

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 3

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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 PETITION

The following petition, lodged with the Clerk by Senator Siewert, was received:

From 170 petitioners, requesting that the Senate take action to have the Dampier Archipelago in Western Australia included in the World Heritage List.

3 NOTICES

Senator Bartlett: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to establish an Office of National Commissioner for Children and Young People, and for related purposes. ***National Commissioner for Children Bill 2008***. (*general business notice of motion no. 26*)

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

- (a) notes that 23 February 2008 marked the 6th year that Ingrid Betancourt has been held hostage by the Revolutionary Armed Forces of Colombia (FARC); and
- (b) calls on the FARC to release Ms Betancourt and all its hostages. (*general business notice of motion no. 27*)

4 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 1 OF 2008

The Chair of the Selection of Bills Committee (Senator O'Brien) tabled the following report:

SELECTION OF BILLS COMMITTEE REPORT NO. 1 OF 2008

1. The committee met in private session on Wednesday, 13 February 2008 at 7.15 pm.
2. The committee resolved to recommend—That the Alcohol Toll Reduction Bill 2007 [2008] be ***referred immediately*** to the Community Affairs Committee for inquiry and report by 18 June 2008.

The committee recommends accordingly.

3. The committee considered a proposal to refer the ***provisions*** of the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008 to a committee, but **was unable to agree on the referral of the bill**.

Kerry O'Brien

Chair

14 February 2008.

Senator O'Brien moved—That the report be adopted.

The Minister for Human Services (Senator Ludwig) moved the following amendment:

At the end of the motion, add “and, in respect of the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008, the provisions of the bill be referred to the Education, Employment and Workplace Relations Committee for inquiry and report by 17 March 2008”.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 34

Senators—

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

NOES, 36

Senators—

Adams	Coonan	Humphries	Nash
Barnett	Cormann	Joyce	Parry (Teller)
Bernardi	Eggleston	Kemp	Patterson
Birmingham	Ellison	Lightfoot	Payne
Boswell	Ferguson	Macdonald, Ian	Ronaldson
Boyce	Fierravanti-Wells	Macdonald, Sandy	Scullion
Brandis	Fifield	Mason	Troeth
Chapman	Fisher	McGauran	Trood
Colbeck	Heffernan	Minchin	Watson

Question negatived.

Main question put and passed.

5 **ORDER OF BUSINESS—REARRANGEMENT**

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

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.

No. 2 National Apology to the Stolen Generations (motion to take note).

Question put and passed.

6 **POSTPONEMENTS**

The Leader of the Australian Greens (Senator Bob Brown), by leave, moved—That general business notice of motion no. 13 standing in his name for today, relating to wage restraint, be postponed till 11 March 2008.

Question put and passed.

7 CONSIDERATION OF LEGISLATION

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. 1—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.

Question put and passed.

8 RIGHTS OF THE TERMINALLY ILL (EUTHANASIA LAWS REPEAL) BILL 2008

The Leader of the Australian Greens (Senator Bob Brown), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 11—That the following bill be introduced:

A Bill for an Act to repeal the *Euthanasia Laws Act 1997*, and for related purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.

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

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

9 AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION (FAIR BANK AND CREDIT CARD FEES) AMENDMENT BILL 2008

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. 5—That the following bill be introduced:

A Bill for an Act to amend the *Australian Securities and Investments Commission Act 2001* to limit unfair banking and credit card penalty fees, and for related purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.

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

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

10 POKER MACHINE HARM REDUCTION TAX (ADMINISTRATION) BILL 2008

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. 10—That the following bill be introduced:

A Bill for an Act for the administration of poker machine harm reduction tax and the establishment of the Poker Machine Harm Reduction Transition Fund, and for related purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.

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

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

11 STOLEN GENERATION COMPENSATION BILL 2008

Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 16—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.

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.

12 ENVIRONMENT—UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 14—That the Senate—

(a) notes that at the United Nations Framework Convention on Climate Change (UNFCCC) meeting in Bali, Indonesia in December 2007, an action plan was agreed to, which, *inter alia*, resolved to:

(i) urgently enhance implementation of the United Nations Convention on Climate Change,

- (ii) respond to the findings of the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, that delay in reducing emissions significantly constrains opportunities to achieve lower stabilisation levels and increases the risk of more severe climate change impacts, and
 - (iii) adopt a decision at the UNFCCC meeting in 2009 on the sustained implementation of the convention, through long-term cooperative action after the end of the Kyoto Protocol in 2012;
- (b) agrees that it is in the interest of current and future Australians that the Bali Action Plan succeed in producing an international agreement which minimises the risk of dangerous interference with the climate; and
- (c) calls on the Government to contribute in good faith to a timely successful implementation of the Bali Action Plan.

