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**1 MEETING OF SENATE**

The Senate met at 12.30 pm. The President (Senator the Honourable John Hogg) took the chair and read prayers.

**2 RENEWABLE ENERGY (ELECTRICITY) AMENDMENT BILL 2010**  
**RENEWABLE ENERGY (ELECTRICITY) (CHARGE) AMENDMENT BILL 2010**  
**RENEWABLE ENERGY (ELECTRICITY) (SMALL-SCALE TECHNOLOGY SHORTFALL CHARGE) BILL 2010**

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.

Debate resumed.

*At 2 pm:* Debate was interrupted while the Leader of the Family First Party (Senator Fielding) was speaking.

**3 QUESTIONS**

Questions without notice were answered.

**4 MOTION TO TAKE NOTE OF ANSWERS**

The Leader of The Nationals in the Senate (Senator Joyce) moved—That the Senate take note of the answers given by the Minister for Broadband, Communications and the Digital Economy (Senator Conroy) and the Assistant Treasurer (Senator Sherry) to questions without notice asked by Senators Cormann and Joyce today relating to communications and the National Broadband Network.

Debate ensued.

Question put and passed.

**5 PETITION**

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

From 19 230 petitioners, requesting that the Senate reject any plan to filter the Internet.

**6 NOTICES**

Senator Birmingham: To move on the next day of sitting—That there be laid on the table by the Minister representing the Prime Minister, no later than noon on 23 June 2010, a copy of the report prepared by the Energy Efficiency task force and provided to the Prime Minister in September 2008, as confirmed by the Department of the Prime Minister and Cabinet in response to a question taken on notice on 25 March 2010 and received on 19 April 2010 by the Environment, Communications and the Arts References Committee's as the answer to Question 3 in its inquiry into the Energy Efficient Homes Package. (*general business notice of motion no. 823*)

Senator Ronaldson: To move on the next day of sitting—That the Senate is of the view that, in the event of a simultaneous dissolution of both Houses under section 57 of the Constitution, the division of senators into two classes for the purposes of rotation should be in accordance with the results of a recount of the Senate vote under section 282 of the *Commonwealth Electoral Act 1918* to determine the order of election of senators in each state. (*general business notice of motion no. 824*)

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

- (a) welcomes the presence in Parliament House of more than 300 participants in the Micah Challenge Voices for Justice event, representing churches, schools and community groups in more than 80 electorates and from every state and territory;
- (b) notes:
  - (i) the vital progress being made towards the Millennium Development Goals (MDGs), which aim to halve world poverty by 2015, seen through the reduction in child deaths from 12.5 million annually in 1990 to 8.8 million in 2008,
  - (ii) that while progress is being made, a number of the MDGs are still off track, particularly Goals 4 and 5, which relate to child and maternal health, and
  - (iii) the growing public support in the Australian community for the MDGs, demonstrated by more than 111 000 people who have signed the Micah call in support of the MDGs as part of the Micah Challenge campaign and an additional 40 000 people who recently signed the 'Act to End Poverty' with the Make Poverty History campaign;
- (c) reaffirms:
  - (i) the commitment to the MDGs as important benchmarks for the global community to fight poverty, and
  - (ii) that all eight MDGs are achievable with the political will of the global community;
- (d) recognises the United Nations Secretary-General Ban Ki-moon's call to world leaders to attend the MDGs Review Summit in New York in September 2010, and the importance of this global meeting to measure progress and develop a clear action plan to achieve these MDGs within the remaining 5 years; and
- (e) calls on the Government to make clear at the UN Summit, Australia's ongoing commitment to the achievement of the MDGs by 2015. (*general business notice of motion no. 825*)

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 report of the Select Committee on Agricultural and Related Industries on the incidence and severity of bushfires across Australia be extended to 13 August 2010. (*general business notice of motion no. 826*)

Senator Ronaldson: To move on the next day of sitting—That there be laid on the table by the Special Minister of State and Cabinet Secretary, no later than 2 pm on 23 June 2010, a copy of the draft: (a) letter to the Treasurer; and (b) statement to Parliament, both of which were prepared by the Department of Finance and Deregulation, and provided to the Minister on 14 May 2010, and which relate to the request from the Treasurer, of 10 May 2010, for an exemption from the *Guidelines on Information and Advertising Campaigns by Australian Government Departments and Agencies* for the proposed advertising campaign relating to the Government's tax reforms. (*general business notice of motion no. 827*)

