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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

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## 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 GOVERNMENT DOCUMENTS

The following documents were tabled:

Anglo-Australian Telescope Board—Anglo-Australian Observatory (AAO)—Report for 2008-09.

Australian Crime Commission (ACC)—Report for 2008-09.

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 July to 30 September 2009.

IIF Investments Pty Limited, IIF (CM) Investments Pty Limited, IIF BioVentures Pty Limited, IIF Foundation Pty Limited, IIF Neo Pty Limited—Reports for 2008-09.

*Sydney Airport Demand Management Act 1997*—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 July to 30 September 2009.

Treaties—

*Bilateral*—Text, together with national interest analysis—

Agreement between Australia and the Republic of Lebanon regarding Cooperation on Protecting the Welfare of Children, done at Beirut on 18 March 2009.

Agreement between Australia and the Republic of Poland on Social Security (Warsaw, 7 October 2009).

Second Protocol amending the Agreement between the Government of the Commonwealth of Australia and the Government of the Republic of Singapore for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income as amended by the Protocol of 16 October 1989, done at Canberra on 8 September 2009.

*Multilateral*—

Amendments, done at Rome, Italy on 5 December 2008, to Appendices I and II of the Convention on the Conservation of Migratory Species of Wild Animals of 23 June 1979—Text, together with national interest analysis.

Explanatory statement 6 of 2009—Amendments to the Annex of the Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto.

## 3 PRIVILEGES—STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator O'Brien, by leave and at the request of the Chair of the Standing Committee of Privileges (Senator Brandis), moved—That the Standing Committee of Privileges be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today.

Question put and passed.

**4 HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION**

The Special Minister of State (Senator Ludwig), pursuant to notice, moved government business notice of motion no. 1—That, on Wednesday, 25 November 2009:

- (a) the hours of meeting shall be 9.30 am to 6.30 pm and 7.30 pm to 11.40 pm;
- (b) the routine of business from 7.30 pm shall be consideration of the government business order of the day relating to the Carbon Pollution Reduction Scheme Bill 2009 [No. 2] and 10 related bills; and
- (c) the question for the adjournment of the Senate shall be proposed at 11 pm.

Debate ensued.

Question put.

The Senate divided—

**AYES, 44**

Senators—

Arbib	Conroy	Hutchins	Payne
Bilyk	Crossin	Johnston	Polley
Birmingham	Evans	Kroger	Pratt
Bishop	Farrell	Ludwig	Ronaldson
Boyce	Faulkner	Lundy	Sherry
Brandis	Feeny	Marshall	Stephens
Brown, Carol	Forshaw	McEwen (Teller)	Sterle
Cameron	Furner	McLucas	Troeth
Carr	Hogg	Moore	Trood
Colbeck	Humphries	O'Brien	Wong
Collins	Hurley	Parry	Wortley

**NOES, 19**

Senators—

Adams	Bushby	Fielding	Nash
Back	Cash	Hanson-Young	Siewert
Bernardi	Cormann	Joyce	Williams (Teller)
Boswell	Eggleston	Ludlam	Xenophon
Brown, Bob	Ferguson	Milne	

Question agreed to.

- 5 **CARBON POLLUTION REDUCTION SCHEME BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME (CONSEQUENTIAL AMENDMENTS)**  
**BILL 2009 [No. 2]**  
**AUSTRALIAN CLIMATE CHANGE REGULATORY AUTHORITY BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME (CHARGES—CUSTOMS)**  
**BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME (CHARGES—EXCISE)**  
**BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME (CHARGES—GENERAL)**  
**BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS)**  
**BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS)**  
**(CONSEQUENTIAL AMENDMENTS) BILL 2009 [No. 2]**  
**EXCISE TARIFF AMENDMENT (CARBON POLLUTION REDUCTION SCHEME)**  
**BILL 2009 [No. 2]**  
**CUSTOMS TARIFF AMENDMENT (CARBON POLLUTION REDUCTION SCHEME)**  
**BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME AMENDMENT (HOUSEHOLD**  
**ASSISTANCE) BILL 2009 [No. 2]**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary for Social Inclusion (Senator Stephens)—That these bills be now read a second time—and on the amendment moved by the Leader of the Australian Greens (Senator Bob Brown) in respect of the Carbon Pollution Reduction Scheme Bill 2009 [No. 2]:

At the end of the motion, add “provided that the Government first commits to entering the climate treaty negotiations at the end of 2009 with an unconditional commitment to reduce emissions by at least 25 per cent below 1990 levels by 2020 and a willingness to reduce emissions by 40 per cent below 1990 levels by 2020 in the context of a global treaty”.

Debate resumed.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 6

Senators—

Brown, Bob  
Hanson-Young

Ludlam  
Milne

Siewert (Teller)

Xenophon

## NOES, 58

Senators—

Abetz	Colbeck	Hogg	Payne
Adams	Collins	Humphries	Polley
Arbib	Conroy	Hurley	Pratt
Back	Cormann	Hutchins	Ronaldson
Barnett	Crossin	Joyce	Ryan
Bernardi	Eggleston	Kroger	Sherry
Bilyk	Evans	Ludwig	Stephens
Birmingham	Farrell (Teller)	Lundy	Sterle
Bishop	Faulkner	Macdonald	Troeth
Boswell	Feeney	McEwen	Trood
Boyce	Ferguson	McLucas	Williams
Brown, Carol	Fielding	Moore	Wong
Bushby	Fisher	Nash	Wortley
Carr	Forshaw	O'Brien	
Cash	Furner	Parry	

Question negatived.

