTORATION TO NOTICE PAPER

The Leader of the Family First Party (Senator Fielding), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 4—

- (1) That so much of standing orders be suspended as would prevent this resolution having effect.
- (2) That the following bills be restored to the *Notice Paper* and that consideration of each bill resume at the stage reached in the 41st Parliament:
 - Alcohol Toll Reduction Bill 2007
 - Qantas Sale (Keep Jetstar Australian) Amendment Bill 2007
 - Trade Practices (Creeping Acquisitions) Amendment Bill 2007.

Question put and passed.

22 DEFENCE AMENDMENT (PARLIAMENTARY APPROVAL OF OVERSEAS SERVICE) BILL 2008

Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 12—That the following bill be introduced:

A Bill for an Act to amend the *Defence Act 1903* to provide for parliamentary approval of overseas service by members of the Defence Force.

Question put and passed.

Senator Bartlett presented the bill and moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

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

Explanatory memorandum: Senator Bartlett, by leave, tabled an explanatory memorandum relating to the bill.

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

23 FOREIGN AFFAIRS—UNITED NATIONS MINE ACTION COORDINATION CENTRE, SOUTHERN LEBANON

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. 6—That the Senate—

(a) notes that:

- (i) Israel has not yet provided the United Nations Mine Action Coordination Centre, Southern Lebanon (MACC SL) with maps indicating the locations in Lebanon where cluster munitions were dropped or fired during 2006,
- (ii) according to MACC SL, Israel's failure to provide these maps has severely hampered and continues to hamper efforts aimed at rendering the land safe for agricultural and other use by removing unexploded sub-munitions,
- (iii) removal of the estimated one million unexploded cluster munitions was expected to be completed by the end of 2007 but, to date, only 14 per cent have been cleared, and
- (iv) the media in Lebanon continue to report injuries and deaths brought about as a result of unexploded sub-munitions that remain from the 2006 war; and

(b) calls on the Australian Government:

- (i) to urge the Israeli Government to immediately provide MACC SL with maps to assist it in its efforts to remove all unexploded sub-munitions, and
- (ii) to increase Australia's funding of sub-munition clearance activities being undertaken by MACC SL.

Question put and negatived.

24 FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—ADDITIONAL INFORMATION—ADDITIONAL ESTIMATES 2002-03 AND 2006-07 AND BUDGET ESTIMATES 2007-08

Senator O'Brien, at the request of the Chair of the Finance and Public Administration Committee (Senator Polley), tabled the following documents:

Finance and Public Administration—Standing Committee—

Additional estimates 2002-03—Additional information received between 6 December 2007 and 12 February 2008—Finance and Administration portfolio.

Additional estimates 2006-07—Additional information received between 6 December 2007 and 12 February 2008—Finance and Administration portfolio.

Budget estimates 2007-08—Additional information received between 6 December 2007 and 12 February 2008—

Finance and Administration portfolio.

Human Services portfolio.

Prime Minister and Cabinet portfolio.

25 PARTICULARS OF PROPOSED ADDITIONAL EXPENDITURE AND ADVANCE TO THE FINANCE MINISTER—2007-08—DOCUMENTS

The Special Minister of State (Senator Faulkner) tabled the following documents:

Particulars of proposed additional expenditure in respect of the year ending on 30 June 2008 [Appropriation Bill (No. 3) 2007-2008].

Particulars of certain proposed additional expenditure in respect of the year ending on 30 June 2008 [Appropriation Bill (No. 4) 2007-2008].

Issues from the Advance to the Finance Minister as a final charge for the year ended 30 June 2007.

Final budget outcome 2006-07—Report by the Treasurer (Mr Costello) and the Minister for Finance and Administration (Senator Minchin), September 2007.

Senator Faulkner, by leave, moved—That—

- (a) the documents be referred to committees for examination and report; and
- (b) consideration of the Issues from the Advance to the Finance Minister as a final charge for the year ended 30 June 2007 in committee of the whole be made an order of the day for the day on which committees report on their examination of the additional estimates.

