

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 20

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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 GOVERNMENT DOCUMENTS

The following government documents were tabled:

Gene Technology Regulator—Quarterly report for the period 1 January to 31 March 2008.

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 October 2007 to 31 March 2008.

Treaties—*Multilateral*—

Headquarters Agreement between the Government of Australia and the Secretariat to the Agreement on the Conservation of Albatrosses and Petrels (Hobart, 23 June 2008)—Text, together with national interest analysis.

Kyoto Protocol to the United Nations Framework Convention on Climate Change (Kyoto, 11 December 1997, [2008] ATS 2)—Text, together with national interest analysis and annexures.

3 MIGRATION LEGISLATION AMENDMENT BILL (NO. 1) 2008

The Minister for Innovation, Industry, Science and Research (Senator Carr), at the request of the Minister for Immigration and Citizenship (Senator Evans) and pursuant to notice, moved government business notice of motion no. 1—That the following bill be introduced:

A Bill for an Act to amend the law relating to migration, and for other purposes.

Question put and passed.

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

Explanatory memorandum: Senator Carr tabled an explanatory memorandum relating to the bill.

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

4 CONSIDERATION OF LEGISLATION

The Minister for Innovation, Industry, Science and Research (Senator Carr), at the request of the Minister for Human Services (Senator Ludwig) and pursuant to notice, moved government business notice of motion no. 2—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Governor-General Amendment (Salary and Superannuation) Bill 2008
Governance Review Implementation (AASB and AUASB) Bill 2008.

Question put and passed.

5 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Innovation, Industry, Science and Research (Senator Carr) moved—That government business notice of motion no. 3 standing in the name of the Minister for Broadband, Communications and the Digital Economy (Senator Conroy) for today, relating to the approval of works in the Parliamentary Zone, be postponed till a later hour.

Question put and passed.

6 FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION AMENDMENT (2008 BUDGET AND OTHER MEASURES) BILL 2008

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

In the committee

Consideration resumed of the bill, as amended—and of the amendment moved by Senator Siewert:

Schedule 6, page 42 (after line 27), after item 20, insert:

Fringe Benefits Tax Assessment Act 1986

20A Subsection 5B(1E) (method statement, step 2)

Omit “\$17,000” (twice occurring), substitute “\$23,000”.

20B Subsection 5B(1E) (method statement, at the end of step 2)

Add:

Note: The dollar amounts mentioned in step 2 are indexed under section 124AA.

20C Subsection 5B(1E) (method statement, step 3, paragraph (b))

Omit “\$30,000”, substitute “\$40,000”.

20D Subsection 5B(1E) (method statement, at the end of step 3)

Add:

Note: The dollar amount mentioned in paragraph (b) is indexed under section 124AA.

20E Subsection 65J(2B) (method statement, step 2, paragraph (b))

Omit “\$30,000”, substitute “\$40,000”.

20F Subsection 65J(2B) (method statement, at the end of step 2)

Add:

Note 2: The dollar amount mentioned in paragraph (b) is indexed under section 124AA.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 7

Senators—

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

NOES, 40

Senators—

Adams	Collins	Kemp	Parry
Barnett	Conroy	Kirk	Patterson
Bernardi	Cormann	Lundy	Payne
Birmingham	Crossin	Macdonald, Ian	Polley
Boyce	Eggleston	Marshall	Ronaldson
Brandis	Ellison	McEwen	Stephens
Brown, Carol	Fifield	McGauran	Troeth
Bushby	Fisher	McLucas	Trood
Carr	Hogg	Moore	Webber (Teller)
Colbeck	Hurley	O'Brien	Wortley

Question negatived.

Senator Siewert moved the following amendment:

Schedule 6, page 42 (after line 27), after item 20, insert:

20G After section 124A

Insert:

124AA Indexation of amounts

- (1) This section applies to the dollar amounts mentioned in the following provisions:
 - (a) subsection 5B(1E) (method statement, step 2)
 - (b) subsection 5B(1E) (method statement, step 3, paragraph (b));
 - (c) subsection 65J(2B) (method statement, step 2, paragraph (b)).
- (2) The dollar amount mentioned in the provision, for an indexation year whose indexation factor is greater than 1, is replaced by the amount worked out using the following formula (rounded to the nearest \$100):

$$\frac{\text{Dollar amount for the provision for the previous financial year}}{\text{Indexation factor for the indexation year}}$$

- (3) The *indexation factor* for an indexation year is the number worked out using the following formula:

$$\frac{\text{AWOTE amount for the March quarter in the preceding year}}{\text{AWOTE amount for the March quarter for the year before the preceding year}}$$

- (4) The *AWOTE amount* for a quarter is the estimate of the full-time adult average weekly ordinary time earnings for persons in Australia for the middle month of the quarter published by the Australian Statistician in relation to the month.
- (5) If the Australian Statistician publishes an estimate of full-time adult average weekly ordinary time earnings for persons in Australia for a period for which such an estimate was previously published by the Australian Statistician, the publication of the later estimate is to be disregarded for the purposes of this section.
- (6) The indexation factor is to be calculated to 3 decimal places, but increased by .001 if the fourth decimal place is more than 4.
- (7) In this section:
AWOTE means full-time adult average weekly ordinary time earnings for all persons in Australia.
indexation year means the financial year commencing on 1 July 2009, and each subsequent financial year.

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

Bill, as amended, agreed to, subject to a request.

