

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 67

TUESDAY, 12 MAY 2009

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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 GOVERNMENT DOCUMENTS**

The following documents were tabled:

Australian Communications and Media Authority—National relay service provider performance—Report for 2007-08.

Australian Human Rights Commission—Report No. 40—Complaints by immigration detainees against the Commonwealth of Australia.

*Broadcasting Services Act 1992*—Digital television transmission and reception—Report, May 2009.

Department of Health and Ageing—Extended Medicare Safety Net—Review report 2009—Report prepared by the Centre for Health Economics Research and Evaluation.

Department of Immigration and Citizenship—Access and equity in government services—Report for 2006-08.

*Superannuation (Government Co-contribution for Low Income Earners) Act 2003*—Quarterly report on the operation of the Government co-contribution scheme for the period 1 October to 31 December 2008.

*Tobacco Advertising Prohibition Act 1992*—Report for 2008 pursuant to section 34A of the Act.

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

The Minister for Human Services (Senator Ludwig), by leave, moved—That the hours of meeting for Tuesday, 12 May 2009 be from 12.30 pm to 6.30 pm and 8 pm to adjournment, and for Thursday, 14 May 2009 be from 9.30 am to 6 pm and 8 pm to adjournment, and that:

- (a) the routine of business from 8 pm on Tuesday, 12 May 2009 shall be:
  - (i) Budget statement and documents 2009-10, and
  - (ii) adjournment; and
- (b) the routine of business from 8 pm on Thursday, 14 May 2009 shall be:
  - (i) Budget statement and documents—party leaders and independent senator to make responses to the statement and documents for not more than 30 minutes each, and
  - (ii) adjournment.

Question put and passed.

**4 AUSTRALIAN BUSINESS INVESTMENT PARTNERSHIP BILL 2009  
AUSTRALIAN BUSINESS INVESTMENT PARTNERSHIP (CONSEQUENTIAL AMENDMENT) BILL 2009**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas)—That these bills be now read a second time.

Debate resumed.

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

**5 QUESTIONS**

Questions without notice were answered.

**6 MOTIONS TO TAKE NOTE OF ANSWERS**

Senator Colbeck moved—That the Senate take note of the answers given by the Minister for Climate Change and Water (Senator Wong) to questions without notice asked by Senators Cash and Boswell today relating to the proposed Carbon Pollution Reduction Scheme.

Debate ensued.

Question put and passed.

Senator Ludlam moved—That the Senate take note of the answer given by the Minister for Climate Change and Water (Senator Wong) to a question without notice asked by Senator Ludlam today relating to nuclear power.

Question put and passed.

**7 DEATH OF FORMER SENATOR GEORGE CONRAD HANNAN**

The President informed the Senate of the death, on 1 May 2009, of George Conrad Hannan, a senator for the state of Victoria from 1956 to 1965 and 1970 to 1974.

The Leader of the Government in the Senate (Senator Evans), by leave, moved—That the Senate records its deep regret at the death, on 1 May 2009, of George Conrad Hannan, former senator for Victoria, and places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his family in their bereavement.

The motion was supported and all senators present stood in silence—

Question passed.

**8 DEATH OF FORMER MEMBERS JOHN LINDSAY ARMITAGE, OAM AND WILLIAM GEORGE BURNS**

The President informed the Senate of the death of the following former members of the House of Representatives:

John Lindsay Armitage, OAM, on 13 April 2009, a member for the divisions of Mitchell from 1961 to 1963, and Chifley from 1969 to 1983.

William George Burns, on 16 March 2009, a member for the division of Isaacs from 1977 to 1980.

**9 DEATH OF SERGEANT BRETT TILL**

The Leader of the Government in the Senate (Senator Evans), by leave, moved—That the Senate records its deep regret at the death, on 19 March 2009, of Sergeant Brett Till, while on combat operations in Afghanistan, and places on record its appreciation of his service to his country, and tenders its profound sympathy to his family in their bereavement.

The motion was supported and all senators present stood in silence—

Question passed.

**10 PETITIONS**

The following 5 petitions, lodged with the Clerk by the senators indicated, were received:

The President and Senator Scullion, 2 petitions similar in wording, from 4 and 845 petitioners, respectively, requesting that the Senate amend the Social Security and Veterans' Entitlements Amendment (Commonwealth Seniors Health Card) Bill 2009 to exclude already taxed superannuation monies from the taxable income threshold used to determine the eligibility for the Commonwealth Seniors Health Card.

Senator Ludlam, from 41 petitioners, requesting that the Senate oppose any legislation implementing an Internet filter and support educational programs in this area.

Senator Polley, 2 petitions similar in wording, from 340 and 95 petitioners, requesting that the Senate take action so that legal abandonment of newborn babies is recognised and that 'Baby Safe Havens' are provided for.