Question put and passed.

13 ENVIRONMENT—CLIMATE CHANGE AND RENEWABLE ENERGY

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 15—That the Senate—

- (a) notes that:
- (i) in December 2007, the Prime Minister (Mr Rudd) said that the Government considers that ‘climate change represents one of the greatest moral, economic and environmental challenges of our age’,
 - (ii) on 6 February 2008, the Minister for Finance and Deregulation (Mr Tanner) announced funding cuts to climate-related programs, including \$3 million from the Commonwealth Scientific and Industrial Research Organisation’s Research Vessel *Southern Surveyor*, \$6 million from the Biodiversity Hotspots program and \$42 million from the Renewable Remote Power Generation Program, and
 - (iii) in 2007, the Institute for Sustainable Futures at the University of Technology in Sydney calculated that perverse subsidies supporting fossil fuel industries amounted to between \$6.4 billion and \$7.2 billion in the 2005-06 financial year; and
- (b) calls on the Government to phase out perverse subsidies to the fossil fuel industry and to reverse its decision to cut funding to research into climate change science and renewable energy programs.

Question put.

The Senate divided—

AYES, 8

Senators—

Allison
Bartlett

Brown, Bob
Milne

Murray
Nettle

Siewert (Teller)
Stott Despoja

NOES, 52

Senators—

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

Question negatived.

14 RENEWABLE ENERGY LEGISLATION AMENDMENT (RENEWABLE POWER PERCENTAGE) BILL 2008

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. 8—That the following bill be introduced:

A Bill for an Act to amend the Renewable Energy (Electricity) Regulations 2001 to set renewable power percentages for the period commencing 1 January 2008 and ending 31 December 2020.

Question put and passed.

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

Question put and passed.

Bill read a first time.

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

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

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

15 ENVIRONMENT—SOLAR ENERGY TECHNOLOGY

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. 20—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.

Question put.

The Senate divided—

AYES, 9

Senators—

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

NOES, 52

Senators—

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

Question negatived.

16 FOREIGN AFFAIRS—MYANMAR

Senator Stott Despoja, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 7—That the Senate—

- (a) notes that:
 - (i) the military junta in control of Myanmar, the State Peace and Development Council, has announced its intention to hold a constitutional referendum in May 2008, in advance of national elections by 2010,
 - (ii) the drafting of guidelines for the new constitution has not involved representatives of the National League for Democracy (NLD) or minority ethnic groups and comes at a time when many pro-democracy activists are in prison, and
 - (iii) a clause in the draft constitutional guidelines guarantees the military 25 per cent of the seats in the country's parliament;
- (b) expresses concern that this process will merely entrench military rule under the guise of democracy;
- (c) welcomes the Australian Government's long-term advocacy for pro-democracy and ethnic minority groups in Myanmar; and
- (d) urges the Government to:
 - (i) consider additional measures to pressure the military junta to adopt democratic reforms, and
 - (ii) lobby India, China and the Association of Southeast Asian Nations to:
 - (A) call for the release of NLD leader Daw Aung San Suu Kyi and other political prisoners, and
 - (B) acknowledge the 'roadmap to democracy' as deeply flawed and pressure the junta to adopt a dialogue with pro-democracy and ethnic minority representatives for a genuinely inclusive constitutional drafting process.

Question put and passed.

17 ENVIRONMENT—WHALING IN AUSTRALIAN WATERS

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 24—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.

Question put and passed.

18 MARRIAGE (RELATIONSHIPS EQUALITY) AMENDMENT BILL 2008

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 23—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.

Question put and passed.

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

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

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

19 FOREIGN AFFAIRS—GAZA

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 25—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.

Statement by leave: The Minister for Human Services (Senator Ludwig), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 8

Senators—

Allison
Bartlett

Brown, Bob
Milne

Murray
Nettle

Siewert (Teller)
Stott Despoja

NOES, 54

Senators—

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

Question negatived.

20 BILLS—RESTORATION TO NOTICE PAPER

Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 19—

- (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.

Question put and passed.

21 AGRICULTURAL AND RELATED INDUSTRIES—STATE GOVERNMENT FINANCIAL MANAGEMENT—HOUSING AFFORDABILITY IN AUSTRALIA—SELECT COMMITTEES—APPOINTMENT

Senator Ellison, by leave and also on behalf of Senator Heffernan, moved general business notices of motion nos 9, 21 and 22 together by leave—

No. 1—

- (1) That a select committee, to be known as the Select Committee on Agricultural and Related Industries, be appointed to initially inquire into and report by 16 June 2008, on the following matter:
The pricing and supply arrangements in the Australian and global chemical and fertiliser markets, the implications for Australian farmers of world chemical and fertiliser supply and pricing arrangements, monopolistic and cartel behaviour and related matters.
- (2) That the committee consist of 6 senators, 2 nominated by the Leader of the Government in the Senate, 3 nominated by the Leader of the Opposition in the Senate, and 1 nominated by minority groups and independent senators.
- (3) That the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.
- (4) That the committee elect an Opposition member as chair.
- (5) That the committee elect a deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.
- (6) That, in the event of an equally divided vote, the chair, or deputy chair when acting as chair, shall have a casting vote.
- (7) That the quorum of the committee be 4 members.
- (8) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any of the matters which the committee is empowered to examine.
- (9) 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 interim recommendations.
- (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 documents and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

No. 2—

- (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.