Bill to be reported with amendments and a request for an amendment.

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

On the motion of the Parliamentary Secretary for Social Inclusion and the Voluntary Sector (Senator Stephens) the report from the committee was adopted.

7 PASSENGER MOVEMENT CHARGE AMENDMENT 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 Minister for Broadband, Communications and the Digital Economy (Senator Conroy) the bill was read a third time.

8 TAX LAWS AMENDMENT (BUDGET MEASURES) 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 Minister for Broadband, Communications and the Digital Economy (Senator Conroy) the bill was read a third time.

9 **TAX LAWS AMENDMENT (2008 MEASURES NO. 1) BILL 2008**

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

—————
In the committee

Consideration resumed of the bill, as amended—and of the amendment moved by Senator Milne:

Page 23 (after line 21), at the end of the bill, add:

Schedule 7—Safeguards on the establishment of carbon sink forests

Income Tax Assessment Act 1997

1 After paragraph 40-1010(2)(c)

Insert:

- (ca) the trees are a mixture of species that approximate the local native vegetation or, if not available, from an ecologically similar location;

2 After subsection 40-1010(3)

Insert:

(3A) The guidelines provided for in subsection (3) must ensure that:

- (a) any property claiming a carbon sink forest expenditure has an environmental management system audited to conform to ISO14001 in place; and
- (b) forests over 100 hectares require an ecosystem evaluation to develop recommendations for appropriate planting; and
- (c) the owner is required to enter into an easement agreement with the Department of Climate Change preventing any development or modification of the property which would result in the property no longer meeting the conditions specified for a carbon sink forest; and
- (d) an easement agreement entered into in accordance with paragraph (c) remains in force for a period of not less than 100 years, or until the Commonwealth determines that the forest no longer requires protection, whichever is the earlier.

3 After section 40-1015

Insert:

40-1016 Ecosystem evaluation

Ecosystem evaluation means an ecological assessment and report prepared by a suitably qualified person which includes, but is not limited to:

- (a) an assessment of impact of the carbon sink forest on the hydrology of the catchments within which it is situated;
- (b) an assessment of the local and regional linkage and connectivity values of the site, including potential links in relation to any other remnant vegetation areas;

- (c) identification of constrained areas such as steep land and land adjacent to waterways which are likely to have particular management requirements;
- (d) an assessment of fire risk within the site and in relation to adjacent premises including areas of native forest;
- (e) identification of any other environmentally sensitive areas which may potentially be impacted by the proposed use;
- (f) identification of any likely conflicts between the proposed carbon sink forest use and any adjacent or nearby premises or places;
- (g) identification of a selection of suitably benign species for planting.

Debate resumed.

At 12.45 pm: The Acting Deputy President (Senator Marshall) resumed the chair and the Temporary Chair of Committees reported progress.

10 ROUTINE OF BUSINESS—VARIATION

The Minister for Broadband, Communications and the Digital Economy (Senator Conroy), by leave, moved—That—

- (a) consideration of matters of public interest not occur at 12.45 pm, and that consideration of government business continue till 2 pm;
- (b) divisions may take place between 12.45 pm and 2 pm; and
- (c) at the conclusion of government business order of the day no. 4 (Tax Laws Amendment (2008 Measures No. 1) Bill 2008), or at 1.40 pm, whichever is the earlier, Senator Nettle may make a valedictory statement till not later than 2 pm today.

Question put and passed.

11 TAX LAWS AMENDMENT (2008 MEASURES NO. 1) BILL 2008

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

In the committee

Consideration resumed of the bill, as amended—and of the amendment moved by Senator Milne (see entry no. 9).

Debate resumed.

At 1.40 pm: The Acting Deputy President (Senator Murray) resumed the chair and the Temporary Chair of Committees reported progress.

12 VALEDICTORY STATEMENT

Pursuant to order (see entry no. 10), Senator Nettle made her valedictory statement.

Statement by leave: The Leader of the Australian Greens (Senator Bob Brown), by leave, made a statement relating to the matter.

At 2 pm—

13 QUESTIONS

Questions without notice were answered.

14 MOTION TO TAKE NOTE OF ANSWERS

Senator Birmingham moved—That the Senate take note of the answers given by the Minister for Broadband, Communications and the Digital Economy (Senator Conroy) to questions without notice asked by Senators Ronaldson, Birmingham and Cormann today relating to the proposed national broadband network.

Debate ensued.

Question put and passed.

15 SPORT—SPORTS AND RECREATION FACILITIES—GRANTS—ORDER FOR PRODUCTION OF DOCUMENTS—CONSIDERATION

Leave refused: Senator Bernardi sought leave to move a motion to take note of documents tabled on 23 June 2008 (*see entry no. 27, 23 June 2008*), relating to an order for production of documents concerning grants for sports and recreation facilities.

An objection was raised and leave was not granted.

Statements by leave: The Minister for Human Services (Senator Ludwig) and Senator Ellison, by leave, made statements relating to the matter.

16 NOTICES

The Chair of the Education, Employment and Workplace Relations Committee (Senator Marshall): To move on the next day of sitting—That the following matter be referred to the Education, Employment and Workplace Relations Committee for inquiry and report by 20 March 2009:

Developing Australia's capacity in the area of climate change, with particular reference to:

- (a) the ability of universities and other research and training institutions to meet current and future demand for climate change professionals; and
- (b) measures to assist understanding of climate change in the Asia-Pacific region, including provision of training and skills assistance.