Senator Ludlam: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Environment Protection, Heritage and the Arts, no later than 9.30 pm on Thursday, 24 June 2010:

- (a) the study by PricewaterhouseCoopers into estimating consumers' willingness to pay for improvements in packaging and beverage container waste management; and
- (b) the Australian Bureau of Agricultural and Resource Economics peer review of the study. (*general business notice of motion no. 828*)

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

- (a) notes that:
  - (i) motor neurone disease (MND) Global Day on 21 June 2010 represents an important opportunity to acknowledge those around the world affected by MND,
  - (ii) in Australia alone, more than 1 400 people have MND and the disease takes the life of more than 10 Australians every week,
  - (iii) there is no known cause in 90 per cent of cases, no cure and no effective treatment for MND, and
  - (iv) the most pressing need for those affected by MND and their families includes easy and timely access to appropriate care and support, including access to aids, equipment and assistance with basic daily living such as mobility, communication, feeding and breathing to maintain independence and quality of life; and
- (b) calls on the Government to continue its funding for MND research and improving health and disability services for all those affected. (*general business notice of motion no. 829*)

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

- (a) notes:
  - (i) the recent survey conducted by the Australian Red Cross on community attitudes towards asylum seekers and refugees, and
  - (ii) that this survey found that 67 per cent agreed that refugees have made a positive contribution to Australian society, while 83 per cent agreed that people fleeing persecution should be able to seek protection in another country;
- (b) recognises that 96 per cent of asylum seekers who arrive by boat are assessed as genuine refugees; and
- (c) calls on all sides of politics to recognise the positive contribution that refugees have made and continue to make to the diversity of our nation. (*general business notice of motion no. 830*)

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

- (a) notes that:
  - (i) there is significant opportunity for investment in stormwater harvesting and water efficiency, yet Adelaide remains reliant on the Murray River for its water supply, and
  - (ii) the Minister for Climate Change, Energy Efficiency and Water (Senator Wong) has demanded an environmental dividend to reduce Adelaide's reliance on the Murray River, in exchange for Federal Government funding for a range of urban water projects; and

- (b) calls on the Federal Government to work with the South Australian Government to wean Adelaide off the Murray River for the long-term sustainability of the river system. (*general business notice of motion no. 831*)

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

- (a) welcomes Xi Jinping, Vice President of the Peoples' Republic of China;
- (b) acknowledges the continuing concerns of the Australian people over human rights in China and Tibet; and
- (c) expresses its hopes for a productive visit, including a frank and wide-ranging dialogue on matters of concern to both China and Australia. (*general business notice of motion no. 832*)

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

- (a) congratulates His Holiness the Dalai Lama on celebrating his 75th birthday on 6 July 2010;
- (b) notes the Dalai Lama's unstinting commitment to non-violence, his pragmatism in seeking a 'Middle Way' approach in order to reach a peaceful and practical solution for the future of Tibet and its people and his work in promoting inter-religious understanding;
- (c) acknowledges the Dalai Lama's Nobel Peace Prize awarded in 1989, his US Congressional Gold Medal in 2007 and the many other awards and honours presented for his wide-ranging work in advocating peace, non-violence, inter-religious understanding, universal responsibility and compassion; and
- (d) expresses its hopes for a peacefully negotiated settlement between the Tibetan people and the People's Republic of China. (*general business notice of motion no. 833*)

The Chair of the Environment, Communications and the Arts References Committee (Senator Fisher): To move on the next day of sitting—That the time for the presentation of the final report of the Environment, Communications and the Arts References Committee on the Energy Efficient Homes Package be extended to 24 June 2010. (*general business notice of motion no. 834*)

The Chair of the Community Affairs References Committee (Senator Siewert): To move on the next day of sitting—That the time for the presentation of the report of the Community Affairs References Committee on new therapeutic groups under the Pharmaceutical Benefits Scheme be extended to 26 August 2010. (*general business notice of motion no. 835*)

Senator Xenophon: To move on the next day of sitting—That the Aviation Transport Security Amendment Regulations 2010 (No. 1), as contained in Select Legislative Instrument 2010 No. 80 and made under the *Aviation Transport Security Act 2004*, be disallowed.