Question put and passed.

26 ESTIMATES OF PROPOSED ADDITIONAL EXPENDITURE FOR 2007-08—PORTFOLIO ADDITIONAL ESTIMATES STATEMENTS—PORTFOLIOS AND EXECUTIVE DEPARTMENTS—DOCUMENTS

The Special Minister of State (Senator Faulkner) tabled the following documents:

Estimates of proposed additional expenditure for 2007-08—Portfolio additional estimates statements—Portfolios and executive departments—

Agriculture, Fisheries and Forestry portfolio.

Attorney-General's portfolio.

Broadband, Communications and the Digital Economy portfolio.

Climate Change.

Defence portfolio.
 Education, Employment and Workplace Relations portfolio.
 Environment, Water, Heritage and the Arts portfolio.
 Families, Housing, Community Services and Indigenous Affairs portfolio.
 Finance and Deregulation portfolio.
 Foreign Affairs and Trade portfolio.
 Health and Ageing portfolio.
 Human Services portfolio.
 Immigration and Citizenship portfolio.
 Infrastructure, Transport, Regional Development and Local Government portfolio.
 Innovation, Industry, Science and Research portfolio.
 Prime Minister and Cabinet portfolio.
 Resources, Energy and Tourism portfolio.
 Treasury portfolio.
 Veterans' Affairs.

Estimates of proposed supplementary additional expenditure for 2007-08—
 Portfolio supplementary additional estimates statement—Portfolio and executive
 departments—Agriculture, Fisheries and Forestry portfolio.

**27 COMMONWEALTH OMBUDSMAN—MONITORING OF CONTROLLED OPERATIONS—
 REPORT FOR 2006-07—DOCUMENT**

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

Commonwealth Ombudsman—Monitoring of controlled operations—Report for
 2006-07, prepared pursuant to Part 1AB, Division 2A of the *Crimes Act 1914*, on
 the Ombudsman's activities in monitoring controlled operations conducted by the
 Australian Crime Commission, the Australian Federal Police and the Australian
 Commission for Law Enforcement Integrity.

28 JOINT COMMITTEES—PROPOSED APPOINTMENT

Messages from the House of Representatives were reported relating to the appointment
 of joint committees, as follows:

Message no. 1, dated 13 February 2008—Parliamentary Joint Committee on the
 Australian Crime Commission

Message no. 2, dated 13 February 2008—Parliamentary Joint Committee on the
 Australian Commission for Law Enforcement Integrity

Message no. 3, dated 13 February 2008—Parliamentary Joint Committee on
 Corporations and Financial Services

Message no. 4, dated 13 February 2008—Joint Standing Committee on Electoral
 Matters

Message no. 5, dated 13 February 2008—Joint Standing Committee on Foreign
 Affairs, Defence and Trade

Message no. 6, dated 13 February 2008—Joint Standing Committee on Migration

Message no. 7, dated 13 February 2008—Joint Standing Committee on the
 Parliamentary Library

Message no. 8, dated 13 February 2008—Joint Standing Committee on the
 National Capital and External Territories

Message no. 9, dated 13 February 2008—Joint Standing Committee on Treaties, and transmitting for the concurrence of the Senate the following resolutions:

Parliamentary Joint Committee on the Australian Crime Commission

- (1) That, in accordance with section 54 of the *Australian Crime Commission Act 2002*, matters relating to the powers and proceedings of the Parliamentary Joint Committee on the Australian Crime Commission shall be as follows:
 - (a) That the committee consist of 10 members, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any independent Member, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.
 - (b) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.
 - (c) That the committee elect a Government member as its chair.
 - (d) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.
 - (e) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.
 - (f) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
 - (g) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.
 - (h) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.
 - (i) That 2 members of a subcommittee include a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
 - (j) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.
 - (k) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

