

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 44

THURSDAY, 13 NOVEMBER 2008

**Contents**

1	Meeting of Senate.....	1193
2	Order of Business—Rearrangement.....	1193
3	Regional and Remote Indigenous Communities—Select Committee—Leave to Meet During Sitting.....	1193
4	Legal and Constitutional Affairs—Standing Committee—Reference.....	1193
5	Health—World Diabetes Day.....	1194
6	Rural and Regional Affairs and Transport—Standing Committee— Extension of Time to Report.....	1195
7	Health—World Diabetes Day.....	1195
8	Select Committees—Variation of Appointment.....	1195
9	Foreign Affairs—Somalia—Human Rights.....	1196
10	Environment—Global Population.....	1196
11	Men’s Health—Select Committee—Appointment.....	1197
12	International Transgender Day of Remembrance.....	1198
13	Integrity of the Prime Minister’s Office—Select Committee—Proposed Appointment.....	1198
14	Publications—Standing Committee—7th Report.....	1200
15	Committees—Additional Information—Budget Estimates 2007-08 and 2008-09.....	1204
16	Great Barrier Reef Marine Park and Other Legislation Amendment Bill 2008.....	1205
17	Australian Organ and Tissue Donation and Transplantation Authority Bill 2008.....	1205
18	Community Affairs—Standing Committee—Report—Social Security and Veterans’ Entitlements Legislation Amendment (Schooling Requirements) Bill 2008.....	1205
19	Finance and Public Administration—Standing Committee—Report—Item 16525 in Part 3 of Schedule 1 to the Health Insurance (General Medical Services Table) Regulations 2007.....	1205
20	Rural and Regional Affairs and Transport—Standing Committee— Report—Annual Reports.....	1206

21	Economics—Standing Committee—Report—Australia’s Mandatory Last Resort Home Warranty Insurance Scheme.....	1206
22	Procedure—Standing Committee—Third Report of 2008—Consideration.....	1206
23	Independent Reviewer of Terrorism Laws Bill 2008 [No. 2] .....	1207
24	Notice.....	1207
25	Order of Business—Rearrangement.....	1208
26	Australian Organ and Tissue Donation and Transplantation Authority Bill 2008.....	1208
27	Customs Amendment (Australia-Chile Free Trade Agreement Implementation) Bill 2008 Customs Tariff Amendment (Australia-Chile Free Trade Agreement Implementation) Bill 2008.....	1208
28	Financial Transaction Reports Amendment (Transitional Arrangements) Bill 2008.....	1209
29	Dairy Adjustment Levy Termination Bill 2008.....	1209
30	Independent Reviewer of Terrorism Laws Bill 2008 [No. 2] .....	1209
31	Community Affairs—Standing Committee—Report—National Rental Affordability Scheme Bill 2008 and National Rental Affordability Scheme (Consequential Amendments) Bill 2008.....	1213
32	Order of Business—Rearrangement.....	1213
33	National Rental Affordability Scheme Bill 2008 National Rental Affordability Scheme (Consequential Amendments) Bill 2008.....	1214
34	Questions.....	1214
35	Motions to Take Note of Answers .....	1214
36	Community Affairs—Standing Committee—Government Response—PET Review of 2000.....	1214
37	Foreign Affairs, Defence and Trade—Joint Standing Committee—Government Response—Review of the Defence Annual Report 2005-06..	1214
38	Public Accounts and Audit—Joint Statutory Committee—Government Response—410th report—Tax administration.....	1214
39	Particulars of Proposed Expenditure and Estimates of Proposed Expenditure for 2008-09 in Relation to the Economic Security Strategy—Documents ..	1215
40	Rural and Regional Affairs and Transport—Standing Committee—Report—Horse Disease Response Levy Bill 2008 and Related Bills.....	1215
41	Selection of Bills—Standing Committee—Report No. 15 of 2008.....	1215
42	Renewable Energy Amendment (Feed-in-Tariff for Electricity) Bill 2008.....	1216
43	Committee Membership.....	1216
44	Government Documents—Orders of the Day—Consideration.....	1216
45	Committee Reports and Government Responses—Orders of the Day—Consideration.....	1225
46	Auditor-General’s Reports—Orders of the Day—Consideration .....	1226
47	Adjournment.....	1227
48	Attendance.....	1227

**1 MEETING OF SENATE**

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

**2 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:

Australian Organ and Tissue Donation and Transplantation Authority Bill 2008.

No. 4 Financial Transaction Reports Amendment (Transitional Arrangements) Bill 2008.

No. 5 Dairy Adjustment Levy Termination Bill 2008.

Question put and passed.

Senator Ludwig moved—That the order of general business for consideration today be as follows:

(a) general business order of the day no. 76 (Renewable Energy Amendment (Feed-in-Tariff for Electricity) Bill 2008); and

(b) orders of the day relating to government documents.

Question put and passed.

Senator McEwen, by leave and at the request of the Chair of the Rural and Regional Affairs and Transport Committee (Senator Sterle), moved—That business of the Senate order of the day no. 4, relating to the presentation of the report of the Rural and Regional Affairs and Transport Committee on the Horse Disease Response Levy Bill 2008 and two related bills, be postponed till a later hour.

Question put and passed.

**3 REGIONAL AND REMOTE INDIGENOUS COMMUNITIES—SELECT COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Parry, by leave and at the request of the Chair of the Select Committee on Regional and Remote Indigenous Communities (Senator Johnston), moved—That the Select Committee on Regional and Remote Indigenous Communities be authorised to hold a public meeting during the sitting of the Senate today, from 3.30 pm to 5.45 pm.

Question put and passed.

**4 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REFERENCE**

*Document:* Senator Crossin, by leave, tabled the following document:

Personal Property Securities Bill 2008—Exposure draft.

---

Senator Crossin, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 1—That the exposure draft of the Personal Property Securities Bill 2008 be referred to the Legal and Constitutional Affairs Committee for inquiry and report by 24 February 2009.

Question put and passed.

**5 HEALTH—WORLD DIABETES DAY**

Senator Wortley, also on behalf of Senator Barnett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 278—That the Senate—

- (a) notes that:
  - (i) on 20 December 2006, a landmark decision was made by the United Nations General Assembly to adopt Resolution 61/225,
  - (ii) the resolution recognised the risks that diabetes and its complications pose to families, member states and world health and was adopted by consensus,
  - (iii) the resolution declared 14 November as World Diabetes Day,
  - (iv) this resolution joins HIV/AIDS and autism as the only other diseases having its own resolution and declared day of observation,
  - (v) an estimated 246 million people aged between 20 and 79 worldwide have diabetes and this number is expected to grow by 44 per cent reaching 380 million by 2025,
  - (vi) each year 3.8 million adults die from diabetes-related illnesses, representing one death every 10 seconds,
  - (vii) an estimated 7.4 per cent of the Australian population has diabetes, according to the Australian Diabetes, Obesity and Lifestyle (AusDiab) study in 2000, and
  - (viii) according to an AusDiab study the social and medical costs in Australia were estimated in 2002 to total \$6 billion annually;
- (b) acknowledges the work of Professor Martin Silink, AM, MD, FRACP, as President of the International Diabetes Federation and his colleagues worldwide for their work to ensure that this united resolution was carried;
- (c) recognises that:
  - (i) in the catalogue of chronic illness few conditions would be more needful of attention than the scourge of diabetes,
  - (ii) the prevention and management of diabetes are the responsibility of the whole of society,
  - (iii) parliaments should play a leading role in promoting community education and implementing effective policies and health care for sufferers of this worldwide scourge,
  - (iv) left undiagnosed and untreated, diabetes dramatically affects quality of life and shortens lifespan and its malevolent course inevitably leads to many serious associated health complications, including heart disease, stroke, renal failure, limb amputation and blindness, and
  - (v) unless national governments act to deliver comprehensive policies, the implications for health budgets will be calamitous; and
- (d) calls on the Government to:
  - (i) continue to make diabetes a national health priority,
  - (ii) commission a report by the Australian Institute of Health and Welfare into the health costs of diabetes,
  - (iii) adequately fund best-practice medicine for the treatment of diabetes, and

- (iv) continue to promote healthy lifestyle programs, especially targeted to children and young people.