The Chair of the Community Affairs Legislation Committee (Senator Moore): To move on the next day of sitting—That the time for the presentation of the report of the Community Affairs Legislation Committee on the Poker Machine (Reduced Losses—Interim Measures) Bill 2009 and the Protecting Problem Gamblers Bill 2009 be extended to 28 October 2010. (*general business notice of motion no. 836*)

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 Veterans' Affairs Legislation Amendment (2010 Budget Measures) Bill 2010 and the Veterans' Entitlements Amendment (Income Support Measures) Bill 2010 may be taken together for their remaining stages.

The Special Minister of State (Senator Ludwig): To move on the next day of sitting—  
That, on Tuesday, 22 June 2010:

- (a) the hours of meeting shall be 12.30 pm to adjournment;
- (b) the routine of business from 6.50 pm shall be consideration of a motion relating to Australian troops in Afghanistan; and
- (c) the question for the adjournment of the Senate shall be proposed at 8.50 pm.

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

(1) That the Senate notes that:

- (a) the Industry Skills Councils (ISCs) are independent, not for profit companies funded by the Federal Government to fulfil various skills and training-related policy and program responsibilities;
- (b) the Rudd Government has boosted public funding and scope for those ISCs significantly, including a:
  - (i) \$83.2 million funding boost in 2008-09 increasing operational funding for ISCs under the 2008-2011 funding agreement to \$118.9 million,
  - (ii) allocation of several hundred thousands of dollars in 2009 to the Construction and Property Services Industry Skills Council to develop the home insulation training package,
  - (iii) \$40 million funding allocation in 2010-11 for the Enterprise Based Productivity Places Program,
  - (iv) \$19.9 million funding allocation in 2010-11 for the Smarter Apprenticeships Program, and
  - (v) \$2.3 million funding allocation in 2010-11 to revise and rewrite training packages as part of the National Green Skills Agreement;
- (c) none of the funding is allocated by open competitive tender, with any competition limited to ISCs between each other for some of the government funding;
- (d) it is unclear whether those ISCs are sufficiently representative of respective sectors of Australian industry; and
- (e) nearly all the funding for ISCs is provided by the Federal Government, yet as 'private companies' they are not subject to the scrutiny of Senate estimates committees.

(2) That the following matters be referred to the Education, Employment and Workplace Relations References Committee for inquiry and report by 30 September 2010:

- (a) the role and effectiveness of Industry Skills Councils (ISCs) in the operation of the national training system particularly as it relates to states and territories and rural and regional Australia;
- (b) accountability mechanisms in relation to Commonwealth funding for the general operation and specific projects and programs of each ISC;
- (c) corporate governance arrangements of ISCs;
- (d) Commonwealth Government processes to prioritise funding allocations across all ISCs;
- (e) ISC network arrangements and co-operative mechanisms implemented between relevant boards;
- (f) the accrual of accumulated surpluses from public funding over the life of each ISC's operation and its use and purpose;

- (g) the effectiveness of each ISC in implementing specific training initiatives, for example the Skills for Sustainability initiative under the National Green Skills Agreement; and
- (h) any related matters.

The Chair of the Select Committee on the Reform of the Australian Federation (Senator Trood): To move on the next day of sitting—That the time for the presentation of the report of the Select Committee on the Reform of the Australian Federation be extended to 17 November 2010. (*general business notice of motion no. 837*)

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

- (a) notes that the Zero Carbon Australia Stationary Energy Plan released by Beyond Zero Emissions and the University of Melbourne shows:
  - (i) that it is technically possible for Australia to achieve 100 per cent renewable energy within a decade, and
  - (ii) that the technologies to achieve this goal, including baseload solar thermal energy with storage, are commercially available today;
- (b) applauds the organisations involved for their vision and efforts; and
- (c) calls on the Australian Government to direct the Department of Resources, Energy and Tourism and the Department of Climate Change and Energy Efficiency to undertake a similar study to examine the potential for a swift transition to 100 per cent renewable energy in Australia. (*general business notice of motion no. 838*)