- (l) That the committee or any subcommittee may conduct proceedings in any place it sees fit.
 - (m) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.
 - (n) That the committee may report from time to time.
 - (o) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on the National Crime Authority and the Australian Crime Commission appointed during previous Parliaments.
 - (p) That, in carrying out its duties, the committee or any subcommittee, ensure that the operational methods and results of investigations of law enforcement agencies, as far as possible, be protected from disclosure where that would be against the public interest.
 - (q) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.
- (2) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity

- (1) That, in accordance with sections 213 and 214 of the *Law Enforcement Integrity Commissioner Act 2006*, matters relating to the powers and proceedings of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity shall be as follows:
- (a) That the committee consist of 10 members, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any independent Member, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.
 - (b) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.
 - (c) That the committee elect a Government member as its chair.
 - (d) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.
 - (e) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.
 - (f) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

- (g) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.
 - (h) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.
 - (i) That 2 members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
 - (j) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.
 - (k) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.
 - (l) That the committee or any subcommittee may conduct proceedings at any place it sees fit.
 - (m) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.
 - (n) That the committee may report from time to time.
 - (o) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on the Australian Law Enforcement Integrity Commission appointed during previous Parliaments.
 - (p) That, in carrying out its duties, the committee or any subcommittee ensure that the operational methods and results of investigations of law enforcement agencies, as far as possible, be protected from disclosure where that would be against the public interest.
 - (q) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.
- (2) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Parliamentary Joint Committee on Corporations and Financial Services

- (1) That, in accordance with section 242 of the *Australian Securities and Investments Commission Act 2001*, matters relating to the powers and proceedings of the Parliamentary Joint Committee on Corporations and Financial Services shall be as follows:
 - (a) That the committee consist of 10 members, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any independent Member, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.

- (b) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.
 - (c) That the committee elect a Government member as its chair.
 - (d) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.
 - (e) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.
 - (f) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
 - (g) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.
 - (h) That the committee appoint the chair of each subcommittee who shall have a casting vote only, and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.
 - (i) That 2 members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
 - (j) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.
 - (k) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.
 - (l) That the committee or any subcommittee may conduct proceedings at any place it sees fit.
 - (m) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.
 - (n) That the committee may report from time to time.
 - (o) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on Corporations and Financial Services and Corporations and Securities appointed during previous Parliaments.
 - (p) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.
- (2) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Joint Standing Committee on Electoral Matters

- (1) That a Joint Standing Committee on Electoral Matters be appointed to inquire into and report on such matters relating to electoral laws and practices and their administration as may be referred to it by either House of the Parliament or a Minister.
- (2) Annual reports of government departments and authorities tabled in the House shall stand referred to the committee for any inquiry the committee may wish to make. Reports shall stand referred to the committee in accordance with a schedule tabled by the Speaker to record the areas of responsibility of each committee, provided that:
 - (a) any question concerning responsibility for a report or a part of a report shall be determined by the Speaker; and
 - (b) the period during which an inquiry concerning an annual report may be commenced by a committee shall end on the day on which the next annual report of that Department or authority is presented to the House.
- (3) That the committee consist of 10 members, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any independent Member, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.
- (4) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.
- (5) That the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time.
- (6) That the committee elect a Government member as its chair.
- (7) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.
- (8) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.
- (9) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
- (10) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.
- (11) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.
- (12) That 2 members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

- (13) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.
- (14) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.
- (15) That the committee or any subcommittee may conduct proceedings at any place it sees fit.
- (16) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.
- (17) That the committee may report from time to time.
- (18) That the committee or any subcommittee have power to consider and make use of:
 - (a) submissions lodged with the Clerk of the Senate in response to public advertisements placed in accordance with the resolution of the Senate of 26 November 1981 relating to a proposed Joint Select Committee on the Electoral System, and
 - (b) the evidence and records of the Joint Committees on Electoral Reform and Electoral Matters appointed during previous Parliaments.
- (19) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.
- (20) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Joint Standing Committee on Foreign Affairs, Defence and Trade