No. 3—

- (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.

Senator Ellison, by leave, moved the following amendment to motions nos 2 and 3:

After paragraph (3), insert:

- (3A) (a) On the nominations of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and minority groups and independent senators, participating members may be appointed to the committee.
- (b) Participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of members of the committee, but may not vote on any questions before the committee.
- (c) A participating member shall be taken to be a member of the committee for the purpose of forming a quorum of the committee if a majority of members of the committee is not present.

Debate ensued.

The question for the amendment was divided—

Question—That the amendment in respect of paragraphs (a) and (b) be agreed to—put and passed.

Question—That the amendment in respect of paragraph (c) be agreed to—put and passed.

Main question, as amended, put.

The Senate divided—

AYES, 44

Senators—

Adams (Teller)	Colbeck	Humphries	Nettle
Allison	Coonan	Joyce	Parry
Barnett	Cormann	Kemp	Patterson
Bartlett	Eggleston	Macdonald, Ian	Payne
Bernardi	Ellison	Macdonald, Sandy	Ronaldson
Birmingham	Ferguson	Mason	Scullion
Boswell	Fielding	McGauran	Siewert
Boyce	Fierravanti-Wells	Milne	Stott Despoja
Brandis	Fifield	Minchin	Troeth
Brown, Bob	Fisher	Murray	Trood
Chapman	Heffernan	Nash	Watson

NOES, 24

Senators—

Brown, Carol	Forshaw	McEwen	Sherry
Campbell	Hurley	McLucas	Stephens
Conroy	Kirk	Moore	Sterle
Crossin	Ludwig	O'Brien	Webber (Teller)
Evans	Lundy	Polley	Wong
Faulkner	Marshall	Ray	Wortley

Question agreed to.

22 **COMMUNITY AFFAIRS—STANDING COMMITTEE—MATTERS REFERRED TO COMMITTEE IN PREVIOUS PARLIAMENT**

The Chair of the Community Affairs Committee (Senator Moore) tabled the following report:

The Committee met and considered references not disposed of at the end of the 41st Parliament and resolved to **recommend** to the Senate that the following inquiries of the 41st Parliament be re-adopted:

Inquiry into the Cost of Living Pressures on Older Australians, with a reporting date of 20 March 2008.

Inquiry into Mental Health Services in Australia, with a reporting date of 26 June 2008.

That, in respect of each of the matters to be referred to the Committee, it have power to consider and use the records of the Community Affairs Committee appointed in the previous parliament.

The Committee has also been inquiring into a number of issues relating to an assessment of Positron Emission Tomography (PET) technology conducted by the Medical Services Advisory Committee in 2000. These issues were raised in correspondence from Dr Robert Ware and referred to responses provided to questions asked at estimates hearings over a period of time.

The Committee has held hearings on this matter and received a considerable volume of information and documents. A report is nearly complete and will be tabled shortly together with the documents received for the information of the Senate.

Senator Claire Moore

Chair

February 2008.

Senator Moore moved—That the report be adopted.

Question put and passed.

23 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—MATTERS REFERRED TO COMMITTEE IN PREVIOUS PARLIAMENT

Senator Moore, at the request of the Chair of the Foreign Affairs, Defence and Trade Committee (Senator Bishop), tabled the following report:

The Senate Foreign Affairs, Defence and Trade Committee met on 14 February 2008 and considered references not disposed of at the end of the 41st Parliament and resolved to **recommend** to the Senate:

1. That the following inquiry of the 41st Parliament be re-adopted:

Inquiry into Australia's involvement in peacekeeping operations (reporting date 15 May 2008).

Further, the committee resolved to **recommend** to the Senate that, in respect of this matter to be referred to the committee, it have the power to consider and use the records of the Senate Foreign Affairs, Defence and Trade Committee appointed in the previous Parliament.

The committee also resolved to **recommend** to the Senate:

2. That the committee continue to monitor progress on the implementation of reforms to Australia's military justice system and to report to the Senate on its findings.

Further, the committee resolved to **recommend** to the Senate that, in respect of this matter, it have the power to consider and use the records of the Senate Foreign Affairs, Defence and Trade Committee appointed in the previous Parliament.