Senator Williams moved the following amendment:

At the end of the motion, add “and further consideration of the bills, which will impose the single largest structural change to the Australian economy, be made an order of the day for the first sitting day after:

- (a) the Copenhagen Climate Change Summit has concluded; and
- (b) the United States Senate has clarified its position by finally voting on the American Clean Energy and Security Act (the Waxman-Markey bill)”.

Question—That the amendment be agreed to—put.

The Senate divided—

## AYES, 18

Senators—

Adams	Bushby	Fielding	Nash
Back	Cash	Fifield	Scullion
Barnett	Cormann	Joyce	Williams (Teller)
Bernardi	Eggleston	Macdonald	
Boswell	Ferguson	Mason	

## NOES, 52

Senators—

Arbib	Coonan	Hutchins	Payne
Bilyk	Crossin	Johnston	Polley
Birmingham	Evans	Kroger	Pratt
Bishop	Farrell (Teller)	Ludlam	Ronaldson
Boyce	Faulkner	Ludwig	Sherry
Brandis	Feeney	Lundy	Siewert
Brown, Bob	Fierravanti-Wells	Marshall	Stephens
Brown, Carol	Forshaw	McEwen	Sterle
Cameron	Furner	McLucas	Troeth
Carr	Hanson-Young	Milne	Trood
Colbeck	Hogg	Moore	Wong
Collins	Humphries	O'Brien	Wortley
Conroy	Hurley	Parry	Xenophon

Question negatived.

Senator Siewert, also on behalf of Senator Xenophon, moved the following amendment:

At the end of the motion, add “and that:

- (a) the bills, the multi-billion dollar adjustment to the bills, as agreed by the Coalition and the Government in November 2009, and the amendments required to implement that agreement, be referred to the Economics Legislation Committee for inquiry and report by 12.30 pm on 1 December 2009;
- (b) the Minister representing the Treasurer provide to that committee by 30 November 2009, for consideration as part of that inquiry, any modelling or analysis commissioned by Treasury and/or the Department of Climate Change and all documents prepared by Treasury in relation to the August 2009 Frontier Economics report on the economic impact of the Carbon Pollution Reduction Scheme;
- (c) the Senate meet from 1 December to 3 December 2009 to consider the bills; and
- (d) further consideration of the bills be an order of the day for the day the committee presents its report”.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 22

Senators—

Adams	Bushby	Joyce	Scullion
Back	Cash	Ludlam	Siewert (Teller)
Barnett	Cormann	Macdonald	Williams
Bernardi	Ferguson	Mason	Xenophon
Boswell	Fifield	Milne	
Brown, Bob	Hanson-Young	Nash	

NOES, 47

Senators—

Arbib	Coonan	Hurley	Payne
Bilyk	Crossin	Hutchins	Polley
Birmingham	Evans	Johnston	Pratt
Bishop	Farrell (Teller)	Kroger	Ronaldson
Boyce	Faulkner	Ludwig	Sherry
Brandis	Feeney	Lundy	Stephens
Brown, Carol	Fielding	Marshall	Sterle
Cameron	Fierravanti-Wells	McEwen	Troeth
Carr	Forshaw	McLucas	Trood
Colbeck	Furner	Moore	Wong
Collins	Hogg	O'Brien	Wortley
Conroy	Humphries	Parry	

Question negatived.

Main question put.



The Senate divided—

AYES, 47

Senators—

Adams	Conroy	Humphries	Payne
Arbib	Coonan	Hurley	Polley
Bilyk	Crossin	Hutchins	Pratt
Birmingham	Evans	Kroger	Ronaldson
Bishop	Farrell	Ludwig	Sherry
Boyce	Faulkner	Lundy	Stephens
Brandis	Feeney	Macdonald	Sterle
Brown, Carol	Ferguson	Marshall	Troeth
Cameron	Fierravanti-Wells	McEwen (Teller)	Trood
Carr	Forshaw	McLucas	Wong
Colbeck	Furner	Moore	Wortley
Collins	Hogg	O'Brien	

NOES, 7

Senators—

Brown, Bob	Hanson-Young	Milne	Xenophon
Fielding	Ludlam	Siewert (Teller)	

Question agreed to.

Bills read a second time.

—————  
*After 12.45 pm—*

**6 MATTERS OF PUBLIC INTEREST**

Matters of public interest were discussed.

—————  
*At 2 pm—*

**7 QUESTIONS**

Questions without notice were answered.

**8 QUESTIONS ON NOTICE—ANSWERS AND EXPLANATION**

The Leader of the Australian Greens (Senator Bob Brown), pursuant to standing order 74, asked the Minister for Climate Change and Water (Senator Wong) for an explanation of answers not being provided to questions on notice nos 2038 and 2039 (notice given 27 July 2009) relating to climate change programs.

Senator Wong indicated that an explanation would be provided.

**9 MOTIONS TO TAKE NOTE OF ANSWERS**

Senator Barnett moved—That the Senate take note of the answers given by the Minister for Broadband, Communications and the Digital Economy (Senator Conroy) and the Minister for Innovation, Industry, Science and Research (Senator Carr) to questions without notice asked by Senators Barnett and Carol Brown today relating to consultancy contracts and to income support for students.

Debate ensued.

Question put and passed.

Senator Ludlam moved—That the Senate take note of the answer given by the Minister for Innovation, Industry, Science and Research (Senator Carr) to a question without notice asked by Senator Ludlam today relating to radioactive waste management.

Question put and passed.

#### 10 LAW AND JUSTICE—HIGH COURT—PERSONAL EXPLANATION

Senator Hutchins, by leave, made a personal explanation relating to a media release by the Law Council of Australia, dated 20 November 2009, concerning the High Court.