- (1) (a) That a Joint Standing Committee on Foreign Affairs, Defence and Trade be appointed to inquire into and report on such matters relating to foreign affairs, defence and trade as may be referred to it by:
 - (i) either House of the Parliament;
 - (ii) the Minister for Foreign Affairs;
 - (iii) the Minister for Defence; or
 - (iv) the Minister for Trade.
- (b) Annual reports of government departments and authorities tabled in the House shall stand referred to the committee for any inquiry the committee may wish to make. Reports shall stand referred to the committee in accordance with a schedule tabled by the Speaker to record the areas of responsibility of each committee, provided that:
 - (i) any question concerning responsibility for a report or a part of a report shall be determined by the Speaker; and
 - (ii) the period during which an inquiry concerning an annual report may be commenced by a committee shall end on the day on which the next annual report of that Department or authority is presented to the House.
- (2) That the committee consist of 32 members, 12 Members of the House of Representatives to be nominated by the Government Whip or Whips, 8 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any independent Member, 5 Senators to be nominated by the Leader of the Government in the Senate, 5 Senators to be nominated by the Leader of the Opposition in the Senate and 2 Senators to be nominated by any minority group or groups or independent Senator or independent Senators.

- (3) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.
- (4) That the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time.
- (5) That the committee elect a Government member as its chair.
- (6) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.
- (7) That in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.
- (8) That 6 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
- (9) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.
- (10) That, in addition to the members appointed pursuant to paragraph (9), the chair and deputy chair of the committee be ex officio members of each subcommittee appointed.
- (11) That the committee appoint the chair of each subcommittee who shall have a casting vote only, and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.
- (12) That 2 members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
- (13) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.
- (14) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.
- (15) That the committee or any subcommittee may conduct proceedings at any place it sees fit.
- (16) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.
- (17) That the committee may report from time to time.
- (18) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on Foreign Affairs and Defence and Foreign Affairs, Defence and Trade appointed during previous Parliaments.
- (19) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.
- (20) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Joint Standing Committee on Migration

- (1) (a) That a Joint Standing Committee on Migration be appointed to inquire into and report on:
 - (i) regulations made or proposed to be made under the *Migration Act 1958*;
 - (ii) proposed changes to the *Migration Act 1958* and any related acts; and
 - (iii) such other matters relating to migration as may be referred to it by the Minister responsible for the administration of the *Migration Act 1958*.
- (b) Annual reports of government departments and authorities tabled in the House shall stand referred to the committee for any inquiry the committee may wish to make. Reports shall stand referred to the committee in accordance with a schedule tabled by the Speaker to record the areas of responsibility of each committee, provided that:
 - (i) any question concerning responsibility for a report or a part of a report shall be determined by the Speaker; and
 - (ii) the period during which an inquiry concerning an annual report may be commenced by a committee shall end on the day on which the next annual report of that Department or authority is presented to the House.
- (2) That the committee consist of 10 members, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 3 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any independent Member, 2 Senators to be nominated by the Leader of the Government in the Senate, 1 Senator to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.
- (3) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.
- (4) That the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time.
- (5) That the committee elect a Government member as its chair.
- (6) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.
- (7) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.
- (8) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
- (9) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.

- (10) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.
- (11) That 2 members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
- (12) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.
- (13) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.
- (14) That the committee or any subcommittee may conduct proceedings at any place it sees fit.
- (15) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.
- (16) That the committee may report from time to time.
- (17) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on Migration Regulations and the Joint Standing Committees on Migration appointed during previous Parliaments.
- (18) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.
- (19) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Joint Standing Committee on the Parliamentary Library