**11 NOTICES**

*Notices of motion:*

The Chair of the Community Affairs Committee (Senator Moore): To move on the next day of sitting—That the time for the presentation of the report of the Community Affairs Committee on compliance audits on Medicare benefits be extended to 10 June 2009. (*general business notice of motion no. 415*)

The Chair of the Economics Committee (Senator Hurley): To move on the next day of sitting—That the time for the presentation of the report of the Economics Committee on foreign investment in Australia be extended to 17 July 2009. (*general business notice of motion no. 416*)

The Deputy Chair of the Joint Standing Committee on Treaties (Senator McGauran): To move on the next day of sitting—That the Joint Standing Committee on Treaties be authorised to hold a public meeting during the sitting of the Senate on Thursday, 14 May 2009, from 9.30 am. (*general business notice of motion no. 417*)

The Chair of the Select Committee on Climate Policy (Senator Colbeck): To move on the next day of sitting—That the time for the presentation of the report of the Select Committee on Climate Policy be extended to 15 June 2009. (*general business notice of motion no. 418*)

President (Senator Hogg): To move on the next day of sitting—That the Senate records its deep regret at the death, on 24 April 2009, of Miss Anne Lynch, former Deputy Clerk of the Senate, and places on record its appreciation of her long and meritorious public service and tenders its profound sympathy to her family in their bereavement. (*general business notice of motion no. 419*)

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

(a) notes:

- (i) the passing of the esteemed union leader and Australian Labor Party (ALP) hero, Mr Laurie Short, and
- (ii) the international regard in which he was held as a prominent member of the Australian labour movement;

(b) acknowledges his substantial contribution to fighting the communist threat within the labour movement and the ALP;

- (c) recognises that he made this contribution at a time when opposing the communists meant risking real physical harm, which he was subjected to from time to time; and
- (d) passes its condolences to his daughter, Susanna Short and her family. (*general business notice of motion no. 420*)

The Leader of the Opposition in the Senate (Senator Minchin): To move on the next day of sitting—

- (1) That the Senate notes that the Minister for Broadband, Communications and the Digital Economy (Senator Conroy) is in contempt of the Senate for his failure to comply with a Senate order of 4 February 2009 for the production of documents relating to the National Broadband Network (NBN) tender process.
- (2) That there be laid on the table by 6.50 pm on Wednesday, 13 May 2009:
  - (a) the Australian Competition and Consumer Commission's formal report on the NBN proposals to the NBN Panel of Experts; and
  - (b) the final report provided to the Government from the NBN Panel of Experts on submissions to the NBN process.
- (3) That if the Government continues to refuse to comply with the orders of the Senate for the provision of these documents, consideration of any bill relating to the Government's 'new national broadband network' be postponed and made an order of the day for the next day of sitting after the documents described in (2)(a) and (2)(b) are laid on the table. (*general business notice of motion no. 421*)

Senators Siewert and Fifield: To move on the next day of sitting—That the following matters be referred to the Education, Employment and Workplace Relations Committee for inquiry and report by 25 June 2009:

- (a) the conduct of the 2009 tendering process by the Department of Education, Employment and Workplace Relations to award Employment Services contracts, with particular attention to:
  - (i) the design on the tender, including the weighting given to past performance and the weighting given to the 'value for money' delivered by previous and new service providers,
  - (ii) evaluation of the tenders submitted against the selection criteria, including the relationship between recent service performance evaluations in various existing programs (such as provider star ratings), selection criteria and tendering outcomes, and
  - (iii) the extent to which the recommendations of the 2002 Productivity Commission report into employment services have been implemented;
- (b) the level of change of service providers and proportion of job seekers required to change providers, and the impacts of this disruption in communities with high levels of unemployment or facing significant increases in unemployment;
- (c) any differences between the recommendations of the Tender Assessment Panel and the announcement by the Minister for Employment Participation of successful tenders on 2 April;
- (d) the transaction costs of this level of provider turnover, the time taken to establish and 'bed-down' new employment services, and the likely impacts of this disruption on both new and existing clients seeking support during a period of rapidly rising unemployment;

- (e) communication by the department to successful and unsuccessful tenderers, the communications protocol employed during the probity period, and referrals to employment services by Centrelink during the transition period;
- (f) the extent to which the Government has kept its promise that Personal Support Program, Job Placement Employment and Training and Community Work Coordinator providers would not be disadvantaged in the process, and the number of smaller 'specialist' employment service providers delivering more client-focused services still supported by the Employment Services program;
- (g) the particular impact on Indigenous Employment Services providers and Indigenous-focused Employment Services providers;
- (h) the Employment Services Model, including whether it is sustainable in a climate of low employment growth and rising unemployment, and whether there is capacity to revise it in the face of changed economic circumstances; and
- (i) recommendations for the best way to maintain an appropriate level of continuity of service and ongoing sector viability while at the same time ensuring service quality and accountability and maximising the ancillary benefits for social inclusion through connection and integration with other services.