#### 11 PETITIONS

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

By Senator Brandis, from 20 929 petitioners, requesting that the Senate not enact a charter of rights which would allow judges to determine if laws are incompatible with human rights.

By Senator Joyce, from 15 166 petitioners, requesting that the Senate reject the Carbon Pollution Reduction Scheme.

#### 12 NOTICES

*Notices of motion:*

Senator Xenophon: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Trade Practices Act 1974* in relation to mergers and acquisitions, and for related purposes. ***Trade Practices Amendment (Material Lessening of Competition—Richmond Amendment) Bill 2009.*** (*general business notice of motion no. 664*)

Senators Cormann and Barnett: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Health and Ageing, no later than Friday, 4 December 2009, a copy of the Government's response to all of the recommendations set out in the National Preventative Health Taskforce report, *National Preventative Health Strategy.* (*general business notice of motion no. 665*)

The Chair of the Select Committee on Agricultural and Related Industries (Senator Heffernan): To move on the next day of sitting—That the time for the presentation of the following reports of the Select Committee on Agricultural and Related Industries be extended to 30 June 2010:

- (a) food production in Australia; and
- (b) incidence and severity of bushfires across Australia. (*general business notice of motion no. 666*)

Senator Siewert: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs (Senator Evans), no later than Friday, 4 December 2009, the complete and unedited transcripts of all four tiers of consultation meetings held under the Northern Territory Emergency Response Redesign Consultation process and any associated documents. (*general business notice of motion no. 667*)

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

(a) notes:

- (i) the failure of the New South Wales Government to establish the Snowy Scientific Committee in a timely fashion prior to the first 5 year review of the Snowy Water Licence, as required by legislation,
- (ii) that a decision on whether to allow environmental water to be released to the Snowy River from Mowamba Weir, in addition to Jindabyne Dam, would require at least 6 months to allow the Snowy Scientific Committee to complete further studies as required, and
- (iii) that a decision to amend the licence to allow environmental water releases via Mowamba Weir as well as Jindabyne Dam made after the finalisation of the Snowy Water Licence review could result in substantial compensation being provided to Snowy Hydro Limited; and

(b) calls on the Commonwealth Government to insist that the New South Wales Government delay finalisation of the Snowy Water Licence review for at least 6 months, to allow the Snowy Scientific Committee to review the environmental benefits of permitting releases from Mowamba Weir, in order to make a decision on this issue during the time of the review and thus avoid the risk of unnecessary payment of compensation. (*general business notice of motion no. 668*)

Senators Barnett and Fifield: To move on the next day of sitting—That the Senate—

(a) notes:

- (i) the outstanding contribution volunteers and volunteer supporting organisations make to Australian society, estimated to be worth more than \$42 billion per annum,
- (ii) that more than 5.4 million adults (34 per cent of the population) do voluntary work each year, contributing more than 700 million hours annually,
- (iii) that volunteering has benefits of promoting a sense of community belonging, personal fulfilment and professional skills development for those who volunteer, as well as providing services to the community that may otherwise not be provided by government,
- (iv) the sacrificial efforts of volunteers and volunteer organisations throughout Australia is under recognised and undervalued and without them society as we know it would collapse, and
- (v) that International Volunteer Day will be celebrated around the world on 5 December 2009; and

(b) calls on the Government to continue to recognise and support volunteers and volunteer supporting organisations in our community. (*general business notice of motion no. 669*)

The Special Minister of State (Senator Ludwig): To move on the next day of sitting—That standing orders 120(3) and 122(1) and (2) not apply to the consideration of the Carbon Pollution Reduction Scheme Bill 2009 [No. 2] and 10 related bills.

The Special Minister of State (Senator Ludwig): To move on the next day of sitting—That the government business orders of the day relating to the following bills may be taken together for their remaining stages:

- (a) Personal Property Securities Bill 2009 and Personal Property Securities (Consequential Amendments) Bill 2009; and

- (b) Resale Royalty Right for Visual Artists Bill 2009 and Tax Laws Amendment (Resale Royalty Right for Visual Artists) Bill 2009.

The Chair of the Environment, Communications and the Arts References Committee (Senator Birmingham): To move on the next day of sitting—That the time for the presentation of the report of the Environment, Communications and the Arts References Committee on the impact of mining operations on the Murray-Darling Basin be extended to 4 December 2009. (*general business notice of motion no. 670*)

The Special Minister of State (Senator Ludwig): To move on the next day of sitting—That—

- (1) On Thursday, 26 November 2009:
  - (a) the hours of meeting shall be 9.30 am to 6.30 pm and 7 pm to adjournment;
  - (b) consideration of general business and consideration of committee reports, government responses and Auditor-General's reports under standing order 62(1) and (2) shall not be proceeded with;
  - (c) the routine of business from 12.45 pm till not later than 2 pm shall be government business only, and from not later than 3.45 pm shall be the government business order of the day relating to the Carbon Pollution Reduction Scheme Bill 2009 [No. 2] and 10 related bills;
  - (d) divisions may take place after 4.30 pm;
  - (e) the question for the adjournment of the Senate shall be proposed after the Senate has finally considered the Carbon Pollution Reduction Scheme Bill 2009 [No. 2] and 10 related bills; and
  - (f) if the Senate is sitting at 11 pm, the sitting of the Senate be suspended till 9.30 am on Friday, 27 November 2009.
- (2) On Friday, 27 November 2009:
  - (a) the hours of meeting shall be 9.30 am to 5.10 pm; and
  - (b) the question for the adjournment of the Senate shall be proposed at 4.30 pm.
- (3) The Senate meet on Monday, 30 November 2009, and that:
  - (a) the hours of meeting shall be 10 am to adjournment; and
  - (b) the question for the adjournment of the Senate shall be proposed after the Senate has finally considered the Carbon Pollution Reduction Scheme Bill 2009 [No. 2] and 10 related bills.