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

- (a) notes that:
  - (i) road transport amounts to 12 per cent of Australia's total carbon dioxide emissions, and the largest source of these emissions was passenger cars,
  - (ii) more efficient cars would improve Australia's energy security,
  - (iii) internationally, a number of states have adopted mandatory standards for vehicle fuel efficiency, for example Europe is in the process of legislating for a target of 130g CO<sub>2</sub> per km by 2015,
  - (iv) the automotive industry accepted a voluntary target of 222g CO<sub>2</sub> per kilometre by 2010 and that this target was met ahead of schedule, arguably with 'business as usual' improvements,
  - (v) the 2010-11 Budget cut \$200 million from the Green Car Innovation Fund, which provides grants to automobile industries to encourage investment in efficient technology, a cut that was justified on the basis that demand for grants was lower than anticipated, and
  - (iv) in July 2009, the Council of Australian Governments requested that the Department of Infrastructure, Transport, Regional Development and Local Government produce a regulatory impact statement into a mandatory scheme for vehicle fuel efficiency and that this report was originally to be made public for consultation before the end of March 2010, but has still not been released; and
- (b) calls on the Government to release the regulatory impact statement into a mandatory scheme for vehicle fuel efficiency and move to introduce mandatory fuel efficiency standards without further delay. (*general business notice of motion no. 839*)



**7 FINANCE AND PUBLIC ADMINISTRATION REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT**

The Chair of the Finance and Public Administration References Committee (Senator Ryan), by leave, moved—That the time for the presentation of the report of the Finance and Public Administration References Committee on COAG reforms relating to health and hospitals be extended to 23 June 2010.

Question put and passed.

**8 LEAVE OF ABSENCE**

Senator Williams, by leave, moved—That leave of absence be granted to Senator Payne for today, for personal reasons, and to Senator Johnston from 21 June to 24 June 2010, for personal reasons.

Question put and passed.

**9 ENVIRONMENT, COMMUNICATIONS AND THE ARTS REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT**

The Chair of the Environment, Communications and the Arts References Committee (Senator Fisher), by leave, moved—That the time for the presentation of the report of the Environment, Communications and the Arts References Committee on the administration and effectiveness of the Green Loans Program be extended to 6 August 2010.

Question put and passed.

**10 LEAVE OF ABSENCE**

Senator McEwen, by leave, moved—That leave of absence be granted to Senator Polley for today, for personal reasons.

Question put and passed.

**11 POSTPONEMENTS**

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Xenophon for today, proposing a reference to the Community Affairs References Committee, postponed till 24 June 2010.

Government business notice of motion no. 1 standing in the name of the Special Minister of State (Senator Ludwig) for today, relating to the ordinary annual services of the Government, postponed till 22 June 2010.

General business notice of motion no. 818 standing in the name of Senator Hanson-Young for today, relating to alleged war crimes in Sri Lanka, postponed till 24 June 2010.

General business notice of motion no. 819 standing in the name of the Leader of the Australian Greens (Senator Bob Brown) for today, relating to Australian combat troops in Afghanistan, postponed till 22 June 2010.

**12 HISTORICAL EVENTS—RABAU AND THE NEW GUINEA ISLANDS**

Senator McEwen, also on behalf of Senator Trood, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 802—That the Senate—

(a) expresses:

- (i) the gratitude of the Australian nation to the military personnel and civilians in Rabaul and the New Guinea islands for their services in the defence of Australia during World War II, and
- (ii) its regret and sorrow for the sacrifices that were made in the defence of Rabaul and the New Guinea islands after the invasion of 23 January 1942 and in the subsequent sinking of the *Montevideo Maru* on 1 July 1942; and

(b) conveys:

- (i) its condolences to the relatives of the people who died in this conflict, and
- (ii) its thanks to the relatives for their forbearance and efforts in ensuring that the nation remembers the sacrifices made.

Question put and passed.

**13 ENVIRONMENT—ENERGY EFFICIENCY**

The Leader of the Australian Greens (Senator Bob Brown), at the request of Senator Milne and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 821—That the Senate—

(a) notes that:

- (i) Australia needs to reverse its current trend of increasing carbon emissions if it is to contribute to efforts to reduce the risks of climate change,
- (ii) a significant proportion of Australia's energy use is represented by energy waste, with estimates by researchers suggesting that cost-effective (i.e. budget neutral) opportunities exist to reduce energy use in residential and commercial buildings by 30 to 35 per cent, and
- (iii) energy costs are increasing and will continue to do so, placing a growing burden on industry and households; and

(b) resolves to:

- (i) work multilaterally with industry, the community, the Government and all opposition parties to ensure that reducing energy waste is considered as a policy opportunity commensurate with its potential for environmental and economic benefit,
- (ii) publicise the findings of the Prime Minister's Energy Efficiency Task Group and support action for far-reaching recommendations to create a step change in energy efficiency implementation at the earliest opportunity, and

- (iii) work with the Australian Alliance to Save Energy to ensure that Members of Parliament are well informed on the opportunity that energy efficiency presents to improve Australia's economic competitiveness and the large contribution that it can make to reducing greenhouse emissions.