Senator Mark Bishop
Chair
14 February 2008.

Senator Moore moved—That the report be adopted.

Question put and passed.

**24 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**

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

Message no. 12, dated 13 February 2008—A Bill for an Act to amend the law relating to aged care, and for related purposes.

Message no. 10, dated 13 February 2008—A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for the ordinary annual services of the Government in relation to drought and equine influenza assistance, and for related purposes.

Message no. 11, dated 13 February 2008—A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure in relation to drought and equine influenza assistance, and for related purposes.

The Special Minister of State (Senator Faulkner) 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 Faulkner moved—That these bills be now read a second time.

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

Consideration of legislation: Senator Faulkner moved that the Aged Care Amendment (2008 Measures No. 1) Bill 2008 be listed on the *Notice Paper* as a separate order of the day.

Question put and passed.

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

Senator Ellison, at the request of Senator Abetz and pursuant to notice, moved business of the Senate notice of motion no. 1—That, upon its introduction into the House of Representatives, the provisions of the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008 be referred to the Education, Employment and Workplace Relations Committee for inquiry and report by 28 April 2008, with particular reference to:

- (a) economic and social impacts from the abolition of individual statutory agreements;
- (b) impact on employment;
- (c) potential for a wages breakout and increased inflationary pressures;
- (d) potential for increased industrial disputation;
- (e) impact on sectors heavily reliant on individual statutory agreements; and
- (f) impact on productivity.

Debate ensued.

The Minister for Climate Change and Water (Senator Wong) moved the following amendment:

Omit all words from and including “28 April 2008”, substitute “17 March 2008”.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 33

Senators—

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

NOES, 35

Senators—

Adams	Coonan	Johnston	Parry
Barnett	Eggleston	Joyce	Patterson
Bernardi	Ellison	Kemp	Payne
Birmingham	Ferguson	Lightfoot	Ronaldson
Boswell	Fierravanti-Wells	Macdonald, Ian	Scullion
Boyce	Fifield	Mason	Troeth
Brandis	Fisher	McGauran	Trood
Chapman	Heffernan	Minchin	Watson
Colbeck	Humphries	Nash (Teller)	

Question negatived.

Senator Bartlett moved the following amendment:

At the end of the motion, add:

- (2) The Senate expresses the view that it would better enable full consideration of the committee's report if the Senate were to sit for an extra 4 days prior to the week beginning 12 May 2008.

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

Main question, as amended, put and passed.

26 AGED CARE AMENDMENT (2008 MEASURES NO. 1) BILL 2008

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

On the motion of the Parliamentary Secretary for Social Inclusion and the Voluntary Sector (Senator Stephens) the bill was read a third time.

27 ECONOMY—ANSWER TO QUESTION—STATEMENT BY LEAVE

The Minister for Climate Change and Water (Senator Wong), by leave, made a statement clarifying the answer she gave to a question without notice asked by Senator Ian Macdonald on 13 February 2008 relating to the economy.

28 APPROPRIATION (DROUGHT AND EQUINE INFLUENZA ASSISTANCE) BILL (NO. 1) 2007-2008

APPROPRIATION (DROUGHT AND EQUINE INFLUENZA ASSISTANCE) BILL (NO. 2) 2007-2008

Order of the day read for the adjourned debate on the motion of the Special Minister of State (Senator Faulkner)—That these bills be now read a second time.

Debate resumed.

Question put and passed.

Bills read a second time.

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

On the motion of the Parliamentary Secretary for Social Inclusion and the Voluntary Sector (Senator Stephens) the bills were read a third time.

29 **NATIONAL APOLOGY TO THE STOLEN GENERATIONS**

Order of the day read for the adjourned debate on the motion of the Minister for Human Services (Senator Ludwig)—That the Senate take note of the National Apology to the Stolen Generations.

Debate resumed.

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

30 **QUESTIONS**

Questions without notice were answered.

31 **QUESTIONS WITHOUT NOTICE—MINISTERS—QUESTION TO PRESIDENT**

Senator Ian Macdonald, by leave, asked a question of the President relating to ministers providing corrections to answers to questions without notice.

The President indicated that he would consider the question and provide an answer if required.

32 **MOTION TO TAKE NOTE OF ANSWERS**

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

Debate ensued.

Question put and passed.

33 **AUDITOR-GENERAL—AUDIT REPORT NO. 22 OF 2007-08—DOCUMENT**

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

Auditor-General—Audit report no. 22 of 2007-08—Performance audit—Administration of grants to the Australian Rail Track Corporation—Department of Infrastructure, Transport, Regional Development and Local Government.