Senator Hanson-Young: To move on the next day of sitting—That the Senate notes that Saturday, 28 November 2009 marks the start of the National Year of Action on Marriage Equality and that rallies will be held in capital cities across the country. (*general business notice of motion no. 671*)

The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to abolish the power of the Commonwealth executive government to disallow or amend any Act of the Legislative Assembly of the Australian Capital Territory, and for related purposes. ***Australian Capital Territory (Self-Government) Amendment (Disallowance and Amendment Power of the Commonwealth) Bill 2009.*** (*general business notice of motion no. 672*)

Senator Milne: To move on the next day of sitting—That there be laid on the table, no later than 1 pm on 26 November 2009, Dr Clive Spash's uncensored and unamended research paper, *The brave new world of carbon trading*. (*general business notice of motion no. 673*)

Senator Hanson-Young: To move on the next day of sitting—That the Senate—

- (a) notes the recent passing by the Australian Capital Territory Legislative Assembly of the Civil Partnerships Amendment Bill 2009; and
- (b) congratulates the first couple to hold a legally-recognised ceremony in the Australian Capital Territory, Mr Warren McGaw and Mr Chris Rumble, who on 25 November 2009 celebrated their love and commitment in front of family and friends. (*general business notice of motion no. 674*)

The Special Minister of State (Senator Ludwig): To move on the next day of sitting—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

ACIS Administration Amendment (Application) Bill 2009  
 Coal Mining Industry (Long Service Leave Funding) Amendment Bill 2009  
 Customs Tariff Amendment (Incorporation of Proposals) Bill 2009  
 Foreign Acquisitions and Takeovers Amendment Bill 2009.

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*Documents:* Senator Ludwig tabled the following documents:

Consideration of legislation—Statements of reasons [4] for introduction and passage of the bills in the 2009 spring sittings.

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Senators Hanson-Young and Humphries: To move on the next day of sitting—That the Senate recognises the sovereignty of the territory parliaments to legislate within the powers conferred on them by the Federal Parliament, without interference from the Federal Government. (*general business notice of motion no. 675*)

*Contingent notice of motion:* Senator Ludlam: To move (contingent on any order of the day being read for the consideration of any bill relating to the amendment or repeal of the *Commonwealth Radioactive Waste Management Act 2005*)—That consideration of the bill be postponed and made an order of the day for the next day of sitting after the Government:

- (a) introduces legislation restoring transparency, accountability, international best practice scientific processes and procedural fairness including the right of access to appeal mechanisms in any decisions in relation to the siting of any nuclear waste facilities;
- (b) informs the Parliament of specific actions taken to establish a consensual process of site selection; and
- (c) introduces legislation to ensure that any proposal for the siting of a nuclear waste facility on Aboriginal land in the Northern Territory would adhere to the requirements that exist under the *Aboriginal Land Rights (Northern Territory) Act 1976*.

*Notices of motion withdrawn:*

Senator Ronaldson, pursuant to notice of intention given on 24 November 2009, withdrew business of the Senate notice of motion no. 1 standing in his name for today for the disallowance of the definition of *electioneering* in subregulation 3AA(11) in item [1] of Schedule 1 of the Parliamentary Entitlements Amendment Regulations 2009 (No. 1) Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 250 and made under the *Parliamentary Entitlements Act 1990*.

The Special Minister of State (Senator Ludwig) withdrew government business notice of motion no. 2 standing in his name for today, relating to the consideration of legislation.

**13 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator O'Brien, by leave and at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin), moved—That the Legal and Constitutional Affairs Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today.

Question put and passed.

**14 POSTPONEMENT**

The following item of business was postponed:

Business of the Senate notice of motion no. 3 standing in the name of Senator Xenophon for today, proposing a reference to the Community Affairs References Committee, postponed till 26 November 2009.

**15 COMMUNITY AFFAIRS REFERENCES COMMITTEE—REFERENCE**

Senator Cormann, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 7—That the following matter be referred to the Community Affairs References Committee for inquiry and report by 30 June 2010:

Consumer access to pharmaceutical benefits and the creation of new therapeutic groups through the Pharmaceutical Benefits Scheme (PBS), including:

- (a) the impact of new therapeutic groups on consumer access to existing PBS drugs, vaccines and future drugs, particularly high cost drugs;
- (b) the criteria and clinical evidence used to qualify drugs as interchangeable at a patient level;
- (c) the effect of new therapeutic groups on the number and size of patient contributions;
- (d) consultation undertaken in the development of new therapeutic groups;
- (e) the impact of new therapeutic groups on the classification of medicines in F1 and F2 formularies;
- (f) the delay to price reductions associated with the price disclosure provisions due to take effect on 1 August 2009 and the reasons for the delay;

(g) the process and timing of consideration by Cabinet of high cost drugs and vaccines; and

(h) any other related matters.

Question put and passed.

*Statement by leave:* Senator O'Brien, by leave, made a statement relating to the motion.

**16 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—REFERENCE**

Senator Back, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 5—That—

(1) The following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 1 June 2010:

An assessment of the effectiveness of Airservices Australia's management of aircraft noise under its responsibilities to provide air traffic services and protect the environment from the effects associated with the operation of aircraft for which it has legislative jurisdiction.