Question put and passed.

**6 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—  
EXTENSION OF TIME TO REPORT**

Senator McEwen, at the request of Chair of the Rural and Regional Affairs and Transport Committee (Senator Sterle), and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 279—That the time for the presentation of the report of the Rural and Regional Affairs and Transport Committee on natural resource management and conservation challenges be extended to 12 March 2009.

Question put and passed.

**7 HEALTH—WORLD DIABETES DAY**

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 281—That the Senate—

(a) notes that:

- (i) 14 November is World Diabetes Day, which in 2008 is focusing on children and adolescents particularly,
- (ii) there are currently 250 million people worldwide who are living with diabetes,
- (iii) in Australia an estimated 1.5 million people have the disease,
- (iv) people with diabetes are at an increased risk of cardiovascular disease, foot complications, blindness, dental problems, kidney failure and amputations,
- (v) 2 per cent of all Australian deaths are due to diabetes,
- (vi) Indigenous Australians are three times more likely to suffer from diabetes than non-Indigenous Australians,
- (vii) 8 per cent of all Indigenous Australian deaths are due to diabetes, and
- (viii) the relatively low use of the National Diabetes Services Scheme by Indigenous patients; and

(b) calls on the Government to continue:

- (i) its efforts to ensure that people in regional, rural and remote communities have adequate access to the National Diabetes Services Scheme, and
- (ii) to explore means through which the access of Indigenous people to the National Diabetes Services Scheme can be improved.

Question put and passed.

**8 SELECT COMMITTEES—VARIATION OF APPOINTMENT**

Senator Parry, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 282—That the resolutions of appointment of the following select committees, agreed to on the dates indicated, be varied as follows:

- (a) Select Committee on Agricultural and Related Industries, agreed 14 February 2008—omit paragraphs (7) and (9);
- (b) Select Committee on Fuel and Energy, agreed 25 June 2008—omit paragraphs (9) and (11);

- (c) Select Committee on the National Broadband Network, agreed 25 June 2008—omit paragraph (8) and in paragraph (11), omit “, and that the quorum of a subcommittee be 2 members”; and
- (d) Select Committee on Regional and Remote Indigenous Communities, agreed 19 March 2008—omit paragraph (9).

Question put and passed.

#### 9 FOREIGN AFFAIRS—SOMALIA—HUMAN RIGHTS

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. 274—That the Senate—

- (a) notes that in October 2008, 13-year-old Aisha Ibrahim Duhulow was stoned to death for adultery in Kismayo, Somalia, by 50 men in front of 1 000 spectators, after her father reported she had been raped by three men, none of whom were arrested;
- (b) expresses profound distress at this barbaric act against a child;
- (c) condemns the Al-Shabaab militia rebels who arranged the stoning; and
- (d) backs international action to restore peace and human dignity to Somalia.

Question put and passed.

#### 10 ENVIRONMENT—GLOBAL POPULATION

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. 275—That the Senate calls on the Government to develop a white paper on population during this period of government which takes into account:

- (a) projections of a global population of between 9 to 10 billion people by 2050;
- (b) the inability of the Earth to provide for 9 to 10 billion people if average resource consumption is to be at current levels in Australia;
- (c) climate change;
- (d) Australia’s inability to host exponential population growth; and
- (e) the wellbeing of future generations and life on Earth.

Question put.

The Senate divided—

AYES, 6

Senators—

Brown, Bob  
Hanson-Young

Ludlam  
Milne

Siewert (Teller)

Xenophon

## NOES, 47

Senators—

Adams	Coonan	Furner	Minchin
Bernardi	Cormann	Hogg	Moore
Bilyk	Crossin	Humphries	Nash
Boswell	Eggleston	Hurley	Parry (Teller)
Boyce	Farrell	Hutchins	Polley
Brandis	Feeney	Ludwig	Pratt
Brown, Carol	Ferguson	Lundy	Stephens
Cameron	Fielding	Macdonald	Sterle
Cash	Fierravanti-Wells	Marshall	Williams
Colbeck	Fifield	McEwen	Wong
Collins	Fisher	McGauran	Wortley
Conroy	Forshaw	McLucas	

Question negatived.

**11 MEN'S HEALTH—SELECT COMMITTEE—APPOINTMENT**

Senator Bernardi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 276—

- (1) That a select committee, to be known as the Select Committee on Men's Health, be established to inquire into and report by 30 May 2009 on:
 

General issues related to the availability and effectiveness of education, supports and services for men's health, including but not limited to:

  - (i) level of Commonwealth, state and other funding addressing men's health, particularly prostate cancer, testicular cancer, and depression,
  - (ii) adequacy of existing education and awareness campaigns regarding men's health for both men and the wider community,
  - (iii) prevailing attitudes of men towards their own health and sense of wellbeing and how these are affecting men's health in general, and
  - (iv) the extent, funding and adequacy for treatment services and general support programs for men's health in metropolitan, rural, regional and remote areas.
- (2) 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 party or independent senators.
- (3)
  - (a) Participating members may be appointed to the committee on the nominations of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate or any minority party or independent senator;
  - (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.
- (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 chair of the committee may, from time to time, appoint another member of the committee to be the deputy chair of the committee, and that the member so appointed act as chair of the committee at any time when there is no chair or the chair is not present at a meeting of the committee.
- (7) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.
- (8) 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.
- (9) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings, the evidence taken and such interim recommendations as it may deem fit.
- (10) 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.
- (11) 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.

Question put and passed.

## **12 INTERNATIONAL TRANSGENDER DAY OF REMEMBRANCE**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 277—That the Senate—

- (a) notes that:
  - (i) Thursday, 20 November 2008, marks the 10th International Transgender Day of Remembrance, and
  - (ii) this day of action was established as a reminder of those who have been killed as a result of anti-gender hatred or prejudice; and
- (b) recognises the work of the Human Rights and Equal Opportunity Commission in their consultation with the sex and gender diverse community in how they can assist in promoting and protecting the human rights of people who are transgender, transsexual or intersex.

Question put and passed.

## **13 INTEGRITY OF THE PRIME MINISTER'S OFFICE—SELECT COMMITTEE—PROPOSED APPOINTMENT**

The Leader of the Family First Party (Senator Fielding) amended general business notice of motion no. 280 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—

- (1) That a select committee, to be known as the Select Committee on the Integrity of the Prime Minister's Office, be established to inquire into and report by 3 December 2008 on:
  - (a) the reported leak of the telephone conversation between the Prime Minister of Australia and the President of the United States of America on 10 October 2008;

- (b) the role and any involvement of the Prime Minister's office in relation to the leak;
  - (c) the role and any involvement of the 'Note Taker', who was with the Prime Minister listening in on the telephone conversation, and any other person present or listening (if any) in regards to the leak;
  - (d) the role and any involvement of any of the persons, present at the location where and when the telephone conversation was made, in regards to the leak;
  - (e) the role of any ministerial staffer or public servant in regards to the leak;
  - (f) the role of any member of the media in regards to the leak;
  - (g) why the Australian Federal Police have not been asked to investigate the leak, especially if it is the view the conversation was leaked by either a ministerial staffer or public servant without the authority of the Prime Minister;
  - (h) the reported complaint by the United States Ambassador about the leak;
  - (i) the impact of the leak on undermining Australia's reputation and trustworthiness of the Prime Minister's office; and
  - (j) the ongoing consequences of the leak for relationships between Australia and the United States and any other country.
- (2) That the committee consist of 8 members, 3 nominated by the Leader of the Government in the Senate, 3 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 other minority party or independent senator.
- (a) On the nominations of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and any minority party 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 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.
- (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 a Government member as its chair.
- (5) 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.
- (6) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.
- (7) That the quorum of the committee be 5 members.

- (8) That the committee have power to send for and examine persons and documents, but that no journalist shall be asked to reveal their source, 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.
- (9) In exercising its power in accordance with paragraph (8), for the avoidance of doubt, the committee is empowered to send for:
- (a) ministers and ministerial advisers; and
  - (b) officers of the security and police services.
- (10) 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.
- (11) 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.

Question put.