The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That the Senate, in regard to the massacre of civilians, including hundreds of children in the Tamil homelands of northern Sri Lanka, calls on the Government to take decisive action commensurate with the need to immediately halt this unnecessary bloodshed. (*general business notice of motion no. 422*)

Senator Hanson-Young: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Fair Work Act 2009* to guarantee 26 weeks government-funded paid parental leave, and for related purposes. ***Fair Work Amendment (Paid Parental Leave) Bill 2009***. (*general business notice of motion no. 423*)

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

- (a) recalls the Government's election promise and policy platform to repeal the *Commonwealth Radioactive Waste Management Act 2005*;
- (b) notes:
  - (i) the statement given by the Minister for Resources and Energy (Mr Ferguson) on ABC Radio, Darwin, on 30 April 2009 which indicated that the Government will keep its election promise, but refused to confirm when this will occur, and
  - (ii) that the Minister indicated that scientific reports on the assessment of potential sites have almost been completed and that the Government will be making a recommendation on an appropriate site, but has not yet finalised its policy on community consultation; and
- (c) calls on the Government to establish a process for identifying suitable sites that is scientific, transparent, accountable, fair and allows access to appeal mechanisms, ensures full community consultation in radioactive waste decision-making processes, and for international best practice scientific processes, including transportation and storage, to underpin Australia's radioactive waste management. (*general business notice of motion no. 424*)

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

- (a) notes that the week beginning 11 May 2009 is National Volunteer Week;

- (b) recognises that more than 5.4 million Australian volunteers contribute more than 700 million hours of their time to support our community in a wide range of areas from aged cared, health, emergency services, education and sport;
- (c) acknowledges that community groups, charities and services would not be able to deliver their services without volunteers;
- (d) commends volunteers for their tireless contributions to our community; and
- (e) acknowledges the enormous role that volunteers play in civil society. (*general business notice of motion no. 425*)

*Notices of motion withdrawn:*

The Chairman of the Standing Committee on Regulations and Ordinances (Senator Wortley), pursuant to notice of intention given on 19 March 2009, withdrew business of the Senate notice of motion no. 2 standing in her name for 10 sitting days after today for the disallowance of the Other Grants Guidelines (Research) 2008, made under section 238-10 of the *Higher Education Support Act 2003*.

Senator Milne withdrew business of the Senate notice of motion no. 1 standing in her name for today, proposing a reference to the Environment, Communications and the Arts Committee.

## 12 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE— EXTENSIONS OF TIME TO REPORT

Senator O'Brien, by leave and at the request of the Chair of the Rural and Regional Affairs and Transport Committee (Senator Sterle), moved—That the time for the presentation of reports of the Rural and Regional Affairs and Transport Committee be extended as follows:

- (a) natural resource management and conservation challenges—to 18 June 2009; and
- (b) matters specified in part (2) of the inquiry into the management of the Murray-Darling Basin system—to 22 May 2009.

Question put and passed.

## 13 LEAVE OF ABSENCE

Senator O'Brien, by leave, moved—That leave of absence be granted to Senator Pratt for 13 May and 14 May 2009, for personal reasons.

Question put and passed.

## 14 POSTPONEMENTS

The following items of business were postponed:

General business notice of motion no. 399 standing in the name of Senator Cormann for today, proposing an order of continuing effect relating to non-disclosure of information during committee proceedings on public interest grounds, postponed till 13 May 2009.

General business notice of motion no. 414 standing in the name of the Leader of the Family First Party (Senator Fielding) for today, proposing the introduction of the Parliamentary Superannuation Amendment (Removal of Excessive Super) Bill 2009, postponed till 14 May 2009.

**15 ADMINISTRATION—DEPARTMENTAL AND AGENCY APPOINTMENTS—ORDER FOR PRODUCTION OF DOCUMENTS—VARIATION**

Senator Cormann, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 407—That the order of the Senate of 24 June 2008 for the production of documents relating to departmental and agency appointments be amended as follows:

At the end of paragraph (1)(a), add “and the place of permanent residence by state or territory of the appointee”.

Question put and passed.

**16 AGRICULTURAL AND RELATED INDUSTRIES—SELECT COMMITTEE—REFERENCE**

Senator Parry, at the request of the Chair of the Select Committee on Agricultural and Related Industries (Senator Heffernan), amended general business notice of motion no. 413 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the following matter be referred to the Select Committee on Agricultural and Related Industries for inquiry and report:

The incidence and severity of bushfires across Australia, including:

- (a) the impact of bushfires on human and animal life, agricultural land, the environment, public and private assets and local communities;
- (b) factors contributing to the causes and risks of bushfires across Australia, including natural resource management policies, hazard reduction and agricultural land maintenance;
- (c) the extent and effectiveness of bushfire mitigation strategies and practices, including application of resources for agricultural land, national parks, state forests, other Crown land, open space areas adjacent to development and private property and the impact of hazard reduction strategies;
- (d) the identification of measures that can be undertaken by government, industry and the community and the effectiveness of these measures in protecting agricultural industries, service industries, small business, tourism and water catchments;
- (e) any alternative or developmental bushfire prevention and mitigation approaches which can be implemented;
- (f) the appropriateness of planning and building codes with respect to land use in the bushfire prone regions;
- (g) the adequacy and funding of fire-fighting resources both paid and voluntary and the usefulness of and impact on on-farm labour;
- (h) the role of volunteers;
- (i) the impact of climate change;
- (j) fire – its causes (accidental, natural and deliberate) and remedies;
- (k) the impact of bushfires on biodiversity and measures to protect biodiversity; and
- (l) insurance against bushfires.