34 **RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—MATTERS REFERRED TO COMMITTEE IN PREVIOUS PARLIAMENT**

Senator Wortley, at the request of the Chair of the Rural and Regional Affairs and Transport Committee (Senator Sterle), tabled the following report:

The Senate Rural and Regional Affairs and Transport Legislation Committee met on 14 February 2008 and considered references not disposed of at the end of the 41st Parliament and resolved to **recommend** to the Senate:

That the following inquiry of the 41st Parliament be re-adopted with terms of reference unchanged:

- Inquiry into climate change and the Australian agricultural sector.

Further, the Committee resolved to **recommend** to the Senate that the reporting date for the above reference be 4 September 2008.

The Committee also resolved to **recommend** to the Senate that, in respect of this matter to be referred to the committee, it have power to consider and use the records of the Senate Rural and Regional Affairs and Transport Committee appointed in the previous Parliament.

Senator Glenn Sterle

Chair

14 February 2008.

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

Question put and passed.

35 DOCUMENTS

The following documents were tabled by the Clerk:

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

Aboriginal and Torres Strait Islander Act—

Torres Strait Regional Authority Election Amendment Rules 2008 [F2008L00371]*.

Torres Strait Regional Authority Section 142S Declaration 2008 [F2008L00357]*.

Acts Interpretation Act—Statement pursuant to subsection 34C(6) relating to the extension of specified period for presentation of a report—Prime Minister and Cabinet—Report for 2006-07.

Civil Aviation Act—

Civil Aviation Regulations—Instrument No. CASA EX09/08—Exemption – refuelling with passengers on board [F2008L00234]*.

Civil Aviation Safety Regulations—Airworthiness Directives—Part 107—AD/ELECT/50—Rebling Nickel Cadmium Battery Quick Disconnect Receptacles [F2008L00354]*.

Customs Act—Tariff Concession Orders—

0717248 [F2008L00303]*.

0717256 [F2008L00302]*.

0717301 [F2008L00301]*.

0717343 [F2008L00318]*.

0717418 [F2008L00298]*.

0717642 [F2008L00317]*.

0717666 [F2008L00274]*.

0717805 [F2008L00295]*.

0717854 [F2008L00275]*.

0718062 [F2008L00276]*.

0718128 [F2008L00277]*.

0718205 [F2008L00291]*.

0718207 [F2008L00334]*.

0718292 [F2008L00332]*.

0718310 [F2008L00278]*.

0718340 [F2008L00320]*.

0718501 [F2008L00322]*.

0718551 [F2008L00330]*.

0718673 [F2008L00321]*.

0718726 [F2008L00279]*.

0718828 [F2008L00343]*.

0718892 [F2008L00344]*.

0718893 [F2008L00345]*.

0718940 [F2008L00346]*.

0719054 [F2008L00347]*.

0719055 [F2008L00348]*.

0719089 [F2008L00349]*.

Environment Protection and Biodiversity Conservation Act—

Amendments of lists of—

CITES species, dated 7 February 2008 [F2008L00342]*.

Threatened species, dated 24 January 2008 [F2008L00287]*.

Norfolk Island National Park and Norfolk Island Botanic Garden Management Plan 2008-2018 [F2008L00329]*.

National Health Act—Instrument No. PB 26 of 2008—Amendment – price determinations and special patient contributions [F2008L00284]*.

Parliamentary Entitlements Act—Parliamentary Entitlements Regulations—Advice of decision to pay assistance under Part 3, dated 21 November 2007.

Radiocommunications Act—

Radiocommunications (Foundation Category 1 Digital Radio Multiplex Transmitter Licence — Application Fee) Determination 2008 [F2008L00319]*.

Radiocommunications (Foundation Category 2 Digital Radio Multiplex Transmitter Licence — Application Fee) Determination 2008 [F2008L00316]*.

Telecommunications (Interception and Access) Act—Interception Capability Plan Determination 2008 (No. 1) [F2008L00331]*.

* Explanatory statement tabled with legislative instrument.

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

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

Departmental and agency contracts for 2007—Letter of advice—Australian Research Council.

37 ROUTINE OF BUSINESS—VARIATION

The Minister for Immigration and Citizenship (Senator Evans), by leave, moved—

- (1) That the routine of business for the remainder of the day be as follows:
 - (a) government business order of the day no. 1 (appointment of joint committees);
 - (b) committee memberships;
 - (c) government business order of the day no. 2 (National Apology to the Stolen Generations);
 - (d) consideration of a motion on rural and regional Australia;
 - (e) at 6 pm, consideration of government documents under general business;
 - (f) not later than 7 pm, consideration of committee reports and government responses under standing order 62(1); and
 - (g) not later than 8 pm, adjournment proposed.
- (2) That the total time for items (1)(c), (d) and (e) be not more than 2 hours and 30 minutes.