The Senate divided—

AYES, 32

Senators—

Adams	Coonan	Heffernan	Nash
Birmingham	Cormann	Humphries	Parry (Teller)
Boswell	Eggleston	Johnston	Payne
Boyce	Ferguson	Joyce	Ronaldson
Brandis	Fielding	Kroger	Ryan
Bushby	Fierravanti-Wells	Macdonald	Scullion
Cash	Fifield	Mason	Troeth
Colbeck	Fisher	McGauran	Trood

NOES, 32

Senators—

Bilyk	Farrell	Ludlam	Polley
Bishop	Feeney	Ludwig	Pratt
Brown, Bob	Forshaw	Lundy	Siewert
Brown, Carol	Furner	Marshall	Stephens
Cameron	Hanson-Young	McEwen (Teller)	Sterle
Collins	Hogg	McLucas	Wong
Conroy	Hurley	Milne	Wortley
Crossin	Hutchins	Moore	Xenophon

The ayes and noes were equal and so the question was negatived.

*Statements by leave:* Senator Parry, the Minister for Human Services (Senator Ludwig) and Senator Brandis, by leave, made statements relating to the motion.

**14 PUBLICATIONS—STANDING COMMITTEE—7TH REPORT**

Senator McEwen, at the request of the Chair of the Standing Committee on Publications (Senator Carol Brown), tabled the following report:

PUBLICATIONS COMMITTEE

7TH REPORT

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

The Committee, having considered documents presented to the Parliament since 23 October 2008, recommends that the following be printed:

- Administrative Review Council—Report for 2007-08.
- Aged Care Commissioner—Report for 2007-08.
- Aged Care Standards and Accreditation Agency Ltd—Report for 2007-08.
- Airservices Australia—Report for 2007-08.
- Albury–Wodonga Development Corporation—Report for 2007-08.
- Australia Council for the Arts (Australia Council)—Report for 2007-08.
- Australian Centre for International Agricultural Research—Report for 2007-08.
- Australian Commission for Law Enforcement Integrity—Report of the Integrity Commissioner for 2007-08.
- Australian Communications and Media Authority—Report for 2007-08.
- Australian Customs Service—Report for 2007-08.
- Australian Electoral Commission (AEC)—Report for 2007-08.
- Australian Fair Pay Commission—Report for 2007-08.
- Australian Fair Pay Commission Secretariat—Report for 2007-08.
- Australian Government Solicitor (AGS)—Report for 2007-08.
- Australian Hearing Services (Australian Hearing)—Report for 2007-08.
- Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)—Report for 2007-08.
- Australian National Maritime Museum—Report for 2007-08.
- Australian Nuclear Science and Technology Organisation (ANSTO)—Report for 2007-08.
- Australian Prudential Regulation Authority (APRA)—Report for 2007-08.
- Australian Reward Investment Alliance (ARIA)—Report for 2007-08, including financial statements for Commonwealth Superannuation Scheme, Public Sector Superannuation Scheme and Public Sector Superannuation Accumulation Plan.
- Australian Securities and Investments Commission (ASIC)—Report for 2007-08.
- Australian Sports Anti-Doping Authority—Report for 2007-08.
- Australian Sports Commission—Report for 2007-08, including financial statements for the Australian Sports Foundation Limited.
- Australian Trade Commission (Austrade)—Report for 2007-08.
- Australian War Memorial—Report for 2007-08.
- Bureau of Meteorology—Report for 2007-08.
- Cancer Australia—Report for 2007-08.
- Civil Aviation Safety Authority (CASA)—Report for 2007-08.
- Comcare—Report for 2007-08.
- Commissioner for Superannuation (ComSuper)—Report for 2007-08.
- Commonwealth Grants Commission—Report for 2007-08.
- Commonwealth Services Delivery Agency (Centrelink)—Report for 2007-08.
- Cotton Research and Development Corporation—Report for 2007-08.
- Dairy Adjustment Authority—Report for 2007-08.
- Defence Housing Australia—Report for 2007-08.
- Department of Broadband, Communications and the Digital Economy—Report for 2007-08 [including erratum].

- Department of Climate Change—Report for period 3 December 2007 to 30 June 2008.
- Department of Defence—Reports for 2007-08—  
Volume 1—Department of Defence, including report on the administration and operation of the *Defence Force (Home Loans Assistance) Act 1990*.  
Volume 2—Defence Materiel Organisation.
- Department of Education, Employment and Workplace Relations—Report for 2007-08—  
Volume 1.  
Volume 2.
- Department of Finance and Deregulation—Report for 2007-08.
- Department of Foreign Affairs and Trade—Reports for 2007-08—  
Volume 1—Department of Foreign Affairs and Trade.  
Volume 2—Australian Agency for International Development (AusAID).
- Department of Health and Ageing—Report for 2007-08, including financial statements for the Therapeutic Goods Administration.
- Department of Human Services—Report for 2007-08, including financial statements for CRS Australia.
- Department of Immigration and Citizenship—Report for 2007-08, including report on the operation of the *Immigration (Education) Act 1971*.
- Department of Infrastructure, Transport, Regional Development and Local Government—Report for 2007-08.
- Department of Resources, Energy and Tourism—Report for the period 3 December 2007 to 30 June 2008.
- Department of the Environment, Water, Heritage and the Arts—Reports for 2007-08—  
Volume 1—Department of the Environment, Water, Heritage and the Arts.  
Volume 2—Legislation.
- Department of the Treasury—Report for 2007-08.
- Director of National Parks—Report for 2007-08.
- Family Court of Australia—Report for 2006-07—correction.
- Family Law Council—Report for 2007-08.
- Federal Court of Australia—Report for 2007-08.
- Financial Reporting Council, Australian Accounting Standards Board and Auditing and Assurance Standards Board—Reports for 2007-08.
- Food Standards Australia New Zealand—Report for 2007-08.
- Gene Technology Regulator—Report for 2007-08.
- Grains Research and Development Corporation (GRDC)—Report for 2007-08.
- Grape and Wine Research and Development Corporation—Report for 2007-08.
- Human Rights and Equal Opportunity Commission—Report for 2007-08.
- Indigenous Business Australia—Report for 2007-08.
- Land and Water Resources Research and Development Corporation (Land & Water Australia)—Report for 2007-08.
- Medicare Australia—Report for 2007-08.
- Migration Agents Registration Authority (MARA)—Report for 2007-08.
- Migration Review Tribunal and Refugee Review Tribunal—Report for 2007-08.
- National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2007-08.

National Industrial Chemicals Notification and Assessment Scheme (NICNAS)—Report for 2007-08 on the operation of the *Industrial Chemicals (Notification and Assessment) Act 1989*.

National Library of Australia—Report for 2007-08.

National Museum of Australia—Report for 2007-08.

National Native Title Tribunal—Report for 2007-08.

National Residue Survey—Report for 2007-08.

National Transport Commission (NTC Australia)—Report for 2007-08.

Office of Parliamentary Counsel—Report for 2007-08.

Office of the Director of Public Prosecutions (DPP)—Report for 2007-08.

Office of the Official Secretary to the Governor-General—Report for 2007-08.

*Privacy Act 1988*—Report for 2007-08 on the operation of the Act, including financial statements for the Office of the Privacy Commissioner.

Private Health Insurance Administration Council—Report for 2007-08.

Productivity Commission—Report for 2007-08.

Professional Services Review—Report for 2007-08.

Repatriation Commission, Military Rehabilitation and Compensation Commission, National Treatment Monitoring Committee and the Department of Veterans' Affairs—Reports for 2007-08, including financial statements for the Defence Service Homes Insurance Scheme.

Repatriation Medical Authority—Report for 2007-08.

Royal Australian Mint—Report for 2007-08.

Rural Industries Research and Development Corporation (RIRDC)—Report for 2007-08.

Safety, Rehabilitation and Compensation Commission (SRCC)—Report for 2007-08.

Seafarers Safety, Rehabilitation and Compensation Authority (Seacare)—Report for 2007-08.

Services Trust Funds—Royal Australian Navy Relief Trust Fund, Australian Military Forces Relief Trust Fund and Royal Australian Air Force Welfare Trust Fund—Reports for 2007-08.

Social Security Appeals Tribunal—Report for 2007-08.

Supervising Scientist—Report for 2007-08 on the operation of the *Environment Protection (Alligator Rivers Region) Act 1978*.