The Chair of the Legal and Constitutional Affairs Committee (Senator Crossin): To move on the next day of sitting—That the following matter be referred to the Legal and Constitutional Affairs Committee for inquiry and report:

The effectiveness of the *Sex Discrimination Act 1984* in eliminating discrimination and promoting gender equality, with particular reference to:

- (a) the scope of the Act, and the manner in which key terms and concepts are defined;
- (b) the extent to which the Act implements the non-discrimination obligations of the Convention on the Elimination of All Forms of Discrimination against Women and the International Labour Organization or under other international instruments, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights;

- (c) the powers and capacity of the Human Rights and Equal Opportunity Commission and the Sex Discrimination Commissioner, particularly in initiating inquiries into systemic discrimination and to monitor progress towards equality;
- (d) consistency of the Act with other Commonwealth and state and territory discrimination legislation, including options for harmonisation;
- (e) significant judicial rulings on the interpretation of the Act and their consequences;
- (f) impact on state and territory laws;
- (g) preventing discrimination, including by educative means;
- (h) providing effective remedies, including the effectiveness, efficiency and fairness of the complaints process;
- (i) addressing discrimination on the ground of family responsibilities;
- (j) impact on the economy, productivity and employment (including recruitment processes);
- (k) sexual harassment;
- (l) effectiveness in addressing intersecting forms of discrimination;
- (m) any procedural or technical issues;
- (n) scope of existing exemptions; and
- (o) other matters relating and incidental to the Act.

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

- (a) notes that:
 - (i) Australia is the only country, apart from the United States of America, to have introduced a global gag rule in its aid program through the AusAID family planning guidelines that restricts contraception options and prohibits the use of aid funding for anything related to abortion, such as training of medical personnel in safe abortion, or providing information or warnings about unsafe abortion,
 - (ii) in most countries in receipt of Australia's aid, abortion has no legal restriction or is restricted only in certain circumstances,
 - (iii) 68 000 women worldwide die every year from unsafe abortions, nearly all of them in developing countries,
 - (iv) approximately a quarter of women who have undergone an unsafe abortion will be hospitalised due to serious complications such as haemorrhage, infection or poisoning,
 - (v) Australia's family planning guidelines contribute to these hospitalisations and deaths and are at odds with the International Conference on Population and Development 1994 (ICPD), which states 'in circumstances where abortion is not against the law, health systems should train and equip health service providers and should take other measures to ensure that such abortion is safe and accessible', and the Convention on the Elimination of All Forms of Discrimination against Women 1979 (CEDAW),

- (vi) the family planning guidelines have coincided with and are partly responsible for a massive decline in Australian funding for family planning at a time when, according to the United Nations (UN) Fund for Population Activities, the unmet need has grown from 10 per cent to 60 per cent, and
 - (vii) Australia is a signatory to both the ICPD and CEDAW as well as to the Millennium Development Goals which include the goal of reducing maternal mortality by two-thirds which the UN acknowledges cannot be achieved without universal access to family planning and reproductive health care; and
- (b) urges the Government to now withdraw these repressive family planning guidelines and, in line with other countries, adopt World Health Organization and ICPD principles and practices to guide their reproductive health aid programs. (*general business notice of motion no. 139*)

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

- (a) the Senate notes the significant natural resource management and conservation challenges faced by Australia; and
- (b) the following matters be referred to the Rural and Regional Affairs and Transport Committee for inquiry and report by 27 November 2008:
 - (i) the lessons learned from the successes and failures of three decades of Commonwealth investment in resource management including Landcare, the National Heritage Trust, the National Action Plan for Salinity and Water Quality, and other national programs,
 - (ii) how we can best build on the knowledge and experience gained from these programs to capitalise on existing networks and projects, and maintain commitment and momentum among land-holders,
 - (iii) the overall costs and benefits of a regional approach to planning and management of Australia's catchments, coasts and other natural resources,
 - (iv) the need for a long-term strategic approach to natural resource management (NRM) at the national level,
 - (v) the capacity of regional NRM groups, catchment management organisations and other national conservation networks to engage land managers, resource users and the wider community to deliver on-the-ground NRM outcomes as a result of the recent changes to funding arrangements under the new Caring for our Country program, and
 - (vi) the extent to which the Caring for our Country program represents a comprehensive approach to meeting Australia's future NRM needs.

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

- (a) expresses concern for the plight of two Japanese Greenpeace activists who are to be held another 10 days without charge by Japanese police for their role in exposing the embezzlement of thousands of dollars' worth of whale meat from the Japanese Government-sponsored whaling program;
- (b) notes that no charges have been laid relating to the embezzlement of whale meat, and that the Japanese Public Prosecutor has subsequently dropped his investigation into the involvement of the crew and whaling officials in this illegal trade;

- (c) expresses concern that the response of Japanese authorities in sending 40 police officers to raid the Greenpeace offices and seize all computers and financial records is a disproportionate reaction to this matter, which raises concerns that this is a politically-motivated action designed to shut down the successful Greenpeace public education campaign within Japan at the time of the International Whaling Commission meeting; and
- (d) calls on the Australian Government to press the Japanese Government to take action on the alleged embezzlement of whale meat, and to either charge the Greenpeace activists with an offence or release them. (*general business notice of motion no. 140*)