(2) In undertaking this inquiry, the committee shall consider whether Airservices Australia:

(a) has conducted an effective, open and informed public consultation strategy with communities affected by aircraft noise;

(b) engages with industry and business stakeholders in an open, informed and reasonable way;

(c) has adequate triggers for public consultation under legislation and whether procedures used by Airservices Australia are compliant with these requirements;

(d) is accountable, as a government-owned corporation, for the conduct of its noise management strategy;

(e) has pursued and established equitable noise-sharing arrangements in meeting its responsibilities to provide air traffic services and to protect the environment from the effects associated with aircraft for which it is responsible;

(f) requires a binding Community Consultation Charter to assist it in consulting fully and openly with communities affected by aircraft noise; and

(g) any other related matter.

*Statement by leave:* The Special Minister of State (Senator Ludwig), by leave, made a statement relating to the motion.

Question put and passed.

*Statement by leave:* Senator O'Brien, by leave, made a statement relating to the motion.

**17 HEALTH INSURANCE (CATARACT SURGERY) DETERMINATION—DISALLOWANCE**

Senator Cormann, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 2—That the Health Insurance (Cataract Surgery) Determination 2009, made under subsection 3C(1) of the *Health Insurance Act 1973*, be disallowed.

Question put.

The Senate divided—

AYES, 42

Senators—

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

NOES, 30

Senators—

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

Question agreed to.

*Statement by leave:* Senator Cormann, by leave, made a statement relating to the motion.

**18 POSTPONEMENT**

Senator Johnston, by leave, moved—That business of the Senate notice of motion no. 6 standing in his name for today, proposing a reference to the Foreign Affairs, Defence and Trade References Committee, be postponed till 26 November 2009.

Question put and passed.

**19 COMMUNITY AFFAIRS REFERENCES COMMITTEE—REFERENCE**

Senator Boyce, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 4—That the following matter be referred to the Community Affairs References Committee for inquiry and report by 2 September 2010:

Access to planning options and services for people with a disability to ensure their continued quality of life as they and their carers age, and to identify any inadequacies in the choice and funding of planning options currently available to people ageing with a disability and their carers.

Question put and passed.



**20 IMMIGRATION—OFFSHORE DETENTION FACILITIES**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 662—That the Senate—

- (a) notes:
- (i) the Federal Government's ongoing commitment to continuing with the excised territories of Christmas Island, Cocos Islands and Ashmore Reef, and
  - (ii) the sheer expense of running the offshore detention facility on Christmas Island;
- (b) recognises concerns raised by the Australian Human Rights Commission, Amnesty International and the Refugee Council of Australia to the limited access to sufficient health facilities, resources, and torture and trauma counselling services due to the remoteness and isolation of the Christmas Island detention facilities from mainland Australia; and
- (c) calls on the Government to end the policy of excision and bring all offshore arrivals to the mainland for processing.

Question put.

The Senate divided—

**AYES, 6**

Senators—

Brown, Bob  
Hanson-Young

Ludlam  
Milne

Siewert (Teller)

Xenophon

**NOES, 47**

Senators—

Adams  
Arbib  
Back  
Barnett  
Bilyk  
Birmingham  
Bishop  
Boswell  
Boyce  
Brown, Carol  
Cameron  
Colbeck

Collins  
Cormann  
Evans  
Farrell  
Faulkner  
Feeney  
Ferguson  
Fielding  
Fifield  
Fisher  
Forshaw  
Furner

Hutchins  
Johnston  
Joyce  
Kroger  
Ludwig  
Lundy  
Marshall  
McEwen  
McGauran  
McLucas  
Moore  
O'Brien

Parry (Teller)  
Polley  
Pratt  
Ronaldson  
Ryan  
Sherry  
Stephens  
Sterle  
Trood  
Williams  
Wortley

Question negatived.

**21 CARBON POLLUTION REDUCTION SCHEME BILL 2009 [NO. 2] AND RELATED BILLS—CONSIDERATION OF LEGISLATION**

The Leader of the Family First Party (Senator Fielding), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 648—That the question for the third reading of the Carbon Pollution Reduction Scheme Bill 2009 [No. 2] and 10 related bills not be put until the third sitting day in February 2010.

Question put.

The Senate divided—

AYES, 17

Senators—

Adams	Bushby	Fielding	Nash
Back	Cash	Fifield	Williams (Teller)
Barnett	Cormann	Joyce	
Bernardi	Eggleston	Macdonald	
Boswell	Ferguson	Mason	

NOES, 48

Senators—

Arbib	Conroy	Johnston	Payne
Bilyk	Coonan	Kroger	Polley
Birmingham	Crossin	Ludlam	Pratt
Bishop	Evans	Ludwig	Ronaldson
Boyce	Farrell	Lundy	Sherry
Brandis	Feeney	Marshall	Siewert
Brown, Bob	Forshaw	McEwen	Stephens
Brown, Carol	Furner	McLucas	Sterle
Cameron	Hanson-Young	Milne	Trood
Carr	Hogg	Moore	Wong
Colbeck	Humphries	O'Brien (Teller)	Wortley
Collins	Hutchins	Parry	Xenophon

Question negatived.

**22 ENVIRONMENT—GEOSCIENCE AUSTRALIA—CARBON DIOXIDE STORAGE SITES—  
ORDER FOR PRODUCTION OF DOCUMENT**

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 658—

(1) That the Senate—

- (a) recalls that on 17 November 2009 it agreed to the following order, ‘That there be laid on the table, no later than 4 pm on 18 November 2009, the assessment by Geoscience Australia reportedly identifying prospective sites for underground carbon dioxide storage sites in Victoria, Queensland and Western Australia, referred to in an article, ‘New hope for viable clean coal projects’ published in *The Australian* on 24 October 2009’; and
- (b) notes that the Government tabled a response saying, ‘The Government is not able to comply with the Order because there is no document in the precise form requested. In any event, the Minister asks the Senate to note that the Government is using a report containing an assessment along the lines sought, containing also the work of others, for the purpose of assisting the Government’s consideration of competitive applications for funding under the CCS Flagships program. The report will be released at the time the grants under that program are announced’.