Tourism Australia—Report for 2007-08.

Veterans' Review Board—Report for 2007-08.

Wet Tropics Management Authority—Report for 2007-08, including State of the Wet Tropics report for 2007-08.

Workplace Authority—Report for 2007-08.

Senator Carol Brown

Chair

13 November 2008.

Senator McEwen moved—That the report be adopted.

Question put and passed.

**15 COMMITTEES—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2007-08 AND 2008-09**

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

**Budget estimates 2007-08—**

Rural and Regional Affairs and Transport—Standing Committee—Additional information received on 29 October 2008—Agriculture, Fisheries and Forestry portfolio.

**Budget estimates 2008-09—**

Community Affairs—Standing Committee—Additional information received between—

4 September and 2 October 2008—

Families, Housing, Community Services and Indigenous Affairs portfolio.

Health and Ageing portfolio.

22 October and 5 November 2008—Health and Ageing portfolio.

23 October and 5 November 2008—Families, Housing, Community Services and Indigenous Affairs portfolio.

Education, Employment and Workplace Relations—Standing Committee—Additional information received between 16 October and 12 November 2008—Education, Employment and Workplace Relations portfolio.

Environment, Communications and the Arts—Standing Committee—Additional information received on 10 October 2008—National Gallery of Australia.

Finance and Public Administration—Standing Committee—Additional information received between 25 September and 13 November 2008—Parliamentary departments.

Rural and Regional Affairs and Transport—Standing Committee—Additional information received between 15 October and 11 November 2008—Infrastructure, Transport, Regional Development and Local Government portfolio.

**Budget estimates 2008-09 (supplementary)—**

Community Affairs—Standing Committee—Hansard record of proceedings.

Education, Employment and Workplace Relations—Standing Committee—Additional information received between 22 October and 23 October 2008—Education, Employment and Workplace Relations portfolio.

Environment, Communications and the Arts—Standing Committee—Hansard record of proceeding and additional information received between 20 October and 21 October 2008—

Broadband, Communications and the Digital Economy portfolio.

Environment, Water, Heritage and the Arts portfolio.

Finance and Public Administration—Standing Committee—Additional information received between 25 September and 13 November 2008—

Finance and Deregulation portfolio.

Human Services portfolio.

Parliamentary departments.

Prime Minister and Cabinet portfolio.

**16 GREAT BARRIER REEF MARINE PARK AND OTHER LEGISLATION AMENDMENT  
BILL 2008**

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

Message no. 203, dated 12 November 2008—Great Barrier Reef Marine Park and Other Legislation Amendment Bill 2008.

*Statement by leave:* Senator Macdonald, by leave, made a statement relating to the matter.

**17 AUSTRALIAN ORGAN AND TISSUE DONATION AND TRANSPLANTATION AUTHORITY  
BILL 2008**

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

Message no. 202, dated 12 November 2008—A Bill for an Act to establish the Australian Organ and Tissue Donation and Transplantation Authority, and for other purposes.

The Minister for Human Services (Senator Ludwig) 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 Ludwig moved—That this bill be now read a second time.

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

**18 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—SOCIAL SECURITY  
AND VETERANS' ENTITLEMENTS LEGISLATION AMENDMENT (SCHOOLING  
REQUIREMENTS) BILL 2008**

Pursuant to order, Senator McEwen, at the request of the Chair of the Community Affairs Committee (Senator Moore), tabled the following report and documents:

Community Affairs—Standing Committee—Social Security and Veterans' Entitlements Legislation Amendment (Schooling Requirements) Bill 2008 [Provisions]—Report, dated November 2008, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

**19 FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—  
ITEM 16525 IN PART 3 OF SCHEDULE 1 TO THE HEALTH INSURANCE (GENERAL  
MEDICAL SERVICES TABLE) REGULATIONS 2007**

Pursuant to order, the Chair of the Finance and Public Administration Committee (Senator Polley) tabled the following report and documents:

Finance and Public Administration—Standing Committee—Item 16525 in Part 3 of Schedule 1 to the Health Insurance (General Medical Services Table) Regulations 2007—Report, dated November 2008, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

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

Debate ensued.

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

**20 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—REPORT—ANNUAL REPORTS**

Pursuant to order, Senator Crossin, 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—Annual reports referred to committees—Report no. 2 of 2008, dated November 2008.

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

**21 ECONOMICS—STANDING COMMITTEE—REPORT—AUSTRALIA’S MANDATORY LAST RESORT HOME WARRANTY INSURANCE SCHEME**

Pursuant to order, the Chair of the Economics Committee (Senator Hurley) tabled the following report and documents:

Economics—Standing Committee—Australia’s mandatory Last Resort Home Warranty Insurance scheme—Report, dated November 2008, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

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

Debate ensued.

Question put and passed.

**22 PROCEDURE—STANDING COMMITTEE—THIRD REPORT OF 2008—CONSIDERATION**

Order of the day read for the consideration of the Procedure Committee’s third report of 2008.

The Chair of the Procedure Committee (Senator Ferguson) moved—That the report be adopted and the procedures outlined operate as a temporary order for the two weeks of sitting beginning on 24 November 2008.

Debate ensued.

Question put and passed.

**Temporary order—Restructuring question time**

The following operate as a temporary order for the two weeks of sitting beginning on 24 November 2008:

No notice to be given of questions, as at present.

Primary questions to be limited to one minute and the answers to them to two minutes.

Two supplementary questions to be allowed to the questioner.

Supplementary questions and the answers to them to be limited to one minute each.

Answers to be required to be directly relevant to each question, as in the original proposal.

**23 INDEPENDENT REVIEWER OF TERRORISM LAWS BILL 2008 [NO. 2]**

Order of the day read for the adjourned debate on the motion of Senator Troeth—That this bill be now read a second time.

Debate resumed.

Senator Ludlam moved the following amendment:

At the end of the motion, add “but the Senate is of the opinion that it would be more appropriate for the role of independent review of terrorism laws to be carried out by a panel of three members rather than a single Independent Reviewer of Terrorism”.

Debate ensued.

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

Main question put.

The Senate divided—

**AYES, 40**

Senators—

Abetz	Cash	Hanson-Young	Nash
Adams (Teller)	Colbeck	Heffernan	Parry
Barnett	Coonan	Humphries	Payne
Bernardi	Cormann	Kroger	Ryan
Birmingham	Eggleston	Ludlam	Scullion
Boswell	Ellison	Macdonald	Siewert
Boyce	Fielding	Mason	Troeth
Brandis	Fierravanti-Wells	McGauran	Trood
Brown, Bob	Fifield	Milne	Williams
Bushby	Fisher	Minchin	Xenophon

**NOES, 29**

Senators—

Arbib	Evans	Hutchins	Pratt
Bilyk	Farrell	Ludwig	Sherry
Bishop	Faulkner	Lundy	Stephens
Brown, Carol	Feeney	Marshall	Sterle
Cameron	Forshaw	McEwen (Teller)	Wortley
Collins	Furner	McLucas	
Conroy	Hogg	Moore	
Crossin	Hurley	Polley	

Question agreed to.

Bill read a second time.

Senator Coonan, by leave, moved—That consideration of the bill in committee of the whole be made an order of the day for a later hour.

Question put and passed.

**24 NOTICE**

Senator Xenophon gave a notice of motion as follows: To move on the next day of sitting—That the following matters be referred to the Economics Committee for inquiry and report by 4 December 2008:

- (a) the economic, social and employment impacts of the recent mergers among Australian banks;

- (b) the measures available to enforce the conditions on the Westpac Banking Corporation/St George Bank Limited merger and any conditions placed on future bank mergers;
- (c) the capacity for the Australian Competition and Consumer Commission to enforce divestiture in the banking sector if it finds insufficient competition;
- (d) the adequacy of section 50 of the *Trade Practices Act 1974* in preventing further concentration of the Australian banking sector, with specific reference to the merits of a 'public benefit' assessment for mergers;
- (e) the impact of mergers on consumer choice;
- (f) the extent to which Australian banks have 'off-shored' services such as credit card and loan processing, information technology, finance and payroll functions;
- (g) the impact 'off-shoring' has on employment for Australians; and
- (h) alternative approaches to applying section 50 of the *Trade Practices Act 1974* in respect of future mergers, with a focus on alternative approaches to measuring competition.