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

- (a) notes that:
 - (i) Australia will host the visit of Pope Benedict XVI for World Youth Day 2008 from 15 July to 20 July 2008, in Sydney,
 - (ii) the Catholic Archdiocese of Sydney, with the support of the New South Wales and Australian Governments, was successful in bidding for the World Youth Day 2008 celebrations and all have worked tirelessly to ensure the event showcases Australia to the world,
 - (iii) more than 225 000 young pilgrims are expected to take part in the World Youth Day celebrations, including more than 125 000 overseas pilgrims and up to 500 000 are expected to participate in the final mass celebrated by the Holy Father at Randwick Racecourse on 20 July 2008,
 - (iv) 40 000 Sydneysiders have opened up their homes as home stay accommodation for pilgrims, and
 - (v) 8 000 volunteers will assist in ensuring that this celebration of spirituality and youth is a safe and successful event;
- (b) welcomes the Holy Father for his first visit as Head of State to Australia;
- (c) congratulates him on his commitment to interfaith dialogue whilst in Australia; and
- (d) wishes all involved in World Youth Day 2008 a successful and uplifting week of celebration. (*general business notice of motion no. 141*)

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

- (a) notes the International Whaling Commission 2008 *State of the Cetacean Environment* report, which lists the impact of climate change and ocean pollution on the world's whales, dolphins and porpoises;
- (b) notes, with concern, that the coastal areas along Australia's seaboard, which are 'dead zones' due to deoxygenation, are expanding; and
- (c) calls on the Government to report to the Senate by 1 October 2008 on this growing threat and the Government's comprehensive strategy to reverse it. (*general business notice of motion no. 142*)

The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That the Senate asks the Minister for Foreign Affairs (Mr Smith) to assess the memorandum of understanding between the Government of Timor Leste and GT Leste Biotech for a 100 000 hectare sugar plantation and ethanol plant to ensure Australian funds are not involved if there are adverse social or environmental consequences. (*general business notice of motion no. 143*)

17 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 6 OF 2008

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

SELECTION OF BILLS COMMITTEE

REPORT NO. 6 OF 2008

1. The committee met in private session on Tuesday, 24 June 2008 at 4.29 pm.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008 and three related bills be *referred immediately* to the Economics Committee for inquiry and report by 16 October 2008; and
 - (b) the Poker Machine Harm Minimisation Bill 2008 be *referred immediately* to the Community Affairs Committee for inquiry and report by 10 November 2008.
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
 - Crimes Legislation Amendment (Enhanced Child Protection from Predatory Tourism Offences) Bill 2008
 - Environment Protection and Biodiversity Conservation Amendment (Control of Power Station Emissions) Bill 2008
 - Governance Review Implementation (AASB and AUASB) Bill 2008
 - Governor-General Amendment (Salary and Superannuation) Bill 2008
 - Great Barrier Reef Marine Park and Other Legislation Amendment Bill 2008
 - Pregnancy Counselling (Truth in Advertising) Bill 2006 [2008]
 - Protection of the Sea Legislation Amendment Bill 2008
 - Tax Laws Amendment (2008 Measures No. 3) Bill 2008
 - Therapeutic Goods Legislation Amendment (Annual Charges) Bill 2008.

The committee recommends accordingly.
4. The committee deferred consideration of the following bills to its next meeting:
 - Plastic Bag Levy (Assessment and Collection) Bill 2002 [2008]
 - Trade Practices (Creeping Acquisitions) Amendment Bill 2007 [2008].

Kerry O'Brien
Chair
25 June 2008.

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

Question put and passed.

18 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—EXTENSION OF TIME TO REPORT

The Chair of the Legal and Constitutional Affairs Committee (Senator Crossin), by leave, moved—That the time for the presentation of the report of the Legal and Constitutional Affairs Committee on the Rights of the Terminally Ill (Euthanasia Laws Repeal) Bill 2008 be extended to 26 June 2008.

Question put and passed.

19 POSTPONEMENTS

The following items of business were postponed:

General business notice of motion no. 103 standing in the name of the Leader of the Australian Democrats (Senator Allison) for today, relating to Western Sahara, postponed till 26 June 2008.

General business notice of motion no. 123 standing in the name of the Leader of the Family First Party (Senator Fielding) for today, relating to an amendment to the reporting date for the Joint Standing Committee on Electoral Matters inquiry into the Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2008, postponed till 26 June 2008.

20 ENVIRONMENT, COMMUNICATIONS AND THE ARTS—STANDING COMMITTEE—REFERENCE

Senator Johnston, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 1—

- (1) That the Save Our Solar (Solar Rebate Protection) Bill 2008 [No. 2] be referred to the Environment, Communications and the Arts Committee for inquiry and report by 15 August 2008, together with the following matters:
 - (a) the impact of the means test threshold of \$100 000 on the \$8 000 solar rebate per household on the solar industry;
 - (b) the effect on the uptake of solar panels by Australian households, comparing state-by-state results;
 - (c) the impact on the number of applications for the \$8 000 since the budget decision to impose the means test;
 - (d) the impact on jobs in the solar industry, comparing state-by-state results;
 - (e) the impact on emissions reductions as a consequence of this decision, comparing state-by-state results;
 - (f) the consultation that occurred within government, including departments and agencies, prior to the decision and the input of each department and agency on the measure;
 - (g) the economic and environmental modelling underpinning the decision to impose the means test;
 - (h) the extent of the discussion prior to the decision with the solar panel industry on the impact of the decision;
 - (i) the future viability of, and effects on, the solar industry as a result of the means test;
 - (j) the impact on the Solar Cities programs at various sites around Australia and other related programs; and
 - (k) other relevant matters.
- (2) That, as a minimum, the committee hold hearings in all Australian capital cities and hears evidence, inter alia, from Australia's solar industry.