Question put and passed.

38 JOINT COMMITTEES—APPOINTMENT

Order of the day read for the consideration of messages nos 1 to 9 from the House of Representatives (*see entry no. 28, 13 February 2008*).

The Minister for Immigration and Citizenship (Senator Evans), by leave, moved—
That the Senate concurs with the resolutions of the House of Representatives contained in messages nos 1 to 9 relating to the appointment of joint committees.

Question put and passed.

39 COMMITTEE MEMBERSHIP

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

The Minister for Immigration and Citizenship (Senator Evans), by leave, moved—
That senators be discharged from and appointed to committees as follows:

Appropriations and Staffing—Standing Committee—

Appointed—Senators Faulkner, Lundy, Murray, Nash and Ray

Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—

Appointed—Senators Carol Brown, Campbell, Fierravanti-Wells and Parry

Australian Crime Commission—Joint Statutory Committee—

Appointed—Senators Barnett, Hutchins, Parry and Polley

Broadcasting of Parliamentary Proceedings—Joint Statutory Committee—

Appointed—Senators O'Brien and Parry

Community Affairs—Standing Committee—

Appointed—Participating members: Senators Bob Brown, Milne, Nettle and Siewert

Corporations and Financial Services—Joint Statutory Committee—

Appointed—Senators Boyce, Chapman, Kirk, Murray and Webber

Economics—Standing Committee—

Appointed—Participating members: Senators Bob Brown, Milne, Nettle and Siewert

Education, Employment and Workplace Relations—Standing Committee—

Appointed—Participating members: Senators Bob Brown, Humphries, Milne, Nettle and Siewert

Electoral Matters—Joint Standing Committee—

Appointed—Senators Birmingham, Bob Brown, Carol Brown, Fierravanti-Wells and Sterle

Environment, Communications and the Arts—Standing Committee—

Appointed—Participating members: Senators Bob Brown, Milne, Nettle and Siewert

Finance and Public Administration—Standing Committee—

Appointed—Participating members: Senators Bob Brown, Milne, Nettle and Siewert

Foreign Affairs, Defence and Trade—Joint Standing Committee—

Appointed—Senators Bartlett, Bishop, Cormann, Eggleston, Fifield, Forshaw, Kirk, Sandy Macdonald, Moore, Stott Despoja, Trood and Webber

Foreign Affairs, Defence and Trade—Standing Committee—

Appointed—Participating members: Senators Bob Brown, Milne, Nettle and Siewert

House—Standing Committee—

Appointed—Senators Crossin and Wortley

Intelligence and Security—Joint Statutory Committee—

Appointed—Senators Marshall and Ray

Legal and Constitutional Affairs—Standing Committee—

Appointed—Participating members: Senators Bob Brown, Milne, Nettle and Siewert

Library—Standing Committee—

Discharged—Senator Payne

Appointed—Senators Allison, Hutchins, Kirk, Trood and Webber

Migration—Joint Standing Committee—

Appointed—Senators Bartlett, Eggleston, McEwen and Polley

National Capital and External Territories—Joint Standing Committee—

Appointed—Senators Crossin, Humphries, Joyce, Lundy and Stott Despoja

Parliamentary Library—Joint Standing Committee—

Discharged—Senator Payne

Appointed—Senators Allison, Hutchins, Kirk, Trood and Webber

Privileges—Standing Committee—

Appointed—Senators Hurley, McLucas, O'Brien and Ray

Procedure—Standing Committee—

Appointed—Senators Faulkner, Hurley and Ray

Public Accounts and Audit—Joint Statutory Committee—

Appointed—Senators Bishop, Chapman, Hogg, Lundy, Murray and Watson

Public Works—Joint Statutory Committee—

Appointed—Senators Bishop, Forshaw and Troeth

Publications—Standing Committee—

Appointed—Senators Carol Brown, Marshall, Sterle and Wortley

Regulations and Ordinances—Standing Committee—

Appointed—Senators Carol Brown, Moore and Wortley

Rural and Regional Affairs and Transport—Standing Committee—

Appointed—

Senator Siewert

Participating members: Senators Bob Brown, Milne and Nettle

Scrutiny of Bills—Standing Committee—

Appointed—Senators Bishop, McEwen and Ray

Selection of Bills—Standing Committee—

Appointed—Senators Ludwig and Webber

Senators' Interests—Standing Committee—

Appointed—Senators Forshaw, Kirk and Webber

Treaties—Joint Standing Committee—

Appointed—Senators Bartlett, Birmingham, Bushby, Cormann, Marshall, Sterle and Wortley.

Question put and passed.

40 NATIONAL APOLOGY TO THE STOLEN GENERATIONS

Order of the day read for the adjourned debate on the motion of the Minister for Human Services (Senator Ludwig) (*see entry no. 29*).