- (1) That a Joint Standing Committee on the Parliamentary Library be appointed to:
 - (a) consider and report to the President of the Senate and the Speaker of the House of Representatives on any matters relating to the Parliamentary Library referred to it by the President or the Speaker;
 - (b) provide advice to the President and the Speaker on matters relating to the Parliamentary Library;
 - (c) provide advice to the President and the Speaker on an annual resource agreement between the Parliamentary Librarian and the Secretary of the Department of Parliamentary Services; and
 - (d) receive advice and reports, including an annual report, directly from the Parliamentary Librarian on matters relating to the Parliamentary Library.
- (2) That the Committee consist of 13 members, 4 Members of the House of Representatives nominated by the Government whip or whips, 3 Members of the House of Representatives nominated by the Opposition whip or whips or by any independent Member, 3 Senators nominated by the Leader of the Government in the Senate, 2 Senators nominated by the Leader of the Opposition in the Senate and 1 Senator nominated by minority groups or independent Senators.
- (3) That every nomination of a member of the committee be notified in writing to the President and the Speaker.

- (4) That the nomination by the minority groups and independent Senators shall be determined by agreement between them, and, in the absence of agreement duly notified to the President, any question of the representation on the committee shall be determined by the Senate.
- (5) That the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time.
- (6) That the committee shall elect 2 of its members to be joint chairs, 1 being a Senator or Member, on an alternating basis each Parliament, who is a member of the government parties and 1 being a Senator or Member, on an alternating basis each Parliament, who is a member of the non-government parties, provided that the joint chairs may not be members of the same House. The joint chair nominated by the government parties shall chair meetings of the committee, and the joint chair nominated by the non-government parties shall take the chair whenever the other joint chair is not present.
- (7) That each of the joint chairs shall have a deliberative vote only, regardless of who is chairing the meeting.
- (8) That when votes on a question before the committee are equally divided, the question shall be resolved in the negative.
- (9) That three members of the committee shall constitute a quorum of the committee, but in a deliberative meeting a quorum shall include 1 member of each House of the government parties and 1 member of either House of the non-government parties.
- (10) That the committee may appoint subcommittees, consisting of 3 or more of its members, and refer to any such subcommittee any of the matters which the committee is empowered to consider.
- (11) That the quorum of a subcommittee shall be 2 members.
- (12) That the committee shall appoint the chair of each subcommittee, who shall have a deliberative vote only, and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.
- (13) That members of the committee who are not members of a subcommittee may participate in the public proceedings of that subcommittee, but shall not vote, move any motion or be counted for the purpose of a quorum.
- (14) That the committee and any subcommittee shall have power to meet in private or public session and to report from time to time.
- (15) That the President and the Speaker may attend any meeting of the committee or a subcommittee as they see fit, but shall not be members of the committee or subcommittee and may not vote, move any motion or be counted for the purpose of a quorum.
- (16) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committee on the Parliamentary Library appointed during previous Parliaments.
- (17) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.
- (18) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Joint Standing Committee on the National Capital and External Territories

- (1) That a Joint Standing Committee on the National Capital and External Territories be appointed to inquire into and report on:
 - (a) matters coming within the terms of section 5 of the *Parliament Act 1974* as may be referred to it by:
 - (i) either House of the Parliament; or
 - (ii) the Minister responsible for administering the *Parliament Act 1974*; or
 - (iii) the President of the Senate and the Speaker of the House of Representatives;
 - (b) such other matters relating to the parliamentary zone as may be referred to it by the President of the Senate and the Speaker of the House of Representatives;
 - (c) such amendments to the National Capital Plan as are referred to it by a Minister responsible for administering the *Australian Capital Territory (Planning and Land Management) Act 1988*;
 - (d) such other matters relating to the National Capital as may be referred to it by:
 - (i) either House of the Parliament; or
 - (ii) the Minister responsible for administering the *Australian Capital Territory (Self-Government) Act 1988*; and
 - (e) such matters relating to Australia's territories as may be referred to it by:
 - (i) either House of the Parliament; or
 - (ii) the Minister responsible for the administration of the Territory of Cocos (Keeling) Islands; the Territory of Christmas Island; the Coral Sea Islands Territory; the Territory of Ashmore and Cartier Islands; the Australian Antarctic Territory, and the Territory of Heard Island and McDonald Islands, and of Commonwealth responsibilities on Norfolk Island.
- (2) Annual reports of government departments and authorities tabled in the House shall stand referred to the committee for any inquiry the committee may wish to make. Reports shall stand referred to the committee in accordance with a schedule tabled by the Speaker to record the areas of responsibility of each committee, provided that:
 - (a) any question concerning responsibility for a report or a part of a report shall be determined by the Speaker; and
 - (b) the period during which an inquiry concerning an annual report may be commenced by a committee shall end on the day on which the next annual report of that Department or authority is presented to the House.
- (3) That the committee consist of 12 members, the Deputy Speaker, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any independent Member, the Deputy President and Chairman of Committees, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.
- (4) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