**25 ORDER OF BUSINESS—REARRANGEMENT**

The Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas) moved—That government business order of the day no. 7 (Customs Amendment (Australia-Chile Free Trade Agreement Implementation) Bill 2008 and a related bill) be considered after the government business order of the day relating to the Australian Organ and Tissue Donation and Transplantation Authority Bill 2008.

Question put and passed.

**26 AUSTRALIAN ORGAN AND TISSUE DONATION AND TRANSPLANTATION AUTHORITY BILL 2008**

Order of the day read for the adjourned debate on the motion of the Minister for Human Services (Senator Ludwig)—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 to the Minister for Health and Ageing (Senator McLucas) the bill was read a third time.

**27 CUSTOMS AMENDMENT (AUSTRALIA-CHILE FREE TRADE AGREEMENT IMPLEMENTATION) BILL 2008  
CUSTOMS TARIFF AMENDMENT (AUSTRALIA-CHILE FREE TRADE AGREEMENT IMPLEMENTATION) BILL 2008**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas)—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 no senator required that they be considered in committee.

On the motion of Senator McLucas the bills were read a third time.

**28 FINANCIAL TRANSACTION REPORTS AMENDMENT (TRANSITIONAL ARRANGEMENTS) BILL 2008**

Order of the day read for the adjourned debate on the motion of the Minister for Innovation, Industry, Science and Research (Senator Carr)—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 to the Minister for Health and Ageing (Senator McLucas) the bill was read a third time.

**29 DAIRY ADJUSTMENT LEVY TERMINATION BILL 2008**

Order of the day read for the adjourned debate on the motion of the Minister for Human Services (Senator Ludwig)—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 to the Minister for Health and Ageing (Senator McLucas) the bill was read a third time.

**30 INDEPENDENT REVIEWER OF TERRORISM LAWS BILL 2008 [NO. 2]**

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

---

*In the committee*

Bill taken as a whole by leave.

Senator Troeth moved the following amendment:

Clause 4, page 2 (lines 13 and 14), omit the definition of *terrorism laws*, substitute:

*terrorism laws* means any proposed or current law or part of a law directed to the prevention, detection or prosecution of a terrorist act and includes, but is not limited to, provisions of the:

- (a) *Criminal Code Act 1995*;
- (b) *Crimes Act 1914*;
- (c) *National Security Information (Criminal and Civil Proceedings) Act 2004*;
- (d) *Australian Federal Police Act 1979*;
- (e) *Australian Security Intelligence Organisation Act 1979*;
- (f) *Financial Transaction Reports Act 1988*;
- (g) *Telecommunications (Interception and Access) Act 1979*.

Senator Ludlam moved the following amendment to Senator Troeth's proposed amendment:

At the end of the definition of *terrorism laws*, add:

- ; (h) any other law or part of a law of the Commonwealth under which a power is conferred or a liability is established in connection with, either directly or indirectly, a terrorist act (whether or not a terrorist act has occurred or will occur).

Question—That Senator Ludlam's amendment to Senator Troeth's proposed amendment be agreed to—put and passed.

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

Senator Troeth moved the following amendment:

Clause 8, page 3 (line 26) to page 4 (line 2), omit the clause, substitute:

### **8 Functions of the Independent Reviewer**

The functions of the Independent Reviewer are:

- (a) at the request of the responsible Minister; or
- (b) at the request of the Parliamentary Joint Committee on Intelligence and Security; or
- (c) on the Independent Reviewer's own motion;

to review terrorism laws in order to assess whether the laws and their operation:

- (d) are an effective and efficient means of preventing, detecting or prosecuting terrorist acts; and
- (e) alter fundamental legal principles, such as habeas corpus; and
- (f) are consistent with Australia's human rights obligations; and
- (g) have any adverse social consequences.

Senator Ludlam moved the following amendments to Senator Troeth's proposed amendment together by leave:

At the end of paragraph 8(c), add “, at least every 2 years”.

Paragraph 8(f), after “human rights”, insert “, privacy and other international”.

After paragraph 8(f), insert:

- (fa) continue to be necessary; and
- (fb) are proportional to the extant threat of terrorism; and

At the end of clause 8, add:

- (2) The Independent Reviewer also has the following additional functions:
  - (a) investigation of the manner in which relevant law enforcement agencies interpret and implement terrorism laws; and
  - (b) investigation of the use of their powers by relevant law enforcement agencies in interpreting and implementing terrorism law.
- (3) The Independent Reviewer may, of his or her own motion:
  - (a) make submissions to parliamentary or other committees examining bills making, amending or otherwise affecting terrorism laws; and
  - (b) participate in reviews of terrorism laws, such as reviews by the Council of Australian Governments.

Question—That Senator Ludlam’s amendments to Senator Troeth’s proposed amendment be agreed to—put and passed.

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

On the motion of Senator Ludlam the following amendment was agreed to:

Clause 9, page 4 (line 12), omit “must”, substitute “may”.

On the motion of Senator Troeth the following amendments, taken together by leave, were agreed to:

Clause 9, page 4 (line 14), before “Australian Security”, insert “the”.

Clause 11, page 6 (line 16), after “Reviewer”, insert “under this section”.

On the motion of Senator Troeth the following amendments, taken together by leave, were agreed to:

Clause 10, page 5 (lines 5 to 8), omit subclause (4), substitute:

- (4) Where the Independent Reviewer takes possession of, makes copies of, or takes extracts from documents, the documents, copies or extracts, as the case may be, will be held securely by the Independent Reviewer and within 6 months of the completion of the review:
  - (a) original documents or extracts from documents received from agencies must be returned to those agencies; and
  - (b) copies of documents or copies of extracts from documents held by the Independent Reviewer must be destroyed.

Page 5 (after line 21), after clause 10, insert:

#### **10A Offences**

A person who after being given a notice under subsection 10(1) or 10(5) fails to comply with the notice when required to do so or fails to answer a question that the Independent Reviewer requires the person to answer is guilty of an offence punishable on conviction:

- (a) in the case of a natural person—by a fine not exceeding \$1,000 or imprisonment for a period not exceeding 6 months or both; or
- (b) in the case of a body corporate—by a fine not exceeding \$5,000.

On the motion of Senator Ludlam the following amendment was debated and agreed to:

Clause 10, page 5 (after line 13), after subclause (5), insert:

- (5A) If a person is required to attend before the Independent Reviewer under subsection (5), the Independent Reviewer may:
  - (a) require the person, before answering questions, either to take an oath or to make an affirmation in a form approved by the Independent Reviewer; and
  - (b) administer an oath or affirmation to the person.

On the motion of Senator Troeth the following amendments, taken together by leave, were agreed to:

Clause 11, page 6 (lines 6 to 15), omit subclause (3).

Page 6 (after line 19), after clause 11, insert:

**11B Annual report**

- (1) The Independent Reviewer must, as soon as practicable after each 30 June, prepare and provide to the Prime Minister a report of the operations of the Independent Reviewer during the year that ended on that 30 June.
- (2) The Prime Minister must cause a copy of a report provided under subsection (1) to be presented to each House of the Parliament as soon as practicable after the report is presented to the Prime Minister, subject to the Independent Reviewer's certification that the report should be so presented and to the deletion of any part the publication of which the Independent Reviewer certifies may adversely affect national security or which the Independent Reviewer certifies should not be published on other compelling grounds.

On the motion of Senator Troeth the following amendment was agreed to:

Page 6 (after line 19), after clause 11, insert:

**11A Protection from civil action**

- (1) Neither the Independent Reviewer, nor a person acting on behalf of the Independent Reviewer, is liable to an action or other proceeding for damages for or in relation to any act done or omitted to be done in good faith in performance or purported performance of any function or in exercise or purported exercise of any power conferred on the Independent Reviewer.
- (2) Where:
  - (a) a complaint has been made to the Independent Reviewer; or
  - (b) a document has been produced, or information or evidence has been given to the Independent Reviewer;
 a person is not liable to an action, suit or proceeding in respect of loss, damage or injury of any kind suffered by another person by reason only that the complaint was made, the document was produced or the evidence was given.