Debate resumed.

Question put and passed.

41 RURAL AND REGIONAL AUSTRALIA

Senator Nash, by leave, moved—That the Senate—

(a) notes:

- (i) the challenges facing Australia's rural and regional communities, and
- (ii) that the Government is showing its contempt of rural and regional Australia, including through cuts to rural and regional funding programs; and

(b) calls on the Labor Government to continue the strong commitment of the former Coalition Government to rural and regional Australia.

Debate ensued.

At 6 pm: Debate was interrupted while the Parliamentary Secretary for Social Inclusion and the Voluntary Sector (Senator Stephens) was speaking.

42 GOVERNMENT DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION

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

Commissioner for Superannuation (ComSuper)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Director of National Parks—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Great Barrier Reef Marine Park Authority—Report for 2006-07. Motion of Senator Nash to take note of document called on. On the motion of Senator Bartlett debate was adjourned till Thursday at general business.

Crimes Act 1914—Controlled operations—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Office of Parliamentary Counsel—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Australian Postal Corporation (Australia Post)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Australian Government Solicitor (AGS)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Federal Court of Australia—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

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

Volume 1—Department of the Environment and Water Resources.

Volume 2—Legislation.

—Motion of Senator Bartlett to take note of document agreed to.

Australian Film Commission—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Attorney-General's Department—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Future Fund Board of Guardians and Future Fund Management Agency (Future Fund)—Report for 2006-07. Motion of Senator Watson to take note of document agreed to.

Australian Customs Service—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Interactive Gambling Act 2001—Report for 2006 on the operation of the prohibition on interactive gambling advertisements. Motion of Senator Bartlett to take note of document agreed to.

Australian Federal Police (AFP)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Department of the Treasury—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Wet Tropics Management Authority—Report for 2006-07, including State of the Wet Tropics report for 2006-07. Motion of Senator Bartlett to take note of document debated and agreed to.

Commonwealth Ombudsman—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Australian Institute of Criminology and Criminology Research Council—Reports for 2006-07. Motion of Senator Nash to take note of document agreed to.

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

Office of the Director of Public Prosecutions (DPP)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Commonwealth Services Delivery Agency (Centrelink)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2006-07, including financial statements for the Science and Industry Endowment Fund. Motion of Senator Nash to take note of document agreed to.

National Water Commission—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Family Law Council—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

CrimTrac Agency—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Australian Electoral Commission (AEC)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Sydney Harbour Federation Trust—Report for 2006-07. Motion of Senator Bartlett to take note of document called on. 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 of Senator Nash to take note of document agreed to.

Australian Commission for Law Enforcement Integrity—Report of the Integrity Commissioner for the period 30 December 2006 to 30 June 2007. Motion of Senator Nash to take note of document agreed to.

Privacy Act 1988—Report for 2006-07 on the operation of the Act, including financial statements for the Office of the Privacy Commissioner. Motion of Senator Nash to take note of document agreed to.

Remuneration Tribunal—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Administrative Appeals Tribunal—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Federal Magistrates Court—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Department of Transport and Regional Services—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Australian Security Intelligence Organisation (ASIO)—Report for 2006-07. Motion of Senator Nash to take note of document called on. On the motion of Senator Bartlett debate was adjourned till Thursday at general business.

Australian Research Council—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Crimes Act 1914—Authorisations for the acquisition and use of assumed identities—Report for 2006-07—Australian Customs Service. Motion of Senator Nash to take note of document agreed to.

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

Family Court of Australia—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Customs Act 1901—Conduct of Customs officers [Managed deliveries]—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

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

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

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

Administrative Review Council—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Murray-Darling Basin Commission—Report for 2006-07. Motion of Senator Bartlett to take note of document agreed to.

Public Service Commissioner—Report for 2006-07, including report of the Merit Protection Commissioner. Motion of Senator Nash to take note of document agreed to.

Australian Prudential Regulation Authority (APRA)—Report for 2006-07. Motion of Senator Watson to take note of document agreed to.

Inspector-General of Taxation—Report for 2006-07. Motion of Senator Watson to take note of document agreed to.

Superannuation Complaints Tribunal—Report for 2006-07. Motion of Senator Watson to take note of document agreed to.

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

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

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

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

National Capital Authority—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Migration Agents Registration Authority (MARA)—Report for 2006-07. Motion of Senator Bartlett to take note of document agreed to.

Australian Crime Commission (ACC)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

International Air Services Commission—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Civil Aviation Safety Authority—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

National Health and Medical Research Council (NHMRC)—Report for the period 1 January 2006 to 30 June 2007. Motion of Senator Nash to take note of document agreed to.