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

Omit paragraph (j), substitute “arson – its causes and remedies and its contribution to bushfires in Australia”.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 5

Senators—

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

NOES, 56

Senators—

Adams	Colbeck	Furner	O'Brien
Arbib	Collins	Heffernan	Parry
Back	Conroy	Humphries	Polley
Barnett	Cormann	Hurley	Pratt
Bernardi	Crossin	Hutchins	Ryan
Bilyk	Eggleston	Johnston	Scullion
Birmingham	Farrell	Kroger	Sherry
Bishop	Feeney	Ludwig	Stephens
Boswell	Ferguson	Lundy	Sterle
Boyce	Fielding	Marshall	Troeth
Brown, Carol	Fierravanti-Wells	McEwen	Trood
Bushby	Fifield	McLucas	Williams (Teller)
Cameron	Fisher	Moore	Wortley
Cash	Forshaw	Nash	Xenophon

Question negatived.

Main question put.

The Senate divided—

AYES, 36

Senators—

Abetz	Cash	Heffernan	Parry
Adams	Colbeck	Humphries	Payne
Back	Cormann	Johnston	Ronaldson
Barnett	Eggleston	Kroger	Ryan
Bernardi	Ferguson	Macdonald	Scullion
Birmingham	Fielding	Mason	Troeth
Boswell	Fierravanti-Wells	McGauran	Trood
Brandis	Fifield	Minchin	Williams (Teller)
Bushby	Fisher	Nash	Xenophon

NOES, 34

Senators—

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

Question agreed to.

**17 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—IMMIGRATION—PEOPLE SMUGGLING**

The President informed the Senate that Senator Fierravanti-Wells had proposed that the following matter of public importance be submitted to the Senate for discussion:

The recent increased activities of people smuggling.

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

**18 FOREIGN AFFAIRS—HUMANITARIAN CRISIS IN SRI LANKA—MINISTERIAL STATEMENT—DOCUMENT**

The Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas) tabled the following document:

Foreign affairs—Humanitarian crisis in Sri Lanka—Ministerial statement by the Minister for Foreign Affairs (Mr Smith), dated 12 May 2009.

**19 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—REPORT—ADDITIONAL ESTIMATES 2008-09**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 31 March 2009:

Rural and Regional Affairs and Transport—Standing Committee—Additional estimates 2008-09—Report, dated March 2009, Hansard record of proceedings and documents presented to the committee.

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

**20 PROCEDURE—STANDING COMMITTEE—SECOND REPORT OF 2009**

The Acting Deputy President (Senator Marshall) tabled the following report received on 16 April 2009:

Procedure—Standing Committee—Second report of 2009—The Senate committee system, dated April 2009.

Report ordered to be printed on the motion of the Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas).

Senator McLucas, by leave, moved—That consideration of the report be made a business of the Senate order of the day for the next day of sitting.

Question put and passed.

*Notice of motion:* Senator McLucas, by leave, gave a notice of motion as follows: To move on the next day of sitting—That, effective on 14 May 2009, standing order 25 be amended to read as follows:

**25 Legislative and general purpose**

- (1) At the commencement of each Parliament, legislative and general purpose standing committees shall be appointed, as follows:

Community Affairs

**Legislation Committee**  
**References Committee**

Economics

**Legislation Committee**  
**References Committee**

Education, Employment and Workplace Relations

**Legislation Committee**

**References Committee**

Environment, Communications and the Arts

**Legislation Committee**

**References Committee**

Finance and Public Administration

**Legislation Committee**

**References Committee**

Foreign Affairs, Defence and Trade

**Legislation Committee**

**References Committee**

Legal and Constitutional Affairs

**Legislation Committee**

**References Committee**

Rural and Regional Affairs and Transport

**Legislation Committee**

**References Committee.**

- (2) ~~The committees shall inquire into and report upon:~~
- ~~(a) matters referred to them by the Senate, including estimates of expenditure in accordance with standing order 26, bills or draft bills, annual reports in accordance with paragraph (20); and~~
  - ~~(b) the performance of departments and agencies allocated to them.~~
- (2) (a) **The legislation committees shall inquire into and report upon estimates of expenditure in accordance with standing order 26, bills or draft bills referred to them by the Senate, annual reports in accordance with paragraph (20), and the performance of departments and agencies allocated to them.**
- (b) **The references committees shall inquire into and report upon other matters referred to them by the Senate.**
- (3) References concerning departments and agencies shall be allocated to the committees in accordance with a resolution of the Senate allocating departments and agencies to the committees.
- (4) The committees shall inquire into and report upon matters referred to their predecessor committees appointed under this standing order and not disposed of by those committees, and in considering those matters may consider the evidence and records of those committees relating to those matters.
- (5) (a) Each **legislation** committee shall consist of ~~8~~ **6** senators, ~~4~~ **3** nominated by the Leader of the Government in the Senate, ~~3~~ **2** nominated by the Leader of the Opposition in the Senate and one nominated by minority groups and independent senators.
- (b) **Each references committee shall consist of 6 senators, 2 nominated by the Leader of the Government in the Senate, 3 nominated by the Leader of the Opposition in the Senate, and one nominated by minority groups and independent senators.**