Question put and passed.

#### 14 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—IMMIGRATION—BORDER SECURITY**

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 failure to control our borders.

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

#### 15 **NOTICE**

Senator Parry, by leave, gave a notice of motion as follows: To move on the next day of sitting—That—

- (1) The Wild Rivers (Environmental Management) Bill 2010 [No. 2] be considered under a limitation of debate.
- (2) On Wednesday, 23 June 2010, the bill have precedence over all other business from 9.30 am.
- (3) The time allotted for the remaining stages of the bill be until 11 am on Wednesday, 23 June 2010.
- (4) This order operate as an allocation of time under standing order 142.
- (5) On Thursday, 24 June 2010, the routine of business be as follows:
  - (a) not later than 4.30 pm, government business;
  - (b) not later than 6 pm, consideration of government documents under general business;
  - (c) not later than 7 pm, consideration of committee reports and government responses under standing order 62(1);
  - (d) at 8 pm, adjournment proposed; and
  - (e) at 8.40 pm, adjournment. (*general business notice of motion no. 840*)

#### 16 **ECONOMICS LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—TAX LAWS AMENDMENT (RESEARCH AND DEVELOPMENT) BILL 2010 AND INCOME TAX RATES AMENDMENT (RESEARCH AND DEVELOPMENT) BILL 2010**

Senator Collins, at the request of the Chair of the Economics Legislation Committee (Senator Hurley), tabled the following document:

Economics Legislation Committee—Report—Tax Laws Amendment (Research and Development) Bill 2010 [Provisions] and Income Tax Rates Amendment (Research and Development) Bill 2010 [Provisions]—Additional information.

**17 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE—REPORT OF THE 2009 NEW ZEALAND PARLIAMENTARY COMMITTEE EXCHANGE**

Senator Collins, on behalf of the Joint Standing Committee on the National Capital and External Territories, tabled the following report:

National Capital and External Territories—Joint Standing Committee—Report of the 2009 New Zealand parliamentary committee exchange, 24 August to 27 August 2009, dated June 2010.

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

Question put and passed.

**18 PUBLIC WORKS—JOINT STATUTORY COMMITTEE—2ND REPORT OF 2010**

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

Public Works—Joint Statutory Committee—2nd report of 2010—Referrals made February to March 2010: Centre for accelerator science and extension to facilities for the Australian Nuclear Science and Technology Organisation, Sydney, NSW; Fitout of new leased premises for the Department of Climate Change and Energy Efficiency of the New Acton Nishi Building, Canberra, ACT; Construction of housing for Defence at Voyager Point, Liverpool, NSW; Construction of housing for Defence at Muirhead, Darwin, NT; Pawsey High Performance Computing Centre for SKA Science, Perth, WA, dated June 2010.

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

Debate ensued.

Question put and passed.

**19 DOCUMENTS**

The following documents were tabled by the Clerk:

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

A New Tax System (Goods and Services Tax) Act—

A New Tax System (Goods and Services Tax) (Exempt Taxes, Fees and Charges) Determination 2010 (No. 2) [F2010L01559]\*.

A New Tax System (Goods and Services Tax) Third Party Adjustment Note Information Requirements Determination (No. 1) 2010 [F2010L01588]\*.

Australian Prudential Regulation Authority Act—Australian Prudential Regulation Authority Instrument Fixing Charges No. 2 of 2010—Provision of statistical information about financial sector entities to the Reserve Bank of Australia and the Australian Bureau of Statistics during the 2009-2010 financial year [F2010L01576]\*.

Civil Aviation Act—

Civil Aviation Regulations—Instrument No. CASA 210/10—Instructions – RNAV (RNP-AR) approaches and departures [F2010L01582]\*.

Civil Aviation Safety Regulations—

Airworthiness Directives—

AD/B727/74 Amdt 1—Elevator Balance Panel Aft Hinge – Inspection [F2010L01607]\*.

AD/F100/97—State of Design Airworthiness Directives  
[F2010L01594]\*.