Australian Government Solicitor (AGS)—Statement of corporate intent 2007-08. Motion of the Minister for Superannuation and Corporate Law (Senator Sherry) to take note of document agreed to.

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 of the Minister for Superannuation and Corporate Law (Senator Sherry) to take note of document agreed to.

Medibank Private Limited—Statement of corporate intent 2008-10. Motion of the Minister for Superannuation and Corporate Law (Senator Sherry) to take note of document agreed to.

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 of the Minister for Superannuation and Corporate Law (Senator Sherry) to take note of document agreed to.

Gene Technology Regulator—Quarterly report for the period 1 July to 30 September 2007. Motion of the Minister for Superannuation and Corporate Law (Senator Sherry) to take note of document agreed to.

National Blood Authority—Report for 2006-07. Motion of the Minister for Superannuation and Corporate Law (Senator Sherry) to take note of document agreed to.

Crimes Act 1914—Authorisations for the acquisition and use of assumed identities—Report for 2006-07—Australian Commission for Law Enforcement Integrity. Motion of Senator Parry to take note of document agreed to.

Copyright Agency Limited—Report for 2006-07. Motion of Senator Parry to take note of document agreed to.

Audio-Visual Copyright Society Limited (Screenrights)—Report for 2006-07. Motion of Senator Parry to take note of document agreed to.

Telecommunications (Interception and Access) Act 1979—Report for 2006-07 on the operation of the Act. Motion of Senator Parry to take note of document agreed to.

Surveillance Devices Act 2004—Report for 2006-07 on the operation of the Act. Motion of Senator Parry to take note of document agreed to.

Australian Law Reform Commission—Report No. 107—Privilege in perspective: Client legal privilege in federal investigations, January 2008. Motion of Senator Parry to take note of document agreed to.

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

43 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—ORDERS OF THE DAY— CONSIDERATION

The following orders of the day relating to committee reports and government responses were considered:

Intelligence and Security—Joint Statutory Committee—Report—Review of the re-listing of three terrorist organisations. Motion to take note of report moved by Senator Wortley. Debate adjourned till the next day of sitting, Senator Wortley in continuation.

Legal and Constitutional Affairs—Standing Committee—Report—Crimes Legislation Amendment (Child Sex Tourism Offences and Related Measures) Bill 2007 [Provisions]. Motion to take note of report moved by Senator Wortley. Debate adjourned till the next day of sitting, Senator Wortley in continuation.

Foreign Affairs, Defence and Trade—Standing Committee—Interim report—The changing nature of Australia's involvement in peacekeeping operations. Motion to take note of report moved by Senator Wortley. Debate adjourned till the next day of sitting, Senator Wortley in continuation.

Economics—Standing Committee—Interim report—Australian Securities and Investments Commission (Fair Bank and Credit Card Fees) Amendment Bill 2008 and National Market Driven Energy Efficiency Target Bill 2007. Motion to take note of report moved by Senator Wortley. Debate adjourned till the next day of sitting, Senator Wortley in continuation.

44 AUDITOR-GENERAL'S REPORTS—ORDERS OF THE DAY—CONSIDERATION

The following order of the day relating to reports of the Auditor-General was considered:

Auditor-General—Audit report no. 10 of 2007-08—Performance audit—Whole of Government Indigenous service delivery arrangements. Motion to take note of document moved by Senator Bartlett. Debate adjourned till the next day of sitting, Senator Bartlett in continuation.

Orders of the day nos 1 to 3 and 5 to 15 relating to reports of the Auditor-General were called on but no motion was moved.

45 COMMITTEE MEMBERSHIP

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

The Minister for Superannuation and Corporate Law (Senator Sherry), by leave, moved—That senators be discharged from and appointed to committees as follows:

Agricultural and Related Industries—Select Committee—

Appointed—Senators Fisher, Heffernan, Milne, Nash, O'Brien and Sterle

Electoral Matters—Joint Standing Committee—

Discharged—Senator Sterle

Appointed—Senator Hutchins

House—Standing Committee—

Appointed: Senator Stephens

Housing Affordability in Australia—Select Committee—

Appointed—

Senators Bartlett, Colbeck, Fifield, Lundy, Moore and Payne

Participating members: Senators Bob Brown, Fielding, Milne, Nettle and Siewert

State Government Financial Management—Select Committee—

Appointed—

Senators Bushby, Chapman, Forshaw, Ian Macdonald and Polley

Participating members: Senators Bob Brown, Fielding, Milne, Murray, Nettle and Siewert.

Question put and passed.

46 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.06 pm till Tuesday, 11 March 2008 at 12.30 pm.

47 ATTENDANCE

Present, all senators except Senators Abetz and Bushby.

HARRY EVANS
Clerk of the Senate