- (5) That the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time.
- (6) That the committee elect a Government member as its chair.
- (7) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.
- (8) That, in the event of an equally divided vote, the chair or the deputy chair when acting as chair, have a casting vote.
- (9) That 3 members of the committee (of whom one is the Deputy President or the Deputy Speaker when matters affecting the parliamentary zone are under consideration) constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
- (10) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.
- (11) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.
- (12) That 2 members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
- (13) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.
- (14) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.
- (15) That the committee or any subcommittee may conduct proceedings at any place it sees fit.
- (16) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.
- (17) That the committee may report from time to time.
- (18) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Standing Committees on the National Capital and External Territories, the Joint Committees on the Australian Capital Territory, the Joint Standing Committees on the New Parliament House, the Joint Standing Committee on the Parliamentary Zone and the Joint Committee on the National Capital appointed during previous Parliaments and of the House of Representatives and Senate Standing Committees on Transport, Communications and Infrastructure when sitting as a joint committee on matters relating to the Australian Capital Territory.
- (19) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

- (20) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Joint Standing Committee on Treaties

- (1) That a Joint Standing Committee on Treaties be appointed to inquire into and report on:
- (a) matters arising from treaties and related National Interest Analyses and proposed treaty actions and related Explanatory Statements presented or deemed to be presented to the Parliament;
 - (b) any question relating to a treaty or other international instrument, whether or not negotiated to completion, referred to the committee by:
 - (i) either House of the Parliament, or
 - (ii) a Minister; and
 - (c) such other matters as may be referred to the committee by the Minister for Foreign Affairs and on such conditions as the Minister may prescribe.
- (2) That the committee consist of 16 members, 6 Members of the House of Representatives to be nominated by the Government Whip or Whips, 3 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any independent Member, 3 Senators to be nominated by the Leader of the Government in the Senate, 3 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.
- (3) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.
- (4) That the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time.
- (5) That the committee elect a Government member as its chair.
- (6) That the committee elect a non-Government member as its deputy chair to act as chair of the committee at any time when the chair is not present at a meeting of the committee and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.
- (7) That in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.
- (8) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
- (9) That the committee have power to appoint not more than 3 subcommittees each consisting of 3 or more of its members, and to refer to any subcommittee any matter which the committee is empowered to examine.
- (10) That, in addition to the members appointed pursuant to paragraph (9), the chair and deputy chair of the committee be ex officio members of each subcommittee appointed.
- (11) That the committee appoint the chair of each subcommittee who shall have a casting vote only, and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

- (12) That 2 members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.
- (13) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.
- (14) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.
- (15) That the committee or any subcommittee may conduct proceedings at any place it sees fit.
- (16) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.
- (17) That the committee may report from time to time.
- (18) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Standing Committees on Treaties appointed during previous Parliaments.
- (19) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.
- (20) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

On the motion of the Minister for Immigration and Citizenship (Senator Evans) consideration of the messages was made an order of the day for the next day of sitting.

29 NATIONAL APOLOGY TO THE STOLEN GENERATIONS

Order read for the adjourned debate on the motion of the Minister for Human Services (Senator Ludwig) (*see entry no. 10*).

Debate resumed.

At 6.50 pm: Debate was interrupted.

30 GOVERNMENT DOCUMENTS—CONSIDERATION

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

Australian Government Solicitor (AGS)—Statement of corporate intent 2007-08. Motion to take note of document moved by the Minister for Superannuation and Corporate Law (Senator Sherry). Debate adjourned till Thursday at general business, Senator Sherry in continuation.