Revocation of Airworthiness Directives—Instrument No. CASA ADCX  
014/10 [F2010L01670]\*.

Commonwealth Authorities and Companies Act—Notices under section 45—  
Australian Technology Group Limited.  
Cerylid Biosciences Ltd.  
NBN Co Limited [2].

Customs Act—Tariff Concession Orders—

0942055 [F2010L01454]\*.  
0943498 [F2010L01453]\*.  
0944782 [F2010L01443]\*.  
0944792 [F2010L01444]\*.  
0944795 [F2010L01445]\*.  
0946743 [F2010L01464]\*.  
0946753 [F2010L01461]\*.  
0947041 [F2010L01465]\*.  
0947042 [F2010L01457]\*.  
0947674 [F2010L01449]\*.  
0947676 [F2010L01463]\*.  
0947932 [F2010L01456]\*.  
1009472 [F2010L01422]\*.  
1009473 [F2010L01420]\*.  
1009474 [F2010L01421]\*.

Defence Act—Determinations under section 58B—Defence Determinations—

2010/23—Club membership and summer schools – amendment.  
2010/24—Education assistance – amendment.  
2010/25—Post indexes – price review.  
2010/26—Review of housing and accommodation contributions and  
allowances.

Environment Protection and Biodiversity Conservation Act—Amendments of lists  
of specimens taken to be suitable for live import—

EPBC/s.303EC/SSLI/Amend/034 [F2010L01574]\*.  
EPBC/s.303EC/SSLI/Amend/036 [F2010L01572]\*.

Health Insurance Act—Select Legislative Instrument 2010 No. 127—Health  
Insurance (General Medical Services Table) Amendment Regulations 2010 (No. 4)  
[F2010L01284]\*.

*Income Tax Assessment Act 1936*—Select Legislative Instrument 2010 No. 136—  
Income Tax Amendment Regulations 2010 (No. 2) [F2010L01575]\*.

*Income Tax Assessment Act 1936* and Taxation Administration Act—Lodgment of  
income tax returns for the year of income ended 30 June 2010 in accordance with  
the *Income Tax Assessment Act 1936* and the *Taxation Administration Act 1953* –  
Child Support Agency – parents with a child support assessment [F2010L01595]\*.

*Income Tax Assessment Act 1936, Income Tax Assessment Act 1997, Taxation Administration Act, Superannuation Industry (Supervision) Act and Income Tax (Transitional Provisions) Act—Lodgment of returns for the year of income ended 30 June 2010 in accordance with the Income Tax Assessment Act 1936, the Income Tax Assessment Act 1997, the Taxation Administration Act 1953, the Superannuation Industry (Supervision) Act 1993 and the Income Tax (Transitional Provisions) Act 1997* [F2010L01593]\*.

Life Insurance Act—Life Insurance (Prudential Standard) Determination No. 1 of 2010—Prudential Standard LPS 310 Audit and Related Matters [F2010L00619]\*.

Migration Act—

Migration Regulations—Instruments IMMI—

10/020—Payment of visa application charges and fees in foreign currencies [F2010L01416]\*.

10/020—Payment of visa application charges and fees in foreign currencies amendment instrument [F2010L01598]\*.

Select Legislative Instrument 2010 No. 133—Migration Amendment Regulations 2010 (No. 6) [F2010L01587]\*.

National Consumer Credit Protection (Fees) Act—Select Legislative Instrument 2010 No. 138—National Consumer Credit Protection (Fees) Amendment Regulations 2010 (No. 2) [F2010L01581]\*.

Renewable Energy (Electricity) Act—Select Legislative Instrument 2010 No. 142—Renewable Energy (Electricity) Amendment Regulations 2010 (No. 3) [F2010L01597]\*.

Social Security (Administration) Act—Social Security (Administration) (Declared relevant Northern Territory areas – Various) Determination 2010 (No. 7) [F2010L01589]\*.

Superannuation Guarantee (Administration) Act—Select Legislative Instrument 2010 No. 140—Superannuation Guarantee (Administration) Amendment Regulations 2010 (No. 1) [F2010L01577]\*.

Taxation Administration Act—Lodgment of statements by first home saver account providers for the year ended 30 June 2010 in accordance with the *Taxation Administration Act 1953* [F2010L01596]\*.

Television Licence Fees Act—Select Legislative Instrument 2010 No. 141—Television Licence Fees Amendment Regulations 2010 (No. 1) [F2010L01591]\*.