(2) That there be laid on the table, no later than 4 pm on 25 November 2009, the report ‘containing an assessment along the lines sought’.

Question put and passed.

*Statement by leave:* Senator O’Brien, by leave, made a statement relating to the motion.

**23 SOCIAL ISSUES—SUICIDE PREVENTION INITIATIVE**

Senator Siewert, also on behalf of Senators Moore and Adams, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 657—That the Senate—

- (a) notes that Sunday, 29 November 2009 is the inaugural R U OK? Day, a suicide prevention initiative that brings Australians together to help prevent the isolation that can play a part in someone considering, or taking, their own life;
- (b) acknowledges the need to inspire Australians to reach out to anyone struggling, to show that people care and are there to help;
- (c) is aware that suicide claims the lives of approximately 2 000 people each year and is the biggest killer of men and women 15 to 35 years old; and
- (d) recognises that a simple conversation could change a life and that the key thing someone can do is regularly ask the people we care about, ‘Are you OK?’, regardless of whether they are at risk or not, as that connection is good for all of us.

Question put and passed.

**24 DISALLOWANCES—RESCISSION**

Senator Colbeck, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 654—That, for the purposes of paragraph 48(1)(a) of the *Legislative Instruments Act 2003*, the Senate rescinds its resolutions of 15 September 2009 disallowing the following instruments:

- (a) the Export Control (Fees) Amendment Orders 2009 (No. 1), made under regulation 3 of the Export Control (Orders) Regulations 1982;
- (b) the Australian Meat and Live-stock Industry (Export Licensing) Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 108 and made under the *Australian Meat and Live-stock Industry Act 1997*;
- (c) the Export Inspection (Establishment Registration Charges) Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 109 and made under the *Export Inspection (Establishment Registration Charges) Act 1985*; and
- (d) the Export Inspection (Quantity Charge) Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 110 and made under the *Export Inspection (Quantity Charge) Act 1985*.

Question put and passed.

*Statement by leave:* Senator Colbeck, by leave, made a statement relating to the motion.

**25 EDUCATION—NATIONAL SCHOOL CHAPLAINCY PROGRAM**

Senator Barnett, also on behalf of Senator Mason, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 656—That the Senate—

- (a) notes:
  - (i) the National School Chaplaincy Program (the program) was introduced by the former Coalition Government in the 2007-08 financial year with a commitment of \$165 million for its first 3 years,

- (ii) the program offers pastoral care, spiritual guidance and counselling in a range of areas such as bullying, mental health, family relationships and drug and alcohol abuse, operates in 2 700 schools and enjoys strong support among principals, schools and in the community generally,
  - (iii) the Coalition has announced that if elected, it will continue funding the program at present levels on an ongoing basis,
  - (iv) the Government has been forced to respond and has extended funding for the program, at a reduced level, for another year until the end of 2011, after which time there may be no more funding despite the program's social benefits, sound administration and strong community support, and
  - (v) the Government's announcement does not go far enough and does not allow for any new chaplains to be engaged and, as a result, does not provide certainty into the future for chaplains; and therefore
- (b) calls on the Government to make a commitment to extend the program to new schools that apply for a chaplain and to maintain current levels of funding into the future on an ongoing basis.

Question put.

The Senate divided—

AYES, 33

Senators—

Abetz	Colbeck	Johnston	Ronaldson
Adams	Coonan	Joyce	Ryan
Back	Cormann	Macdonald	Scullion
Barnett	Ferguson	Mason	Troeth
Bernardi	Fielding	McGauran	Williams (Teller)
Boswell	Fifield	Minchin	Xenophon
Boyce	Fisher	Nash	
Bushby	Heffernan	Parry	
Cash	Humphries	Payne	

NOES, 31

Senators—

Arbib	Farrell	Ludlam	Polley
Bilyk	Feeney	Lundy	Pratt
Bishop	Forshaw	Marshall	Sherry
Brown, Bob	Furner	McEwen	Siewert
Brown, Carol	Hanson-Young	McLucas	Stephens
Cameron	Hogg	Milne	Sterle
Collins	Hurley	Moore	Wortley
Crossin	Hutchins	O'Brien (Teller)	

Question agreed to.

*Statement by leave:* Senator Milne, by leave, made a statement relating to the motion.

## 26 HEALTH—COMMONWEALTH DIALYSIS RESOURCES

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 661—That the Senate calls on the Federal Government to require that the use of Commonwealth dialysis resources, including the provision of the transportable dialysis facility in Alice Springs, is contingent on the lifting of the Northern Territory Government's ban on new interstate renal patients, so that all citizens can access these services on the basis of need.

*Statements by leave:* The Assistant Treasurer (Senator Sherry) and Senator Siewert, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 7

Senators—

Brown, Bob	Hanson-Young	Milne	Xenophon
Fielding	Ludlam	Siewert (Teller)	

NOES, 37

Senators—

Back	Crossin	Lundy	Pratt
Bilyk	Farrell	Macdonald	Sherry
Bishop	Feeney	Marshall	Stephens
Boyce	Ferguson	McEwen	Sterle
Brown, Carol	Fifield	McLucas	Troeth
Bushby	Forshaw	Moore	Williams (Teller)
Cameron	Furner	Nash	Wortley
Colbeck	Hurley	O'Brien	
Collins	Hutchins	Parry	
Cormann	Joyce	Polley	

Question negatived.