Senator Ludlam moved the following amendment:

Clause 12, page 7 (line 5), omit "5 years", substitute "3 years".

Debate ensued.

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

On the motion of Senator Troeth the following amendments, taken together by leave, were debated and agreed to:

Page 7 (after line 10), after clause 12, insert:

**12A Remuneration**

- (1) Subject to this section, the Independent Reviewer must be paid such remuneration as is determined by the Remuneration Tribunal but, if no determination of that remuneration is in operation, the Independent Reviewer must be paid such remuneration as is prescribed.
- (2) The Independent Reviewer must be paid such allowances as are prescribed.

- (3) Subsections (1) and (2) have effect subject to the *Remuneration Tribunal Act 1973*.

Page 7 (after line 14), after clause 13, insert:

**13A Staff**

- (1) The staff necessary to assist the Independent Reviewer must be persons engaged under the *Public Service Act 1999*.
- (2) For the purposes of the *Public Service Act 1999*:
- (a) the Independent Reviewer and the APS employees assisting the Independent Reviewer together constitute a Statutory Agency; and
- (b) the Independent Reviewer is the Head of that Statutory Agency.

Bill, as amended, agreed to.

Bill to be reported with amendments.

---

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

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

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

Debate ensued.

Question put and passed.

Bill read a third time.

**31 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—NATIONAL RENTAL AFFORDABILITY SCHEME BILL 2008 AND NATIONAL RENTAL AFFORDABILITY SCHEME (CONSEQUENTIAL AMENDMENTS) BILL 2008**

The Acting Deputy President (Senator Bishop) tabled the following report and documents received on 12 November 2008:

Community Affairs—Standing Committee—National Rental Affordability Scheme Bill 2008 [Provisions] and National Rental Affordability Scheme (Consequential Amendments) Bill 2008 [Provisions]—Report, dated November 2008, Hansard record of proceedings, additional information and submissions.

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

**32 ORDER OF BUSINESS—REARRANGEMENT**

The Minister for Climate Change and Water (Senator Wong), by leave, moved—That the government business order of the day for 20 November 2008 for the consideration of the National Rental Affordability Scheme Bill 2008 and a related bill be called on immediately.

Question put and passed.

**33 NATIONAL RENTAL AFFORDABILITY SCHEME BILL 2008****NATIONAL RENTAL AFFORDABILITY SCHEME (CONSEQUENTIAL AMENDMENTS)  
BILL 2008**

Order of the day read for the adjourned debate on the motion of the Minister for Superannuation and Corporate Law (Senator Sherry)—That these bills be now read a second time.

Debate resumed.

*At 2 pm:* Debate was interrupted while Senator Payne was speaking.

**34 QUESTIONS**

Questions without notice were answered.

**35 MOTIONS TO TAKE NOTE OF ANSWERS**

Senator Macdonald moved—That the Senate take note of answers given by the Minister for Climate Change and Water (Senator Wong) to questions without notice asked by Opposition senators today.

Debate ensued.

Question put and passed.

Senator Siewert moved—That the Senate take note of the answer given by the Special Minister of State (Senator Faulkner) to a question without notice asked by Senator Siewert today relating to Greenpeace activists imprisoned in Japan.

Question put and passed.

**36 COMMUNITY AFFAIRS—STANDING COMMITTEE—GOVERNMENT RESPONSE—PET  
REVIEW OF 2000**

The Minister for Climate Change and Water (Senator Wong) tabled the following document:

Community Affairs—Standing Committee—Report—A matter relating to the PET review of 2000—Government response.

**37 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—  
GOVERNMENT RESPONSE—REVIEW OF THE DEFENCE ANNUAL REPORT 2005-06**

The Minister for Climate Change and Water (Senator Wong) tabled the following document:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Review of the Defence annual report 2005-06—Government response.

**38 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—GOVERNMENT  
RESPONSE—410TH REPORT—TAX ADMINISTRATION**

The Minister for Climate Change and Water (Senator Wong) tabled the following document:

Public Accounts and Audit—Joint Statutory Committee—410th report—Tax administration—Government response.

**39 PARTICULARS OF PROPOSED EXPENDITURE AND ESTIMATES OF PROPOSED EXPENDITURE FOR 2008-09 IN RELATION TO THE ECONOMIC SECURITY STRATEGY—DOCUMENTS**

The Minister for Climate Change and Water (Senator Wong) tabled the following documents:

Particulars of certain proposed expenditure in relation to the economic security strategy in respect of the year ending on 30 June 2009.

Particulars of proposed expenditure in relation to the economic security strategy in respect of the year ending on 30 June 2009.

Estimates of proposed expenditure in relation to the economic security strategy 2008-09—Portfolio supplementary estimates statements 2008-09—Portfolios—

Defence.

Education, Employment and Workplace Relations.

Families, Housing, Community Services and Indigenous Affairs.

Treasury.

**40 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—REPORT—HORSE DISEASE RESPONSE LEVY BILL 2008 AND RELATED BILLS**

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

Rural and Regional Affairs and Transport—Standing Committee—Horse Disease Response Levy Bill 2008, Horse Disease Response Levy Collection Bill 2008 and Horse Disease Response Levy (Consequential Amendments) Bill 2008—Report, dated November 2008.

Report ordered to be printed on the motion of Senator Carol Brown.

**41 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 15 OF 2008**

Senator Carol Brown, by leave and at the request of the Acting Chair of the Selection of Bills Committee (Senator McEwen), tabled the following report:

SELECTION OF BILLS COMMITTEE

REPORT NO. 15 OF 2008

1. The committee met in private session on Thursday, 13 November 2008 at 1.33 pm.
2. The committee resolved to recommend—That—
  - (a) the *provisions* of the Corporations Amendment (Short Selling) Bill 2008 be *referred immediately* to the Economics Committee for inquiry and report by 27 November 2008; and
  - (b) the Plebiscite for an Australian Republic Bill 2008 be *referred immediately* to the Finance and Public Administration Committee for inquiry and report by 10 March 2009.
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
  - Australian Curriculum, Assessment and Reporting Authority Bill 2008
  - Renewable Energy Amendment (Feed-in-Tariff for Electricity) Bill 2008
  - Social Security and Other Legislation Amendment (Economic Security Strategy) Bill 2008.

*The committee recommends accordingly.*

4. The committee deferred consideration of the Tax Agent Services Bill 2008 to its next meeting.

Anne McEwen  
Acting Chair  
13 November 2008.

Senator Carol Brown moved—That the report be adopted.

Question put and passed.

*General business was called on.*

**42 RENEWABLE ENERGY AMENDMENT (FEED-IN-TARIFF FOR ELECTRICITY)  
BILL 2008**

Order of the day read for the adjourned debate on the motion of Senator Milne—That this bill be now read a second time.

Debate resumed.

*At 6 pm:* Debate was interrupted while Senator Arbib was speaking.

**43 COMMITTEE MEMBERSHIP**

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

The Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas), by leave, moved—That senators be appointed to the Select Committee on Men's Health as follows:

Senators Adams, Bernardi, Troeth and Williams

Participating members: Senators Abetz, Barnett, Birmingham, Boswell, Boyce, Brandis, Bushby, Cash, Colbeck, Coonan, Cormann, Eggleston, Ellison, Ferguson, Fierravanti-Wells, Fifield, Fisher, Heffernan, Humphries, Johnston, Joyce, Kroger, Macdonald, Mason, McGauran, Minchin, Nash, Parry, Payne, Ronaldson, Ryan, Scullion and Trood.

Question put and passed.

**44 GOVERNMENT DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION**

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

Great Barrier Reef Marine Park Authority—Report for 2006-07. Motion of Senator Macdonald to take note of document agreed to.

Regional Forest Agreement between the Commonwealth and Tasmania—Report—Inquiry on the progress with implementation of the Tasmanian Regional Forest Agreement (1997)—Second five yearly review, dated February 2008. Motion of Senator Macdonald to take note of document agreed to.

AusLink—Report for 2006-07. Motion of Senator Macdonald to take note of document agreed to.

Indigenous Business Australia—Corporate plan 2008-2013. Motion of Senator Macdonald to take note of document agreed to.