Therapeutic Goods Act—Select Legislative Instrument 2010 No. 132—Therapeutic Goods (Medical Devices) Amendment Regulations 2010 (No. 2) [F2010L01281]\*.

Therapeutic Goods (Charges) Act—Select Legislative Instrument 2010 No. 131—Therapeutic Goods (Charges) Amendment Regulations 2010 (No. 1) [F2010L01283]\*.

\* Explanatory statement tabled with legislative instrument.

**20 COMMITTEE MEMBERSHIP**

The Acting Deputy President (Senator Hutchins) informed the Senate that the President had received a letter nominating a senator to be a member of a committee.

The Minister for Innovation, Industry, Science and Research (Senator Carr), by leave, moved—That Senator Ludlam be appointed to the Select Committee on the Reform of the Australian Federation.

Question put and passed.

**21 TAX LAWS AMENDMENT (2010 MEASURES NO. 2) BILL 2010**

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

Message no. 617, dated 17 June 2010—Tax Laws Amendment (2010 Measures No. 2) Bill 2010.

**22 TAX LAWS AMENDMENT (RESEARCH AND DEVELOPMENT) BILL 2010  
INCOME TAX RATES AMENDMENT (RESEARCH AND DEVELOPMENT) BILL 2010**

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

Message no. 613, dated 17 June 2010—A Bill for an Act to amend the law relating to taxation and research and development, and for other purposes.

Message no. 614, dated 17 June 2010—A Bill for an Act to amend the *Income Tax Rates Act 1986*, and for related purposes.

The Minister for Innovation, Industry, Science and Research (Senator Carr) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

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

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*Explanatory memorandum:* Senator Carr tabled a replacement explanatory memorandum relating to the bills.

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On the motion of Senator Carr the debate was adjourned till the next day of sitting.

**23 FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—REPORT—  
PREVENTING THE MISUSE OF GOVERNMENT ADVERTISING BILL 2010**

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

Finance and Public Administration Legislation Committee—Preventing the Misuse of Government Advertising Bill 2010—Report, dated June 2010 and submissions.

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

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

Debate ensued.

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

24 **RENEWABLE ENERGY (ELECTRICITY) AMENDMENT BILL 2010**

**RENEWABLE ENERGY (ELECTRICITY) (CHARGE) AMENDMENT BILL 2010**

**RENEWABLE ENERGY (ELECTRICITY) (SMALL-SCALE TECHNOLOGY SHORTFALL CHARGE) BILL 2010**

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.

Debate resumed.

Senator Milne, by leave, moved the following amendment in respect of the Renewable Energy (Electricity) Amendment Bill 2010:

At the end of the motion, add “, provided that the Government undertakes to implement a national gross renewable energy feed-in tariff scheme which standardises the existing state and territory schemes”.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

**AYES, 4**

Senators—

Brown, Bob

Ludlam

Milne

Siewert (Teller)

**NOES, 35**

Senators—

Adams (Teller)

Cameron

Furner

Parry

Arbib

Colbeck

Hurley

Pratt

Back

Collins

Hutchins

Scullion

Bilyk

Crossin

Kroger

Stephens

Birmingham

Farrell

Lundy

Sterle

Bishop

Feeney

Marshall

Troeth

Boswell

Ferguson

McLucas

Wong

Boyce

Fielding

Moore

Wortley

Brown, Carol

Forshaw

O'Brien

Question negatived.

Main question put and passed.

Bills read a second time.

On the motion of the Minister for Climate Change, Energy Efficiency and Water (Senator Wong) consideration of the bills in committee of the whole was made an order of the day for a later hour.



**25 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION AMENDMENT  
(RECREATIONAL FISHING FOR MAKO AND PORBEAGLE SHARKS) BILL 2010**

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

Debate resumed.

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

**26 DEFENCE—AFGHANISTAN—MINISTERIAL STATEMENT**

The Minister for Defence (Senator Faulkner), by leave, made a statement relating to an operational incident in Afghanistan involving Australian troops.

*Statements by leave:* The Leader of the Opposition in the Senate (Senator Abetz), the Leader of the Family First Party (Senator Fielding) and Senator Ludlam, by leave, made statements relating to the matter.

**27 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION AMENDMENT  
(RECREATIONAL FISHING FOR MAKO AND PORBEAGLE SHARKS) BILL 2010**

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

Debate resumed.