**27 TAXATION—OVERSEAS TAX HAVENS**

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. 640—That the Senate deplores the use of overseas tax havens.

*Statements by leave:* The Assistant Treasurer (Senator Sherry) and Senator Bob Brown, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 7

Senators—

Brown, Bob	Hanson-Young	Milne	Xenophon
Fielding	Ludlam	Siewert (Teller)	

NOES, 39

Senators—

Abetz	Colbeck	Hutchins	Parry
Adams	Collins	Joyce	Polley
Back	Cormann	Kroger	Pratt
Bilyk	Crossin	Lundy	Sherry
Bishop	Farrell	Marshall	Stephens
Boyce	Feeney	McEwen	Troeth
Brown, Carol	Ferguson	McLucas	Trood
Bushby	Forshaw	Moore	Williams
Cameron	Furner	Nash	Wortley
Cash	Hurley	O'Brien (Teller)	

Question negatived.

**28 ENVIRONMENT—COMMONWEALTH DISASTER PLAN**

Senator Back, also on behalf of Senators Williams and Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 653—That the Senate—

- (a) notes that:
  - (i) Commonwealth Scientific and Industrial Research Organisation scientists have warned that Australia will experience more high fire danger days,
  - (ii) three Australian states are on high fire danger alert and record high temperatures are being recorded for November 2009 in several Australian cities and towns including Adelaide, and
  - (iii) a government report in 2005 said that no single state or territory is likely to have the human and material resources required to resolve a catastrophic natural event; and
- (b) calls on the Government to:
  - (i) acknowledge the Australian Emergency Management Committee's 2005 *Review of Australia's ability to respond to and recover from catastrophic disasters*,
  - (ii) examine the existing Commonwealth Disaster Plan to assess its adequacy in the event of a catastrophic natural disaster,
  - (iii) establish criteria by which the Commonwealth should take a coordinating role in natural disasters crossing state or territory borders, and
  - (iv) implement the remaining recommendations of the 2005 review.

*Statements by leave:* The Assistant Treasurer (Senator Sherry) and Senator Milne, by leave, made statements relating to the motion.

Question put and passed.

*Statement by leave:* Senator O'Brien, by leave, made a statement relating to the motion.

**29 HEALTH LEGISLATION AMENDMENT (MIDWIVES AND NURSE PRACTITIONERS)  
BILL 2009 AND RELATED BILLS—DRAFT RULES AND REGULATIONS—ORDER FOR  
PRODUCTION OF DOCUMENTS**

Senator Cormann, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 655—That there be laid on the table by the Minister representing the Minister for Health and Ageing, no later than noon on Thursday, 26 November 2009, a copy of the current draft rules and regulations relating to the following bills:

- (a) Health Legislation Amendment (Midwives and Nurse Practitioners) Bill 2009;
- (b) Midwife Professional Indemnity (Run-off Cover Support Payment) Bill 2009;  
and
- (c) Midwife Professional Indemnity (Commonwealth Contribution) Scheme Bill 2009.

Question put and passed.

*Statement by leave:* Senator O'Brien, by leave, made a statement relating to the motion.

**30 INDUSTRIAL RELATIONS—UNPAID OVERTIME**

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 659—That the Senate notes:

- (a) 25 November 2009 is national Go Home On Time Day;
- (b) Australians work more than 2 billion hours of unpaid overtime each year;
- (c) Australians work the longest hours in the western world;
- (d) excessive unpaid overtime has significant industrial, economic and social implications; and
- (e) long working hours can have negative consequences for physical and mental health and personal relationships.

Question put and passed.

**31 WOMEN—INTERNATIONAL DAY FOR THE ELIMINATION OF VIOLENCE AGAINST WOMEN**

Senator Ludlam, also on behalf of Senators O'Brien and Parry, the Leader of the Family First Party (Senator Fielding) and Senator Xenophon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 660—That the Senate—

- (a) notes that:
  - (i) Wednesday, 25 November is the International Day for the Elimination of Violence Against Women which is symbolised by the wearing of a white ribbon,
  - (ii) White Ribbon Day marks the start of 16 Days of Activism Against Gender Violence, a global event calling on action to end violence against women,
  - (iii) one in three Australian women will experience physical or sexual violence in their lifetimes,
  - (iv) gender-based violence costs the Australian economy more than \$15.1 billion each year which includes costs in terms of health, work absenteeism, police and court costs, and
  - (v) the Asian Forum of Parliamentarians on Population and Development (AFPPD), of which the Australian Parliamentary Group on Population and Development is a member, has established the AFPPD Standing Committee of Male Parliamentarians on Prevention of Violence against Women and Girls on 7 September 2009 which is a significant step in bringing together male parliamentarians from across Asia as role models and outspoken activists for the prevention and elimination of violence against women and girls; and
- (b) calls on all men to actively participate in White Ribbon Day by 'swearing to end violence against women, to never commit violence against women, to never excuse violence against women, and to never to remain silent about violence against women'.

Question put and passed.

**32 PROCEDURE—STANDING COMMITTEE—FOURTH REPORT OF 2009—QUESTION TIME—TEMPORARY ORDER**

Senator Parry, at the request of Senator Payne and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 663—That the Senate adopt the temporary order relating to question time contained in the attachment to the fourth report of 2009 of the Procedure Committee.

Question put and passed.