- (6) (a) The committees to which minority groups and independent senators make nominations shall be determined by agreement between the minority groups and independent senators, and, in the absence of agreement duly notified to the President, any question of the representation on a committee shall be determined by the Senate.
- (b) The allocation of places on the committees amongst minority groups and independent senators shall be as nearly as practicable proportional to the numbers of those minority groups and independent senators in the Senate.
- (7) (a) Senators may be appointed to the committees as substitutes for members of the committees in respect of particular matters before the committees.
- (b) On the nominations of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and minority groups and independent senators, participating members may be appointed to the committees.
- (c) Participating members may participate in hearings of evidence and deliberations of the committees, and have all the rights of members of committees, but may not vote on any questions before the committees.
- (d) A participating member shall be taken to be a member of a committee for the purpose of forming a quorum of the committee if a majority of members of the committee is not present.
- (e) If a member of a committee is unable to attend a meeting of the committee, that member may in writing to the chair of the committee appoint a participating member to act as a substitute member of the committee at that meeting. If the member is incapacitated or unavailable, a letter to the chair of a committee appointing a participating member to act as a substitute member of the committee may be signed on behalf of the member by the leader of the party or group on whose nomination the member was appointed to the committee.
- (8) A committee may appoint sub-committees consisting of 3 or more of its members, and refer to any such sub-committee any of the matters which the committee is empowered to consider.
- (9) (a) Each **legislation** committee shall elect as its chair a member nominated by the Leader of the Government in the Senate, **and as its deputy chair a member nominated by the Leader of the Opposition in the Senate or by a minority group or independent senator.**
- (b) Each of 6 **references** committees shall elect as its ~~deputy~~ chair a member nominated by the Leader of the Opposition in the Senate, and each of 2 **references** committees shall elect as its ~~deputy~~ chair a member of a minority group in the Senate, **and each references committee shall elect as its deputy chair a member nominated by the Leader of the Government in the Senate.**
- (c) The ~~deputy~~ chairs **and deputy chairs** to which members nominated by the Leader of the Opposition in the Senate and members of minority groups **and independent senators** are elected shall be determined by agreement between the opposition

and minority groups **and independent senators**, and, in the absence of agreement duly notified to the President, any question of the allocation of chairs **and deputy chairs** shall be determined by the Senate.

- (d) The deputy chair shall act as the chair of the committee when the member elected as chair is absent from a meeting of the committee or the position of chair is temporarily vacant.
  - (e) When votes on a question before a committee are equally divided, the chair, or the deputy chair when acting as chair, shall have a casting vote.
  - (f) The chair, or the deputy chair when acting as chair, may appoint another member of a committee to act as chair during the temporary absence of both the chair and deputy chair at a meeting of the committee.
- (10) The chairs ~~and deputy chairs~~ of the committees, together with the chairs ~~and deputy chairs~~ of any select committees appointed by the Senate, shall constitute the Chairs' Committee, which may meet with the Deputy President in the chair, and may consider and report to the Senate on any matter relating to the operations of the committees.
- (11) Except as otherwise provided by the standing orders, the reference of a matter to a committee shall be on motion after notice, and such notice of motion may be given:
- (a) in the usual manner when notices are given; or
  - (b) at any other time by a senator:
    - (i) stating its terms to the Senate, when no other business is before the chair, or
    - (ii) delivering a copy to the Clerk, who shall report it to the Senate at the first opportunity;
- and shall be placed on the Notice Paper for the next sitting day as business of the Senate and, as such, shall take precedence of government and general business set down for that day.
- (12) Matters referred to the committees should relate to subjects which can be dealt with expeditiously.
- (13) A committee shall take care not to inquire into any matters which are being examined by a select committee of the Senate appointed to inquire into such matters and any question arising in this connection may be referred to the Senate for determination.
- (14) A committee and any sub-committee shall have power to send for persons and documents, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives.
- (15) All documents received by a committee during an inquiry shall remain in the custody of the Senate after the completion of that inquiry.
- (16) A committee shall be empowered to print from day to day any of its documents and evidence. A daily Hansard shall be published of public proceedings of a committee.

- (17) A committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the committee, with the approval of the President.
- (18) A committee may report from time to time its proceedings and evidence taken and any recommendations, and shall make regular reports on the progress of its proceedings.
- (19) A committee may authorise the broadcasting of its public hearings, under such rules as the Senate provides.
- (20) Annual reports of departments and agencies shall stand referred to the **legislation** committees in accordance with an allocation of departments and agencies in a resolution of the Senate. Each committee shall:
  - (a) Examine each annual report referred to it and report to the Senate whether the report is apparently satisfactory.
  - (b) Consider in more detail, and report to the Senate on, each annual report which is not apparently satisfactory, and on the other annual reports which it selects for more detailed consideration.
  - (c) Investigate and report to the Senate on any lateness in the presentation of annual reports.
  - (d) In considering an annual report, take into account any relevant remarks about the report made in debate in the Senate.
  - (e) If the committee so determines, consider annual reports of departments and budget-related agencies in conjunction with examination of estimates.
  - (f) Report on annual reports tabled by 31 October each year by the tenth sitting day of the following year, and on annual reports tabled by 30 April each year by the tenth sitting day after 30 June of that year.
  - (g) Draw to the attention of the Senate any significant matters relating to the operations and performance of the bodies furnishing the annual reports.
  - (h) Report to the Senate each year whether there are any bodies which do not present annual reports to the Senate and which should present such reports.