Regional Telecommunications Independent Review Committee—Regional telecommunications review: Framework for the future—Report, September 2008. Motion of Senator Nash to take note of document agreed to.

Australian Maritime Safety Authority—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Commissioner for Superannuation (ComSuper)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Nuclear Science and Technology Organisation (ANSTO)—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Bushby debate was adjourned till Thursday at general business.

Repatriation Commission, Military Rehabilitation and Compensation Commission, National Treatment Monitoring Committee and Department of Veterans' Affairs—Reports for 2007-08, including financial statements for the Defence Service Homes Insurance Scheme. Motion of Senator Williams to take note of document agreed to.

Department of Climate Change—Report for period 3 December 2007 to 30 June 2008. Motion of Senator Williams to take note of document agreed to.

Australian National Maritime Museum—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Director of National Parks—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Department of Veterans' Affairs—Data matching program—Report on progress 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Learning and Teaching Council (formerly The Carrick Institute for Learning and Teaching in Higher Education Limited)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

National Offshore Petroleum Safety Authority (NOPSA)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Gene Technology Regulator—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Defence Housing Australia—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Dairy Adjustment Authority—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Department of the Treasury—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Financial Reporting Council—Report for 2007-08 on auditor independence. Motion of Senator Williams to take note of document agreed to.

Financial Reporting Council, Australian Accounting Standards Board and Auditing and Assurance Standards Board—Reports for 2007-08. Motion of Senator Williams to take note of document agreed to.

Social Security Appeals Tribunal—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Rural Industries Research and Development Corporation (RIRDC)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Land and Water Resources Research and Development Corporation (Land & Water Australia)—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Bushby debate was adjourned till Thursday at general business.

Commonwealth Grants Commission—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Securities and Investments Commission (ASIC)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2007-08. Motion of Senator Williams to take note of document agreed to.

Department of Foreign Affairs and Trade—Reports for 2007-08—

Volume 1—Department of Foreign Affairs and Trade.

Volume 2—Australian Agency for International Development (AusAID).

—Motion of Senator Williams to take note of documents agreed to.

Australian War Memorial—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Bureau of Meteorology—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Bushby debate was adjourned till Thursday at general business.

National Library of Australia—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australia Council for the Arts (Australia Council)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Centre for International Agricultural Research—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Bushby debate was adjourned till Thursday at general business.

Department of Human Services—Report for 2007-08, including financial statements for CRS Australia. Motion of Senator Williams to take note of document agreed to.

Australian Communications and Media Authority—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Bushby debate was adjourned till Thursday at general business.

Royal Australian Mint—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Companies Auditors and Liquidators Disciplinary Board (CALDB)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Financial Reporting Panel—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Reinsurance Pool Corporation (ARPC)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Corporations and Markets Advisory Committee—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

National Australia Day Council Limited—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Reward Investment Alliance (ARIA)—Report for 2007-08, including financial statements for Commonwealth Superannuation Scheme, Public Sector Superannuation Scheme and Public Sector Superannuation Accumulation Plan. Motion of Senator Williams to take note of document agreed to.

Seafarers Safety, Rehabilitation and Compensation Authority (Seacare)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Comcare—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Safety, Rehabilitation and Compensation Commission (SRCC)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Aged Care Standards and Accreditation Agency Ltd—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Cancer Australia—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Department of Finance and Deregulation—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Airservices Australia—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Bushby debate was adjourned till Thursday at general business.

Department of Infrastructure, Transport, Regional Development and Local Government—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Bushby debate was adjourned till Thursday at general business.

Professional Services Review—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

National Residue Survey—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Wet Tropics Management Authority—Report for 2007-08, including State of the Wet Tropics report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Bushby debate was adjourned till Thursday at general business.

Bundanon Trust Limited—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australia Business Arts Foundation Ltd—Financial statements for 2007-08. Motion of Senator Williams to take note of document agreed to.

Public Lending Right Committee—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Trade Commission (Austrade)—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Bushby debate was adjourned till Thursday at general business.

Australian Customs Service—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Bushby debate was adjourned till Thursday at general business.

Medicare Australia—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Food Standards Australia New Zealand—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Commission for Law Enforcement Integrity—Report of the Integrity Commissioner for 2007-08. Motion of Senator Williams to take note of document agreed to.

Superannuation Complaints Tribunal—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Office of Financial Management (AOFM)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Takeovers Panel—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Department of Immigration and Citizenship—Report for 2007-08, including report on the operation of the *Immigration (Education) Act 1971*. Motion of Senator Williams to take note of document agreed to.

Department of Resources, Energy and Tourism—Report for the period 3 December 2007 to 30 June 2008. Motion of Senator Williams to take note of document called on. On the motion of Senator Bushby debate was adjourned till Thursday at general business.

Veterans' Review Board—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Department of Health and Ageing—Report for 2007-08, including financial statements for the Therapeutic Goods Administration. Motion of Senator Williams to take note of document agreed to.

Defence Force Remuneration Tribunal—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Commonwealth Services Delivery Agency (Centrelink)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Department of Defence—Reports for 2007-08—

Volume 1—Department of Defence, including report on the administration and operation of the *Defence Force (Home Loans Assistance) Act 1990*.

Volume 2—Defence Materiel Organisation.

—Motion of Senator Williams to take note of documents agreed to.

*Industrial Chemicals (Notification and Assessment) Act 1989*—Report for 2007-08 on the operation of the National Industrial Chemicals Notification and Assessment Scheme (NICNAS). Motion of Senator Williams to take note of document agreed to.

Australian Sports Anti-Doping Authority—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Office of the Official Secretary to the Governor-General—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Hearing Services (Australian Hearing)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Department of the Environment, Water, Heritage and the Arts—Reports for 2007-08—

Volume 1—Department of the Environment, Water, Heritage and the Arts.

Volume 2—Legislation.

—Motion of Senator Williams to take note of documents called on. On the motion of Senator Bushby debate was adjourned till Thursday at general business.

Supervising Scientist—Report for 2007-08 on the operation of the *Environment Protection (Alligator Rivers Region) Act 1978*. Motion of Senator Williams to take note of document agreed to.

Department of Education, Employment and Workplace Relations—Report for 2007-08—Volumes 1 and 2. Motion of Senator Williams to take note of document agreed to.

Gene Technology Regulator—Quarterly report for the period 1 April to 30 June 2008. Motion of Senator Williams to take note of document agreed to.

Productivity Commission—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Family Law Council—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Office of the Director of Public Prosecutions (DPP)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Grains Research and Development Corporation (GRDC)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Grape and Wine Research and Development Corporation—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Government Solicitor (AGS)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Albury-Wodonga Development Corporation—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

National Transport Commission (NTC Australia)—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Bushby debate was adjourned till Thursday at general business.

Australian Prudential Regulation Authority (APRA)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Private Health Insurance Administration Council—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Coal Mining Industry (Long Service Leave Funding) Corporation—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Migration Review Tribunal and Refugee Review Tribunal—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Department of the Prime Minister and Cabinet—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2007-08, including financial statements for the Science and Industry Endowment Fund. Motion of Senator Williams to take note of document agreed to.

Forest and Wood Products Research and Development Corporation—Report for the period 1 July to 31 August 2007 [Final report]. Motion of Senator Williams to take note of document agreed to.

Department of Innovation, Industry, Science and Research—Report for 2007-08, including IP Australia report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Bureau of Statistics—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Boyce debate was adjourned till Thursday at general business.

Australian Statistics Advisory Council—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

National Gallery of Australia (NGA)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Commonwealth Ombudsman—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Boyce debate was adjourned till Thursday at general business.

Office of the Renewable Energy Regulator—Financial report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Aboriginal Hostels Limited—Report for the period 1 July 2007 to 28 June 2008. Motion of Senator Williams to take note of document agreed to.

National Competition Council—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Institute of Family Studies—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Export Finance and Insurance Corporation (EFIC)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Safeguards and Non-Proliferation Office—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Strategic Policy Institute Limited (ASPI)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

*Criminal Code Act 1995*—Control orders and preventative detention orders—Reports for 2007-08. Motion of Senator Williams to take note of document agreed to.

Federal Magistrates Court of Australia—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Institute of Criminology and Criminology Research Council—Reports for 2007-08. Motion of Senator Williams to take note of document agreed to.