Question put and passed.

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

Senator O'Brien, at the request of the Chair of the Foreign Affairs, Defence and Trade Committee (Senator Bishop) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 132—That the Foreign Affairs, Defence and Trade Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 26 June 2008, from 4 pm, to take evidence for the committee's inquiry into the review of reforms to Australia's military justice system by the Australian Defence Force.

Question put and passed.

22 AGRICULTURAL AND RELATED INDUSTRIES—SELECT COMMITTEE—REFERENCE

Senator Parry, at the request of the Chair of the Select Committee on Agricultural and Related Industries (Senator Heffernan) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 133—That the following matter be referred to the Select Committee on Agricultural and Related Industries for inquiry and report by 27 November 2009:

Food production in Australia and the question of how to produce food that is:

- (a) affordable to consumers;
- (b) viable for production by farmers; and
- (c) of sustainable impact on the environment.

Question put and passed.

23 DEFENCE—PROCUREMENT PROJECTS—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Parry, at the request of the Leader of the Opposition in the Senate (Senator Minchin), amended general business notice of motion no. 134 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That—

- (a) the Senate notes that:
 - (i) the response from the Minister for Defence, the Honourable Joel Fitzgibbon MP, of 16 June 2008 to a Senate order for production of documents advised that 'the documents in question are "Restricted" and "Commercial in Confidence" and as such I will not be making them available to the Special Minister of State for tabling in the Senate', and
 - (ii) the procedural order of continuing effect relating to accountability provides that 'The Senate...shall not entertain any claim to withhold information...on the grounds that it is commercial-in-confidence, unless the claim is...accompanied by a statement setting out the basis for the claim, including a statement of any commercial harm that may result from the disclosure of the information'; and
- (b) there be laid on the table by the Minister representing the Minister for Defence, no later than 3.30 pm on Thursday, 26 June 2008, a statement of the commercial harm that would result from the disclosure of the commercial-in-confidence information in the red folder relating to defence procurement projects.

Question put and passed.

24 INDUSTRY—COMMERCIAL READY PROGRAM

Senator Parry, at the request of Senator Abetz and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 135—That the Senate—

- (a) notes the critical role of the former Howard Government's Commercial Ready program in fostering innovation, leveraging private sector capital, creating jobs and developing new ideas and medical solutions for Australians;
- (b) condemns:
 - (i) the Rudd Labor Government for its foolish and short-sighted decision to cut this program,
 - (ii) the Rudd Labor Government for pre-empting the outcome of the National Innovation Review, and
 - (iii) the Minister for Innovation, Industry, Science and Research (Senator Carr) for describing the Commercial Ready program as assistance to 'millionaires'; and
- (c) calls on the Rudd Labor Government to:
 - (i) fund all projects approved between 28 April and 13 May 2008,
 - (ii) compensate individuals and companies who spent money preparing grant applications in good faith, and
 - (iii) at least restore the Commercial Ready program for the 2008-09 financial year.

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

Question put and passed.

25 ENVIRONMENT—GLOBAL WARMING—GOVERNMENT EXPLANATION

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. 138—That the Senate requests the Government to explain, by Thursday, 26 June 2008, its opposition to general business notice of motion no. 102 from the Leader of the Australian Democrats (Senator Allison).

Question put and passed.

26 FUEL AND ENERGY—NATIONAL BROADBAND NETWORK—SELECT COMMITTEES—APPOINTMENT

Statements by leave: Senator Ellison and the Minister for Human Services (Senator Ludwig), by leave, made statements relating to general business notices of motion nos 136 and 137.

Senator Ellison moved general business notices of motion nos 136 and 137 together by leave—

No. 136—

- (1) That a select committee, to be known as the Select Committee on Fuel and Energy, be established to inquire into and report on:
 - (a) the impact of higher petroleum, diesel and gas prices on:
 - (i) families,
 - (ii) small business,