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*Document:* Senator McLucas tabled the following document:

Procedure—Standing Committee—Second report of 2009—Proposed amendments of standing order—Note.

## 21 **ECONOMICS—STANDING COMMITTEE—REPORTS—CARBON POLLUTION REDUCTION SCHEME**

The Acting Deputy President (Senator Marshall) tabled the following reports and documents received on the dates indicated:

Economics—Standing Committee—Exposure draft of the legislation to implement the Carbon Reduction Pollution Scheme—

Interim report, dated 14 April 2009. [*Received 14 April 2009*]

Report, dated April 2009, Hansard record of proceedings, documents presented to the committee, additional information and submissions. [*Received 16 April 2009*]

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

**22 FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—RESIDENTIAL AND COMMUNITY AGED CARE IN AUSTRALIA**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 29 April 2009:

Finance and Public Administration—Standing Committee—Residential and community aged care in Australia—Report, dated April 2009, Hansard record of proceedings, documents presented to the committee and submissions.

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

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

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

**23 ENVIRONMENT, COMMUNICATIONS AND THE ARTS—STANDING COMMITTEE—REPORTS—OPERATION OF THE ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999**

The Acting Deputy President (Senator Marshall) tabled the following reports received on the dates indicated:

Environment, Communications and the Arts—Standing Committee—Operation of the *Environment Protection and Biodiversity Conservation Act 1999*—

Interim report, dated 23 April 2009. [*Received 24 April 2009*]

Second report [Final], dated April 2009. [*Received 30 April 2009*]

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

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

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

**24 ECONOMICS—STANDING COMMITTEE—REPORT—URANIUM ROYALTY (NORTHERN TERRITORY) BILL 2008**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 30 April 2009:

Economics—Standing Committee—Uranium Royalty (Northern Territory) Bill 2008 [Provisions]—Report, dated April 2009, Hansard record of proceedings and submissions.

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

**25 FUEL AND ENERGY—SELECT COMMITTEE—INTERIM REPORT**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 7 May 2009:

Fuel and Energy—Select Committee—The CPRS: Economic cost without environmental benefit—Interim report, dated May 2009, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

**26 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—FAMILY ASSISTANCE AND OTHER LEGISLATION AMENDMENT (2008 BUDGET AND OTHER MEASURES) BILL 2009**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 7 May 2009:

Community Affairs—Standing Committee—Family Assistance and Other Legislation Amendment (2008 Budget and Other Measures) Bill 2009 [Provisions]—Report, dated May 2009, Hansard record of proceedings, additional information and submissions.

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

**27 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—SOCIAL SECURITY LEGISLATION AMENDMENT (IMPROVED SUPPORT FOR CARERS) BILL 2009**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 7 May 2009:

Community Affairs—Standing Committee—Social Security Legislation Amendment (Improved Support for Carers) Bill 2009 [Provisions]—Report, dated May 2009, Hansard record of proceedings, additional information and submissions.

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

**28 ECONOMICS—STANDING COMMITTEE—REPORT—AUSTRALIAN BUSINESS INVESTMENT PARTNERSHIP BILL 2009 AND AUSTRALIAN BUSINESS INVESTMENT PARTNERSHIP (CONSEQUENTIAL AMENDMENT) BILL 2009**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 7 May 2009:

Economics—Standing Committee—Australian Business Investment Partnership Bill 2009 and Australian Business Investment Partnership (Consequential Amendment) Bill 2009—Report, dated May 2009, Hansard record of proceedings, additional information and submissions.

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

**29 ECONOMICS—STANDING COMMITTEE—REPORT—FINANCIAL SECTOR LEGISLATION AMENDMENT (ENHANCING SUPERVISION AND ENFORCEMENT) BILL 2009**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 7 May 2009:

Economics—Standing Committee—Financial Sector Legislation Amendment (Enhancing Supervision and Enforcement) Bill 2009 [Provisions]—Report, dated May 2009, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

**30 ECONOMICS—STANDING COMMITTEE—REPORT—TAX LAWS AMENDMENT (2009 MEASURES NO. 2) BILL 2009**

The Acting Deputy President (Senator Marshall) tabled the following report received on 7 May 2009:

Economics—Standing Committee—Tax Laws Amendment (2009 Measures No. 2) Bill 2009 [Provisions]—Report, dated May 2009.

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

**31 ENVIRONMENT, COMMUNICATIONS AND THE ARTS—STANDING COMMITTEE—  
REPORT—WATER AMENDMENT (SAVING THE GOULBURN AND MURRAY RIVERS)  
BILL 2008**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 7 May 2009:

Environment, Communications and the Arts—Standing Committee—Water Amendment (Saving the Goulburn and Murray Rivers) Bill 2008—Report, dated May 2009, Hansard record of proceedings, documents presented to the committee and submissions.

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

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

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

**32 EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS—STANDING  
COMMITTEE—REPORT—FAIR WORK (TRANSITIONAL PROVISIONS AND  
CONSEQUENTIAL AMENDMENTS) BILL 2009**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 7 May 2009:

Education, Employment and Workplace Relations—Standing Committee—Fair Work (Transitional Provisions and Consequential Amendments) Bill 2009 [Provisions]—Report, dated May 2009, Hansard record of proceedings, additional information and submissions.