Senator Siewert moved the following amendment:

At the end of the motion, add “but the Senate calls on the Government to fund a dedicated mako and porbeagle shark research and data collection program, working with recreational fishers to conclusively document the status and trajectory of mako and porbeagle sharks in Australian waters”.

Debate ensued.

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

Main question, as amended, put and passed.

Bill read a second time.

The Senate resolved itself into committee for the consideration of the bill.

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*In the committee*

Bill taken as a whole by leave.

Senator Siewert moved the following amendment:

Schedule 1, page 3 (after line 15), after item 2, insert:

**2A At the end of section 212**

Add:

(1A) Paragraph (1)(r) has effect subject to the following conditions:

- (a) that a plan of management (the *plan*) has been determined under section 17 of the *Fisheries Management Act 1999* for the recreational fishing of the shortfin mako, longfin mako and porbeagle shark fisheries; and
- (b) that the plan has been accredited, in writing, by the Minister; and

(c) that the recreational fishing referred to in the paragraph is undertaken in accordance with the plan.

- (1B) Despite anything in the *Fisheries Management Act 1999* or any other law, the Minister must not accredit a plan for the purposes of paragraph (1A)(b) unless the Minister is satisfied that the recreational fishing permitted by the plan will not lead to any significant detrimental impact on the overall numbers of shortfin mako sharks, longfin mako sharks and porbeagle sharks.

Debate ensued.

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

Question—That the bill be agreed to—divided, at the request of Senator Siewert, in respect of Schedule 1, item 4.

Schedule 1, item 4 agreed to.

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of the Minister for Broadband, Communications and the Digital Economy (Senator Conroy) the report from the committee was adopted and the bill read a third time.

**28 SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (WELFARE REFORM AND REINSTATEMENT OF RACIAL DISCRIMINATION ACT) BILL 2009**

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

Debate resumed.

Senator Siewert moved the following amendment:

At the end of the motion, add “and further consideration of the bill be made an order of the day for consideration after the Senate concludes its consideration of the Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Restoration of Racial Discrimination Act) Bill 2009”.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 4

Senators—

Brown, Bob

Ludlam

Milne

Siewert (Teller)

## NOES, 42

Senators—

Adams (Teller)	Cormann	Hutchins	Pratt
Back	Crossin	Joyce	Scullion
Bilyk	Farrell	Kroger	Stephens
Bishop	Feeney	Ludwig	Sterle
Boyce	Ferguson	Lundy	Troeth
Brandis	Fielding	Marshall	Trood
Brown, Carol	Fifield	McEwen	Williams
Cameron	Fisher	McLucas	Wortley
Carr	Forshaw	Moore	Xenophon
Cash	Furner	Nash	
Colbeck	Hurley	Parry	

Question negatived.

Main question put.

The Senate divided—

## AYES, 44

Senators—

Adams	Coonan	Humphries	O'Brien
Back	Cormann	Hurley	Parry
Bilyk	Crossin	Hutchins	Pratt
Bishop	Eggleston	Joyce	Scullion
Boyce	Farrell	Kroger	Stephens
Brandis	Feeney	Ludwig	Sterle
Brown, Carol	Fielding	Lundy	Troeth
Cameron	Fifield	McEwen (Teller)	Trood
Carr	Fisher	McLucas	Williams
Cash	Forshaw	Moore	Wortley
Colbeck	Furner	Nash	Xenophon

## NOES, 4

Senators—

Brown, Bob	Ludlam	Milne	Siewert (Teller)
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Question agreed to.

Bill read a second time.

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

On the motion of the Minister for Innovation, Industry, Science and Research (Senator Carr) the bill was read a third time.

## 29 FAMILY ASSISTANCE LEGISLATION AMENDMENT (CHILD CARE BUDGET MEASURES) BILL 2010

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary for Social Inclusion (Senator Stephens)—That this bill be now read a second time.

Debate resumed.

*At 9.50 pm:* Debate was interrupted while Senator Siewert was speaking.

**30 ADJOURNMENT**

The President proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 10.27 pm till Tuesday, 22 June 2010 at 12.30 pm.

**31 ATTENDANCE**

Present, all senators except Senators Johnston\*, Payne\* and Polley\* (\* on leave).

**ROSEMARY LAING**  
Clerk of the Senate