- (iii) rural and regional Australia,
- (iv) grocery prices, and
- (v) key industries, including but not limited to tourism and transport;
- (b) the role and activities of the Petrol Commissioner, including whether the Petrol Commissioner reduces the price of petroleum;
- (c) the operation of the domestic petroleum, diesel and gas markets, including the fostering of maximum competition and provision of consumer information;
- (d) the impact of an emissions trading scheme on the fuel and energy industry, including but not limited to:
 - (i) prices,
 - (ii) employment in the fuel and energy industries, and any related adverse impacts on regional centres reliant on these industries,
 - (iii) domestic energy supply, and
 - (iv) future investment in fuel and energy infrastructure;
- (e) the existing set of state government regulatory powers as they relate to petroleum, diesel and gas products;
- (f) taxation arrangements on petroleum, diesel and gas products including:
 - (i) Commonwealth excise,
 - (ii) the goods and services tax, and
 - (iii) new state and federal taxes;
- (g) the role of alternative fuels to petroleum and diesel including, but not limited to, LPG, LNG, CNG, gas to liquids, coal to liquids, electricity and bio-fuels such as, but not limited to, ethanol;
- (h) the domestic oil/gas exploration and refinement industry, with particular reference to:
 - (i) the impact of Commonwealth, state and local government regulations on this industry,
 - (ii) increasing domestic oil/gas exploration and refinement activities, with a view to reducing Australia's reliance on imported oil, and
 - (iii) other tax incentives; and
- (i) the impact of higher petroleum, diesel and gas prices on public transport systems, including the adequacy of public transport infrastructure and record of public transport investment by state governments.
- (2) That the committee report to the Senate from time to time on any related matters and present its final report by 21 October 2009.
- (3) That the committee consist of 8 members, 2 nominated by the Leader of the Government in the Senate, 4 nominated by the Leader of the Opposition in the Senate, 1 nominated by the Leader of Family First in the Senate and 1 nominated by any minority group or independent senator.
- (4) (a) On the nominations of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and any minority group 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 committee, but may not vote on any questions before the committee; and
 - (c) a participating member shall (not) 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.
- (5) 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.
 - (6) That the committee elect an Opposition member as its chair.
 - (7) That the committee elect a 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 the quorum of the committee be 5 members.
 - (10) That the committee have power to appoint subcommittees consisting of 4 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.
 - (11) That 3 members of a subcommittee shall be a quorum of that subcommittee.
 - (12) 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.
 - (13) 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.
 - (14) 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. 137—

- (1) That a select committee, to be known as the Select Committee on the National Broadband Network, be established to inquire into and report by 30 March 2009 on:
 - (a) the Government's proposal to partner with the private sector to upgrade parts of the existing network to fibre to provide minimum broadband speeds of 12 megabits per second to 98 per cent of Australians on an open access basis; and
 - (b) the implications of the proposed National Broadband Network (NBN) for consumers in terms of:
 - (i) service availability, choice and costs,
 - (ii) competition in telecommunications and broadband services, and
 - (iii) likely consequences for national productivity, investment, economic growth, cost of living and social capital.

- (2) That the committee's investigation include, but not be limited to:
- (a) the availability, price, level of innovation and service characteristics of broadband products presently available, the extent to which those services are delivered by established and emerging providers, the likely future improvements in broadband services (including the prospects of private investment in fibre, wireless or other access networks) and the need for this government intervention in the market;
 - (b) the effects on the availability, price, choice, level of innovation and service characteristics of broadband products if the NBN proceeds;
 - (c) the extent of demand for currently available broadband services, what factors influence consumer choice for broadband products and the effect on demand if the Government's fibre-to-the-node (FTTN) proposal proceeds;
 - (d) what technical, economic, commercial, regulatory and social barriers may impede the attainment of the Government's stated goal for broadband availability and performance;
 - (e) the appropriate public policy goals for communications in Australia and the nature of regulatory settings that are needed, if FTTN or fibre-to-the-premise (FTTP), to continue to develop competitive market conditions, improved services, lower prices and innovation given the likely natural monopoly characteristics and longevity of the proposed network architecture;
 - (f) the possible implications for competition, consumer choice, prices, the need for public funding, private investment, national productivity, if the Government does not create appropriate regulatory settings for the NBN;
 - (g) the role of government and its relationship with the private sector and existing private investment in the telecommunications sector;
 - (h) the effect of the NBN proposal on existing property or contractual rights of competitors, supplier and other industry participants and the exposure to claims for compensation;
 - (i) the effect of the proposed NBN on the delivery of Universal Service Obligations services;
 - (j) whether, and if so to what extent, the former Government's OPEL initiative would have assisted making higher speed and more affordable broadband services to areas under-served by the private sector; and
 - (k) the cost estimates on which the Government has based its policy settings for a NBN, how those cost estimates were derived, and whether they are robust and comprehensive.
- (3) That, in carrying out this inquiry, the committee will:
- (a) expressly seek the input of the telecommunications industry, industry analysts, consumer advocates, broadband users and service providers;
 - (b) request formal submissions that directly respond to the terms of reference from the Australian Competition and Consumer Commission, the Productivity Commission, Infrastructure Australia, the Department of the Treasury, the Department of Finance and Deregulation, and the Department of Infrastructure, Transport, Regional Development and Local Government;

- (c) invite contributions from organisations and individuals with expertise in:
 - (i) public policy formulation and evaluation,
 - (ii) technical considerations including network architecture, interconnection and emerging technology,
 - (iii) regulatory framework, open access, competition and pricing practice,
 - (iv) private sector telecommunications retail and wholesale business including business case analysis and price and demand sensitivities,
 - (v) contemporary broadband investment, law and finance,
 - (vi) network operation, technical options and functionality of the 'last mile' link to premises, and
 - (vii) relevant and comparative international experiences and insights applicable to the Australian context;
 - (d) advertise for submissions from members of the public and to the fullest extent possible, conduct hearings and receive evidence in a manner that is open and transparent to the public; and
 - (e) recognise the Government's NBN proposal represents a significant public sector intervention into an increasingly important area of private sector activity and that the market is seeking openness, certainty and transparency in the public policy deliberations.
- (4) That the committee consist of 7 senators, 2 nominated by the Leader of the Government in the Senate, 4 nominated by the Leader of the Opposition in the Senate, and 1 nominated by any minority group or independent senators.
 - (5)
 - (a) On the nominations of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and any minority group 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; and
 - (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.
 - (6) 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.
 - (7) That the committee elect as chair one of the members nominated by the Leader of the Opposition in the Senate.
 - (8) That the quorum of the committee be 4 members.
 - (9) 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.
 - (10) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

- (11) 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 examine, and that the quorum of a subcommittee be 2 members.
- (12) 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.
- (13) 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.
- (14) 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.