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

**33 FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—  
NATIONAL GREENHOUSE AND ENERGY REPORTING AMENDMENT BILL 2009**

The Acting Deputy President (Senator Marshall) tabled the following report and documents received on 7 May 2009:

Finance and Public Administration—Standing Committee—National Greenhouse and Energy Reporting Amendment Bill 2009 [Provisions]—Report, dated May 2009, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

**34 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—INTERIM  
REPORT—EVIDENCE AMENDMENT (JOURNALISTS' PRIVILEGE) BILL 2009, LAW  
AND JUSTICE (CROSS BORDER AND OTHER AMENDMENTS) BILL 2009 AND NATIVE  
TITLE AMENDMENT BILL 2009**

The Acting Deputy President (Senator Marshall) tabled the following report received on 7 May 2009:

Legal and Constitutional Affairs—Standing Committee—Evidence Amendment (Journalists' Privilege) Bill 2009 [Provisions], Law and Justice (Cross Border and Other Amendments) Bill 2009 [Provisions] and Native Title Amendment Bill 2009 [Provisions]—Interim report, dated 7 May 2009.

*Reporting date:* Senator Farrell, by leave and at the request of the Chair of the Legal and Constitutional Affairs Committee (Senator Crossin), moved—That the final reports of the Legal and Constitutional Affairs Committee on the provisions of the Evidence Amendment (Journalists' Privilege) Bill 2009, the provisions of the Law and Justice (Cross Border and Other Amendments) Bill 2009 and the provisions of the Native Title Amendment Bill 2009 be presented today.

Question put and passed.

**35 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION REFERENCES COMMITTEE—GOVERNMENT RESPONSE—BRIDGING THE SKILLS DIVIDE**

The Acting Deputy President (Senator Marshall) tabled the following document received on 17 April 2009:

Employment, Workplace Relations and Education References Committee—  
Report—Bridging the skills divide—Government response, dated November 2008.

**36 GOVERNMENT DOCUMENTS**

The Acting Deputy President (Senator Marshall) tabled the following documents received on the dates indicated:

Aboriginal and Torres Strait Islander Social Justice Commissioner—Reports for 2008—

Native title. [*Received 30 April 2009*]

Social justice. [*Received 30 April 2009*]

*Commonwealth Electoral Act 1918*—2008 Redistribution into electoral divisions—Western Australia—Report—Replacement compact disc of supporting information. [*Received 29 April 2009*]

Australian National Maritime Museum—Strategic plan 2009-2012. [*Received 6 May 2009*]

Australian Rail Track Corporation Limited (ARTC)—Revised statement of corporate intent 2008-09. [*Received 29 April 2009*]

Australian Sports Anti-Doping Authority—Report for 2007-08—Addendum. [*Received 17 April 2009*]

Department of Finance and Deregulation—Campaign advertising by Australian government departments and agencies—Report for the period 1 July to 31 December 2008. [*Received 30 March 2009*]

Department of Health and Ageing—Report for 2007-08—Correction. [*Received 14 April 2009*]

Gene Technology Regulator—Quarterly report for the period 1 October to 31 December 2008. [*Received 23 April 2009*]

Health Insurance—Health Insurance Amendment (Compliance) Bill 2009—

Draft explanatory material. [*Received 21 April 2009*]

Exposure draft. [*Received 21 April 2009*]

**37 AUDITOR-GENERAL—AUDIT REPORTS NOS 27 TO 31 OF 2008-09—DOCUMENTS**

The Acting Deputy President (Senator Marshall) tabled the following documents received on the dates indicated:

Auditor-General—Audit reports for 2008-09—

No. 27—Performance audit—Management of the M113 Armoured Personnel Carrier Upgrade Project—Department of Defence. [*Received 27 March 2009*]

No. 28—Performance audit—Quality and integrity of the Department of Veterans' Affairs income support records—Department of Veterans' Affairs. [*Received 22 April 2009*]

No. 29—Performance audit—Delivery of projects on the AusLink National Network. [*Received 23 April 2009*]

No. 30—Performance audit—Management of the Australian Government's action plan to eradicate trafficking in persons—Attorney-General's Department; Department of Immigration and Citizenship; Australian Federal Police; Department of Families, Housing, Community Services and Indigenous Affairs. [*Received 29 April 2009*]

No. 31—Performance audit—Army Reserve Forces—Department of Defence. [*Received 8 May 2009*]

**38 TAXATION—ALCOHOL—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT**

The Acting Deputy President (Senator Marshall) tabled the following document received on 23 March 2009:

Taxation—Alcohol—Document [response to part (d)].

**39 HEALTH—PRIVATE HEALTH INSURANCE—REFORMS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**

The Acting Deputy President (Senator Marshall) tabled the following documents received on the dates indicated:

Health—Private health insurance—Reforms—Documents [2]. [*Received 23 April and 1 May 2009*]

**40 INDEXED LISTS OF DEPARTMENTAL AND AGENCY FILES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT**

Pursuant to the order of the Senate of 30 May 1996, as amended, the Acting Deputy President (Senator Marshall) tabled the following document received on 25 March 2009:

Indexed lists of departmental and agency files for the period 1 July to 31 December 2008—Statement of compliance—Australian Agency for International Development (AusAID).