National Security Information (Criminal and Civil Proceedings) Act 2004—Non-disclosure and witness exclusion certificates—Reports for 2004-05, 2005-06 and 2006-07. Motion to take note of document moved by the Minister for Superannuation and Corporate Law (Senator Sherry). Debate adjourned till Thursday at general business, Senator Sherry in continuation.

Medibank Private Limited—Statement of corporate intent 2008-10. Motion to take note of document moved by the Minister for Superannuation and Corporate Law (Senator Sherry). Debate adjourned till Thursday at general business, Senator Sherry in continuation.

IIF Investments Pty Limited, IIF (CM) Investments Pty Limited, IIF BioVentures Pty Limited, IIF Foundation Pty Limited and IIF Neo Pty Limited—Reports for 2006-07. Motion to take note of document moved by the Minister for Superannuation and Corporate Law (Senator Sherry). Debate adjourned till Thursday at general business, Senator Sherry in continuation.

Gene Technology Regulator—Quarterly report for the period 1 July to 30 September 2007. Motion to take note of document moved by the Minister for Superannuation and Corporate Law (Senator Sherry). Debate adjourned till Thursday at general business, Senator Sherry in continuation.

National Blood Authority—Report for 2006-07. Motion to take note of document moved by the Minister for Superannuation and Corporate Law (Senator Sherry). Debate adjourned till Thursday at general business, Senator Sherry in continuation.

Crimes Act 1914—Authorisations for the acquisition and use of assumed identities—Report for 2006-07—Australian Commission for Law Enforcement Integrity. Motion to take note of document moved by Senator Parry. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Copyright Agency Limited—Report for 2006-07. Motion to take note of document moved by Senator Parry. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Audio-Visual Copyright Society Limited (Screenrights)—Report for 2006-07. Motion to take note of document moved by Senator Parry. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Telecommunications (Interception and Access) Act 1979—Report for 2006-07 on the operation of the Act. Motion to take note of document moved by Senator Parry. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Surveillance Devices Act 2004—Report for 2006-07 on the operation of the Act. Motion to take note of document moved by Senator Parry. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Australian Law Reform Commission—Report No. 107—Privilege in perspective: Client legal privilege in federal investigations, January 2008. Motion to take note of document moved by Senator Parry. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Migration Act 1958—Section 486O—Assessment of appropriateness of detention arrangements—Government response to reports by the Commonwealth Ombudsman—Personal identifiers 221/07 to 346/07. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Migration Act 1958—Section 486O—Assessment of appropriateness of detention arrangements—Reports by the Commonwealth Ombudsman—Personal identifiers 221/07 to 346/07. Motion to take note of document moved by Senator Bartlett and agreed to.

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

Commissioner for Superannuation (ComSuper)—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Director of National Parks—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Great Barrier Reef Marine Park Authority—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Crimes Act 1914—Controlled operations—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Office of Parliamentary Counsel—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Australian Postal Corporation (Australia Post)—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Australian Government Solicitor (AGS)—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Federal Court of Australia—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Department of the Environment and Water Resources—Reports for 2006-07—

Volume 1—Department of the Environment and Water Resources.

Volume 2—Legislation.

—Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Australian Film Commission—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Attorney-General's Department—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Future Fund Board of Guardians and Future Fund Management Agency (Future Fund)—Report for 2006-07. Motion to take note of document moved by Senator Watson. Debate adjourned till Thursday at general business, Senator Watson in continuation.