Classification Board and Classification Review Board—Reports for 2007-08. Motion of Senator Williams to take note of document agreed to.

Family Court of Australia—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

National Blood Authority—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Institute of Health and Welfare—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Boyce debate was adjourned till Thursday at general business.

Future Fund Board of Guardians and Future Fund Management Agency (Future Fund)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Film Finance Corporation Australia Limited—Report for 2007-08 [Final report]. Motion of Senator Williams to take note of document agreed to.

Film Australia Limited—Report for 2007-08 [Final report]. Motion of Senator Williams to take note of document agreed to.

Australian Film Commission—Report for 2007-08 [Final report]. Motion of Senator Williams to take note of document agreed to.

National Water Commission—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Sydney Harbour Federation Trust—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Law Reform Commission—Report No. 109—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Anindilyakwa Land Council—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Tiwi Land Council—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

*Native Title Act 1993*—Native title representative bodies—Northern Land Council—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Pesticides and Veterinary Medicines Authority—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Department of Agriculture, Fisheries and Forestry—Report for 2007-08, including financial statements for the Australian Quarantine and Inspection Service, National Residue Survey and Biosecurity Australia. Motion of Senator Williams to take note of document agreed to.

Australian Security Intelligence Organisation (ASIO)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Administrative Appeals Tribunal—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

*Bankruptcy Act 1966*—Report for 2007-08 on the operation of the Act. Motion of Senator Williams to take note of document agreed to.

Insolvency and Trustee Service Australia—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Special Broadcasting Service Corporation (SBS)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Broadcasting Corporation (ABC)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Health Services Australia Limited (HSA Group)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Research Council—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Institute for Teaching and School Leadership Limited (Teaching Australia)—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Boyce debate was adjourned till Thursday at general business.

Australian Wine and Brandy Corporation—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Institute of Marine Science (AIMS)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Repatriation Medical Authority—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Australian Electoral Commission (AEC)—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Boyce debate was adjourned till Thursday at general business.

Administrative Review Council—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

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

Australian Sports Commission—Report for 2007-08, including financial statements for the Australian Sports Foundation Limited. Motion of Senator Williams to take note of document agreed to.

Services Trust Funds—Royal Australian Navy Relief Trust Fund, Australian Military Forces Relief Trust Fund and Royal Australian Air Force Welfare Trust Fund—Reports for 2007-08. Motion of Senator Williams to take note of document agreed to.

Army and Air Force Canteen Service (Frontline Defence Services)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Royal Australian Navy Central Canteens Board—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

National Museum of Australia—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Department of Broadband, Communications and the Digital Economy—Report for 2007-08 [including erratum]. Motion of Senator Williams to take note of document agreed to.

Office of Parliamentary Counsel—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Federal Court of Australia—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

National Native Title Tribunal—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Human Rights and Equal Opportunity Commission—Report for 2007-08. Motion of Senator Williams to take note of document called on. On the motion of Senator Boyce debate was adjourned till Thursday at general business.

*Privacy Act 1988*—Report for 2007-08 on the operation of the Act, including financial statements for the Office of the Privacy Commissioner. Motion of Senator Williams to take note of document agreed to.

Royal Australian Air Force Veterans' Residences Trust Fund—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Workplace Authority—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Aged Care Commissioner—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Tourism Australia—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Airservices Australia—Equity and diversity program—Progress report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Civil Aviation Safety Authority (CASA)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Migration Agents Registration Authority (MARA)—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Finance—Issues from the advance to the Finance Minister as a final charge for the year ended 30 June 2008. Motion of Senator Williams to take note of document agreed to.

Indigenous Business Australia—Report for 2007-08. Motion of Senator Williams to take note of document agreed to.

Airservices Australia—Corporate plan July 2008 to June 2013. Motion of Senator Williams to take note of document agreed to.

*National Security Information (Criminal and Civil Proceedings) Act 2004*—Non-disclosure and witness exclusion certificates—Report for 2007-08. Motion of Senator Adams to take note of document agreed to.

Cotton Research and Development Corporation—Report for 2007-08. Motion of Senator Adams to take note of document agreed to.

Australian Fair Pay Commission—Report for 2007-08. Motion of Senator Adams to take note of document called on. On the motion of Senator Boyce debate was adjourned till Thursday at general business.

Australian Fair Pay Commission Secretariat—Report for 2007-08. Motion of Senator Adams to take note of document called on. On the motion of Senator Boyce debate was adjourned till Thursday at general business.

*General business concluded.*

#### **45 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:

Electoral Matters—Joint Standing Committee—Advisory report—Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2008. Motion of Senator Hutchins to take note of report agreed to.

Community Affairs—Standing Committee—Report—Poker Machine Harm Reduction Tax (Administration) Bill 2008, Poker Machine Harm Minimisation Bill 2008 and ATMs and Cash Facilities in Licensed Venues Bill 2008. Motion of the chair of the committee (Senator Moore) to take note of report called on. On the motion of Senator Boyce debate was adjourned till the next day of sitting.

Economics—Standing Committee—Report—Lost in Space? Setting a new direction for Australia's space science and industry sector. Motion of the chair of the committee (Senator Hurley) to take note of report agreed to.

Community Affairs—Standing Committee—Report—Building trust: Supporting families through disability trusts. Motion of Senator Siewert to take note of report agreed to.

Rural and Regional Affairs and Transport—Standing Committee—Report—Water management in the Coorong and Lower Lakes (including consideration of the Emergency Water (Murray-Darling Basin Rescue) Bill 2008). Motion of the chair of the committee (Senator Sterle) to take note of report agreed to.

Community Affairs—Standing Committee—Report—Towards recovery: Mental health services in Australia. Motion of the chair of the committee (Senator Moore) to take note of report called on. Debate adjourned till the next day of sitting, Senator Boyce in continuation.

Rural and Regional Affairs and Transport—Standing Committee—Report—Implementation, operation and administration of the legislation underpinning carbon sink forests. Motion of the chair of the committee (Senator Sterle) to take note of report agreed to.

State Government Financial Management—Select Committee—Report. Motion of the chair of the committee (Senator Macdonald) to take note of report agreed to.

Procedure—Standing Committee—First report of 2008—Restructuring question time; Reference of bills to committees; Questions to chairs of committees; Deputy chairs of committees; Leave to make statements. Motion of the chair of the committee (Senator Ferguson)—That the Senate take note of the report called on—*and on the amendment moved by the Leader of the Family First Party (Senator Fielding)*—At the end of the motion, add “, but the Senate is of the opinion that, instead of restructuring question time in a manner that could reduce the accountability of ministers to the Senate, the rules relating to questions and answers, contained in past presidential rulings, which require, amongst other things, that questions actually be questions relating to ministerial responsibilities, and that answers be responsive and relevant to the questions, be written into the standing orders, and that the Procedure Committee, with the assistance of external expert advisers, review the effectiveness of question time and the application of those rules at the end of each period of sittings”. On the motion of the Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas) debate was adjourned till the next day of sitting.

Environment, Communications and the Arts—Standing Committee—Report—Great Barrier Reef Marine Park and Other Legislation Amendment Bill 2008. Motion of Senator Collins to take note of report agreed to.

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

The following orders of the day relating to reports of the Auditor-General were considered:

Auditor-General—Audit report no. 4 of 2008-09—Performance audit—The Business Partnership Agreement between the Department of Education, Employment and Workplace Relations (DEEWR) and Centrelink. Motion of Senator Parry to take note of document agreed to.

Auditor-General—Audit report no. 6 of 2008-09—Performance audit—Illegal, unreported and unregulated fishing in the Southern Ocean—Australian Customs Service. Motion of Senator Macdonald to take note of document agreed to.

Auditor-General—Australian National Audit Office—Report for 2007-08. Motion to take note of document moved by Senator Boyce. Debate adjourned till the next day of sitting, Senator Boyce in continuation.

Orders of the day nos 4 and 5 relating to reports of the Auditor-General were called on but no motion was moved.

**47 ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 6.39 pm till Monday, 24 November 2008 at 12.30 pm.

**48 ATTENDANCE**

Present, all senators except Senator O'Brien (on leave).

**HARRY EVANS**  
Clerk of the Senate