**Question time—Temporary order**

The following modified rules for question time operate as a temporary order, in conjunction with standing orders 72 and 73, from the beginning of 2010 for the remainder of the 42nd Parliament and for the first two sitting weeks of the next Parliament:

- (a) primary questions shall be limited to one minute and answers to them to two minutes;
- (b) two supplementary questions shall be allowed to each questioner, each supplementary question shall be limited to thirty seconds and the answers to them to one minute each; and
- (c) answers shall be directly relevant to each question.

**33 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ADMINISTRATION—COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION**

The Deputy President (Senator Ferguson) informed the Senate that Senator Parry had proposed that the following matter of public importance be submitted to the Senate for discussion:

The Rudd Government's censorship of the Commonwealth Scientific and Industrial Research Organisation.

The proposal was supported by four senators and the matter was discussed.

**34 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 23 June and 23 November 2009, dated November 2009.

**35 SENATORS' INTERESTS—STANDING COMMITTEE—REPORT—ONLINE ACCESS TO THE REGISTER OF SENATORS' INTERESTS**

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

Senators' Interests—Standing Committee—Report 2 of 2009: Online access to the register of senators' interests, dated November 2009.

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



**36 SCRUTINY OF BILLS—STANDING COMMITTEE—14TH REPORT AND ALERT DIGEST NO. 15 OF 2009**

Senator Adams, at the request of the Chairman of the Standing Committee for the Scrutiny of Bills (Senator Coonan), tabled the following report and document:

Scrutiny of Bills—Standing Committee—

14th report of 2009, dated 25 November 2009.

Alert Digest No. 15 of 2009, dated 25 November 2009.

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

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

Question put and passed.

**37 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—DOCUMENT—PERSONAL PROPERTY SECURITIES (CONSEQUENTIAL AMENDMENTS) BILL 2009**

Senator Sterle, at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin), tabled the following document:

Legal and Constitutional Affairs Legislation Committee—Report—Personal Property Securities (Consequential Amendments) Bill 2009 [Provisions]—Errata.

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

**38 PRIVILEGES—STANDING COMMITTEE—142ND REPORT**

The Chair of the Standing Committee of Privileges (Senator Brandis) tabled the following report and documents:

Privileges—Standing Committee—142nd report—Matters arising from the Economics Legislation Committee hearing on 19 June 2009 (referred 24 June and 12 August 2009), dated November 2009 and additional information.

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

Senator Brandis moved—That—

(a) in respect of the matters referred on 24 June 2009:

(i) the Senate endorse the committee's findings in paragraph 6.5 and the conclusion in paragraph 6.6 of the report,

(ii) the President of the Senate resume consideration of an appropriate response to flagrant breaches of the Presiding Officers' guidelines on filming and photography in Parliament House by members of the media on 19 June 2009, noting the committee's suggestion in paragraph 3.23 of the report, and

(iii) the Chairs' Committee established under standing order 25(10) consider model practices for handling the media at committee hearings, and the inclusion of additional information about witnesses' rights under the broadcasting resolutions in the standard information provided to all witnesses, as discussed in paragraphs 3.14 and 3.15 of the report; and

(b) in respect of the matters referred on 12 August 2009, the Senate endorse the committee's findings in paragraph 6.8 and the conclusion in paragraph 6.9 of the report.

Debate ensued.

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

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At 7.30 pm—

- 39 **CARBON POLLUTION REDUCTION SCHEME BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME (CONSEQUENTIAL AMENDMENTS)**  
**BILL 2009 [No. 2]**  
**AUSTRALIAN CLIMATE CHANGE REGULATORY AUTHORITY BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME (CHARGES—CUSTOMS)**  
**BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME (CHARGES—EXCISE)**  
**BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME (CHARGES—GENERAL)**  
**BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS)**  
**BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS)**  
**(CONSEQUENTIAL AMENDMENTS) BILL 2009 [No. 2]**  
**EXCISE TARIFF AMENDMENT (CARBON POLLUTION REDUCTION SCHEME)**  
**BILL 2009 [No. 2]**  
**CUSTOMS TARIFF AMENDMENT (CARBON POLLUTION REDUCTION SCHEME)**  
**BILL 2009 [No. 2]**  
**CARBON POLLUTION REDUCTION SCHEME AMENDMENT (HOUSEHOLD**  
**ASSISTANCE) BILL 2009 [No. 2]**

Order read for the consideration of the bills in committee of the whole.

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*In the committee*

**CARBON POLLUTION REDUCTION SCHEME BILL 2009 [No. 2]—**

Bill taken as a whole by leave.

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

Carbon Pollution Reduction Scheme Bill 2009 [No. 2]—Supplementary explanatory memorandum and addendum to the supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

Carbon Pollution Reduction Scheme (Consequential Amendments) Bill 2009 [No. 2], Australian Climate Change Regulatory Authority Bill 2009 [No. 2], Carbon Pollution Reduction Scheme (CPRS Fuel Credits) Bill 2009 [No. 2] and Carbon Pollution Reduction Scheme Amendment (Household Assistance) Bill 2009 [No. 2]—Supplementary explanatory memoranda [4] relating to the government amendments to be moved to the bills.

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Bill debated.

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

Clause 2, page 2 (table item 2), omit “The 28th day”, substitute “The 42nd day”.

Clause 2, page 2 (table item 2), omit “before the 28th day”, substitute “before the 42nd day”.

Bill, as amended, further debated.

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*At 11 pm:* The Acting Deputy President (Senator Troeth) resumed the chair and the Temporary Chair of Committees reported progress.

**40 ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 11.09 pm till Thursday, 26 November 2009 at 9.30 am.

**41 ATTENDANCE**

Present, all senators.

**HARRY EVANS**  
Clerk of the Senate