Australian Customs Service—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Interactive Gambling Act 2001—Report for 2006 on the operation of the prohibition on interactive gambling advertisements. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Australian Federal Police (AFP)—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Department of the Treasury—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Wet Tropics Management Authority—Report for 2006-07, including State of the Wet Tropics report for 2006-07. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Commonwealth Ombudsman—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Australian Institute of Criminology and Criminology Research Council—Reports for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

National Native Title Tribunal—Report for 2006-07. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Office of the Director of Public Prosecutions (DPP)—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Commonwealth Services Delivery Agency (Centrelink)—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2006-07, including financial statements for the Science and Industry Endowment Fund. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

National Water Commission—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Family Law Council—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

CrimTrac Agency—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Australian Electoral Commission (AEC)—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Sydney Harbour Federation Trust—Report for 2006-07. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Department of Finance and Administration—Report for 2006-07, including financial statements for the Business Services Trust Account. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Australian Commission for Law Enforcement Integrity—Report of the Integrity Commissioner for the period 30 December 2006 to 30 June 2007. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Privacy Act 1988—Report for 2006-07 on the operation of the Act, including financial statements for the Office of the Privacy Commissioner. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Remuneration Tribunal—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Administrative Appeals Tribunal—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Federal Magistrates Court—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Department of Transport and Regional Services—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Australian Security Intelligence Organisation (ASIO)—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Australian Research Council—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Crimes Act 1914—Authorisations for the acquisition and use of assumed identities—Report for 2006-07—Australian Customs Service. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Indigenous Land Corporation—Report for 2006-07. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Family Court of Australia—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Customs Act 1901—Conduct of Customs officers [Managed deliveries]—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Native Title Act 1993—Native title representative bodies—Report for 2006-07—Central Land Council. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Native Title Act 1993—Native title representative bodies—Report for 2006-07—Northern Land Council. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Torres Strait Regional Authority—Report for 2006-07. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

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

Administrative Review Council—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Murray-Darling Basin Commission—Report for 2006-07. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Public Service Commissioner—Report for 2006-07, including report of the Merit Protection Commissioner. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Australian Prudential Regulation Authority (APRA)—Report for 2006-07. Motion to take note of document moved by Senator Watson. Debate adjourned till Thursday at general business, Senator Watson in continuation.

Inspector-General of Taxation—Report for 2006-07. Motion to take note of document moved by Senator Watson. Debate adjourned till Thursday at general business, Senator Watson in continuation.

Superannuation Complaints Tribunal—Report for 2006-07. Motion to take note of document moved by Senator Watson. Debate adjourned till Thursday at general business, Senator Watson in continuation.

Tiwi Land Council—Report for 2006-07. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Human Rights and Equal Opportunity Commission—Report for 2006-07. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Department of Immigration and Citizenship—Report for 2006-07. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Migration Review Tribunal and Refugee Review Tribunal—Report for 2006-07. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

National Health and Medical Research Council (NHMRC)—NHMRC Licensing Committee—Report on the operation of the *Research Involving Human Embryos Act 2002* for the period 1 April to 30 September 2007. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

National Capital Authority—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Migration Agents Registration Authority (MARA)—Report for 2006-07. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Australian Crime Commission (ACC)—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

International Air Services Commission—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

Civil Aviation Safety Authority—Report for 2006-07. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

National Health and Medical Research Council (NHMRC)—Report for the period 1 January 2006 to 30 June 2007. Motion to take note of document moved by Senator Nash. Debate adjourned till Thursday at general business, Senator Nash in continuation.

General business orders of the day nos 1 to 4, 6 to 8, 12, 15 to 20, 24 to 26, 28, 31 to 35, 37 to 39, 41, 43 to 48, 51, 53 to 57, 61 to 64, 71 to 77, 79, 80, 83 to 87, 89, 91 to 95, 97 to 104, 108 to 112, 114, 116 to 118, 121 to 123, 125 to 127, 129, 130, 133 to 138, 141 to 143, 145, 146, 148 to 152, 154 to 159, 164, 166 to 168, 170 to 181, 183 to 185, 188 to 191, 195 to 205, 207 and 209 to 211 relating to government documents were called on but no motion was moved.

31 **ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 7.52 pm till Thursday, 14 February 2008 at 9.30 am.

32 **ATTENDANCE**

Present, all senators.

HARRY EVANS
Clerk of the Senate