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

Omit “minority group” (wherever occurring), substitute “minority party”.

Debate ensued.

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

Senator Bob Brown moved the following amendment:

Motion no. 136, after (1)(i), insert:

- (j) the contribution of fossil fuels, including petroleum, diesel and gas, to Australia’s greenhouse gas emissions; and
- (k) the potential of alternatives and options for Australia to the use of these fuels and any short- or long-term economic, social or environmental costs or advantages of those options.

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

Senator Parry moved the following amendment:

Motion no. 136, omit paragraph (7), substitute:

- (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.

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

Senator Parry moved the following amendment:

Motion no. 136, paragraph (4)(c), omit “(not)”.

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

The question for the motions was divided—

Question—That motion no. 136, as amended, be agreed to—put.

The Senate divided—

AYES, 42

Senators—

Abetz	Bushby	Humphries	Parry (Teller)
Adams	Chapman	Johnston	Payne
Allison	Colbeck	Joyce	Ronaldson
Barnett	Coonan	Kemp	Scullion
Bartlett	Cormann	Lightfoot	Siewert
Bernardi	Eggleston	Macdonald, Ian	Stott Despoja
Birmingham	Ferguson	McGauran	Troeth
Boswell	Fielding	Milne	Trood
Boyce	Fifield	Minchin	Watson
Brandis	Fisher	Murray	
Brown, Bob	Heffernan	Nettle	

NOES, 23

Senators—

Bishop	Faulkner	McEwen	Stephens
Brown, Carol	Hogg	McLucas	Sterle
Collins	Hurley	Moore	Webber
Conroy	Hutchins	O'Brien	Wong
Crossin	Lundy	Polley	Wortley (Teller)
Evans	Marshall	Sherry	

Question agreed to.

Question—That motion no. 137, as amended, be agreed to—put.

The Senate divided—

AYES, 42

Senators—

Abetz	Bushby	Humphries	Parry (Teller)
Adams	Chapman	Johnston	Payne
Allison	Colbeck	Joyce	Ronaldson
Barnett	Coonan	Kemp	Scullion
Bartlett	Cormann	Lightfoot	Siewert
Bernardi	Eggleston	Macdonald, Ian	Stott Despoja
Birmingham	Ferguson	McGauran	Troeth
Boswell	Fielding	Milne	Trood
Boyce	Fifield	Minchin	Watson
Brandis	Fisher	Murray	
Brown, Bob	Heffernan	Nettle	

NOES, 23

Senators—

Bishop	Faulkner	McEwen	Stephens
Brown, Carol	Hogg	McLucas	Sterle
Collins	Hurley	Moore	Webber
Conroy	Hutchins	O'Brien	Wong
Crossin	Lundy	Polley	Wortley (Teller)
Evans	Marshall	Sherry	

Question agreed to.

27 FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION AMENDMENT (2008 BUDGET AND OTHER MEASURES) BILL 2008

A message from the House of Representatives was reported indicating that the House had made the amendment requested by the Senate to the following bill:

Message no. 121, dated 25 June 2008—Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (2008 Budget and Other Measures) Bill 2008.

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

28 COMMUNITY AFFAIRS—STANDING COMMITTEE—ADDITIONAL INFORMATION—COST OF LIVING PRESSURES ON OLDER AUSTRALIANS; ALCOHOL TOLL REDUCTION BILL 2007 [2008]; FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION AMENDMENT (EMERGENCY RESPONSE CONSOLIDATION) BILL 2008

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

Community Affairs—Standing Committee—Reports—

A decent quality of life: Inquiry into the cost of living pressures on older Australians—Additional information.

Alcohol Toll Reduction Bill 2007 [2008]—Additional information.

Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Emergency Response Consolidation) Bill 2008 [Provisions]—Additional information.

29 PUBLIC WORKS—JOINT STATUTORY COMMITTEE—5TH REPORT OF 2008

Senator Troeth, on behalf of the Parliamentary Standing Committee on Public Works, tabled the following report:

Public Works—Joint Statutory Committee—5th report of 2008—Referrals tabled March 2008, dated June 2008.

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

Question put and passed.

30 SCRUTINY OF BILLS—STANDING COMMITTEE—6TH REPORT AND ALERT DIGEST NO. 6 OF 2008

The Chairman of the Standing Committee for the Scrutiny of Bills (Senator Ellison) tabled the following report and document:

Scrutiny of Bills—Standing Committee—

6th report of 2008, dated 25 June 2008.

Alert Digest No. 6 of 2008, dated 25 June 2008.

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

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

Question put and passed.

31 SENATORS' INTERESTS—STANDING COMMITTEE—REGISTER OF SENATORS' INTERESTS—DOCUMENT

The Chair of the Standing Committee of Senators' Interests (Senator Johnston) tabled the following document:

Senators' Interests—Standing Committee—Register of senators' interests incorporating statements of registrable interests and notifications of alterations of interests of senators lodged between 8 December 2007 and 23 June 2008, dated June 2008.

32 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—REPORT—BUDGET ESTIMATES 2008-09

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

Rural and Regional Affairs and Transport—Standing Committee—Report—Budget estimates 2008-09, dated June 2008, Hansard record of proceedings and documents presented to the committee.

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

33 INTELLIGENCE AND SECURITY—JOINT STATUTORY COMMITTEE—REPORT—REVIEW OF THE RE-LISTING OF THE KURDISTAN WORKERS' PARTY

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

Intelligence and Security—Joint Statutory Committee—Review of the re-listing of the Kurdistan Workers' Party (PKK)—Report, dated June 2008.

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

Question put and passed.

34 TRANSPORT—AVIATION TRAINING PACKAGE—MINISTERIAL STATEMENT—DOCUMENT

The Parliamentary Secretary for Social Inclusion and the Voluntary Sector (Senator Stephens) tabled the following document:

Transport—Aviation training package—Ministerial statement by the Minister for Infrastructure, Transport, Regional Development and Local Government (Mr Albanese), dated 25 June 2008.

35 SOCIAL ISSUES—OLDER AUSTRALIANS—MINISTERIAL STATEMENT—DOCUMENT

The Parliamentary Secretary for Social Inclusion and the Voluntary Sector (Senator Stephens) tabled the following document:

Social issues—Helping older Australians enjoy the movies: Accessible cinema—Ministerial statement by the Minister for Ageing (Ms Elliot), dated 25 June 2008.

**36 HEALTH—60TH ANNIVERSARY OF THE PHARMACEUTICAL BENEFITS SCHEME—
MINISTERIAL STATEMENT—DOCUMENT**

The Parliamentary Secretary for Social Inclusion and the Voluntary Sector (Senator Stephens) tabled the following document:

Health—60th anniversary of the Pharmaceutical Benefits Scheme—Ministerial statement by the Minister for Health and Ageing (Ms Roxon), dated 25 June 2008.

**37 DEPARTMENT OF THE SENATE—REGISTER OF SENATE SENIOR EXECUTIVE
OFFICERS' INTERESTS—DOCUMENT**

The President tabled the following document:

Department of the Senate—Register of Senate senior executive officers' interests incorporating notifications of alterations of interests of Senate senior executive officers lodged between 8 December 2007 and 23 June 2008, dated June 2008.

38 AUDITOR-GENERAL—AUDIT REPORT NO. 44 OF 2007-08—DOCUMENT

The President tabled the following document:

Auditor-General—Audit report no. 44 of 2007-08—Financial statement audit—Interim phase of the audit of financial statements of general government sector agencies for the year ending 30 June 2008.

39 DOCUMENTS

The following documents were tabled by the Clerk:

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

Cross-Border Insolvency Act—Select Legislative Instrument 2008 No. 123—Cross-Border Insolvency Regulations 2008 [F2008L02166]*.

Customs Act—Tariff Concession Order 0803929 [F2008L02109]*.

Financial Management and Accountability Act—Determinations—

2008/31—Section 32 (Transfer of Functions from DBCDE to DIISR) [F2008L02225]*.

2008/32—Section 32 (Transfer of Functions from the former DCITA to DIISR) [F2008L02224]*.

2008/33—Section 32 (Transfer of Functions from DBCDE to Environment) [F2008L02223]*.

Financial Sector (Collection of Data) Act—Select Legislative Instrument 2008 No. 124—Financial Sector (Collection of Data) Regulations 2008 [F2008L02168]*.

Income Tax Assessment Act 1997—Income Tax (Effective Life of Depreciating Assets) Amendment Determination 2008 [F2008L02210]*.

Industrial Chemicals (Notification and Assessment) Act—Select Legislative Instrument 2008 No. 115—Industrial Chemicals (Notification and Assessment) Amendment Regulations 2008 (No. 1) [F2008L01320]*.

Insurance Act and Financial Sector Legislation Amendment (Discretionary Mutual Funds and Direct Offshore Foreign Insurers) Act—Select Legislative Instrument 2008 No. 125—Insurance Amendment Regulations 2008 (No. 1) [F2008L02169]*.

National Measurement Act—Select Legislative Instrument 2008 No. 121—National Measurement Amendment Regulations 2008 (No. 1) [F2008L02135]*.

Patents Act and Trade Marks Act—Select Legislative Instrument 2008 No. 122—Patents and Trade Marks Legislation Amendment Regulations 2008 (No. 1) [F2008L02119]*.

Private Health Insurance Act—Private Health Insurance (Benefit Requirements) Rules 2008 (No. 2) [F2008L02206]*.

Social Security (International Agreements) Act—Select Legislative Instrument 2008 No. 107—Social Security (International Agreements) Act 1999 Amendment Regulations 2008 (No. 1) [F2008L02133]*.

Water Act—Select Legislative Instrument 2008 No. 106—Water Regulations 2008 [F2008L02170]*.

Governor-General's Proclamation—Commencement of provisions of an Act

Telecommunications (Interception and Access) Amendment Act 2008—Items 20 to 25 of Schedule 1—1 July 2008 [F2008L02096].*

* Explanatory statement tabled with legislative instrument.

At 5.30 pm—

40 VALEDICTORY STATEMENTS

Pursuant to order (*see entry no. 3, 17 June 2008*), senators made statements relating to the retirement of senators.

41 ADJOURNMENT

Pursuant to order, the Senate adjourned at 7.53 pm till Thursday, 26 June 2008 at 9.30 am.

42 ATTENDANCE

Present, all senators except Senators Campbell, Fierravanti-Wells*, Forshaw*, Mason and Nash* (* on leave).

HARRY EVANS
Clerk of the Senate