**41 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**

Pursuant to the order of the Senate of 20 June 2001, as amended, the Acting Deputy President (Senator Marshall) tabled the following documents received on the dates indicated:

Departmental and agency contracts for 2008—Letters of advice—  
 Australian Fisheries Management Authority. [*Received 14 April 2009*]  
 Department of Climate Change. [*Received 23 April 2009*]  
 Office of the Renewable Energy Regulator. [*Received 23 April 2009*]  
 Wheat Exports Australia. [*Received 14 April 2009*]

**42 FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—RESIDENTIAL AND COMMUNITY AGED CARE IN AUSTRALIA—DOCUMENTS**

Senator Farrell, at the request of the Chair of the Finance and Public Administration Committee (Senator Polley), tabled the following documents:

Finance and Public Administration—Standing Committee—Report—Residential and Community Aged Care in Australia—

Additional information.

Correction.

Correction ordered to be printed on the motion of Senator Farrell.

**43 WOMEN—INTERNATIONAL WOMEN’S DAY—DOCUMENT**

The Acting Deputy President (Senator Marshall) tabled the following document:

Women—International Women’s Day—Letter to the President of the Senate from the Acting Prime Minister (Ms Gillard) responding to the resolution of the Senate of 11 March 2009, dated 25 March 2009.

**44 BUSHFIRES IN VICTORIA—DOCUMENT**

The Acting Deputy President (Senator Marshall) tabled the following document:

Bushfires in Victoria—Letter to the President of the Senate from the Premier of Victoria (Mr Brumby) responding to the resolution of the Senate of 9 February 2009, dated 6 April 2009.

**45 ABORIGINAL AND TORRES STRAIT ISLANDER SOCIAL JUSTICE COMMISSIONER—REPORT FOR 2008—SOCIAL JUSTICE—CONSIDERATION**

Senator Barnett, by leave, moved that the Senate take note of the document tabled earlier today (*see entry no. 36*).

Question put and passed.

**46 NATIONAL SCHOOLS CONSTITUTIONAL CONVENTION 2009—DOCUMENT**

The Acting Deputy President (Senator Marshall) tabled the following document:

National Schools Constitutional Convention 2009, Old Parliament House, 17 to 19 March 2009—Communiqué.

**47 STANDING ORDER 37(3)—ACCESS TO COMMITTEE DOCUMENTS—DOCUMENT**

The Acting Deputy President (Senator Marshall) tabled the following document:

Standing order 37(3)—Access to committee documents—Report to the Senate.

**48 DOCUMENTS**

The following documents were tabled by the Clerk:

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

Acts Interpretation Act and Financial Management and Accountability Regulations—Revocation of the Commonwealth Procurement Guidelines – January 2005 [F2009L01639]\*.

Aged Care Act—

Aged Care (Residential care subsidy — amount of accommodation supplement) Determination 2009 (No. 1)—ACA Ch. 3 No. 2/2009 [F2009L01156]\*.

Aged Care (Residential care subsidy — amount of concessional resident supplement) Determination 2009 (No. 1)—ACA Ch. 3 No. 3/2009 [F2009L01160]\*.

Aged Care (Residential care subsidy — amount of pensioner supplement) Determination 2009 (No. 1)—ACA Ch. 3 No. 7/2009 [F2009L01151]\*.

Aged Care (Residential care subsidy — amount of respite supplement) Determination 2009 (No. 1)—ACA Ch. 3 No. 4/2009 [F2009L01165]\*.

Aged Care (Residential care subsidy — amount of transitional accommodation supplement) Determination 2009 (No. 1)—ACA Ch. 3 No. 5/2009 [F2009L01166]\*.

Aged Care (Residential care subsidy — amount of transitional supplement) Determination 2009 (No. 1)—ACA Ch. 3 No. 6/2009 [F2009L01150]\*.

User Rights Amendment Principles 2009 (No. 1) [F2009L01152]\*.

Anti-Money Laundering and Counter-Terrorism Financing Act—Anti-Money Laundering and Counter-Terrorism Financing Rules Amendment Instruments 2009—

(No. 1) [F2009L01136]\*.

(No. 2) [F2009L01198]\*.

*Appropriation Act (No. 1) 2005-2006 and Appropriation Act (No. 3) 2005-2006—*Determination to Reduce Appropriations Upon Request (No. 16 of 2008-2009) [F2009L01121]\*.

*Appropriation Act (No. 2) 2005-2006, Appropriation Act (No. 4) 2005-2006 and Appropriation Act (No. 2) 2006-2007—*Determination to Reduce Appropriations Upon Request (No. 17 of 2008-2009) [F2009L01122]\*.

*Appropriation Act (No. 1) 2007-2008—*Determinations to Reduce Appropriations Upon Request—

(No. 21 of 2008-2009) [F2009L01473]\*.

(No. 23 of 2008-2009) [F2009L01648]\*.

*Appropriation Act (No. 1) 2008-2009—*Determination to Reduce Appropriations Upon Request (No. 18 of 2008-2009) [F2009L01098]\*.

*Appropriation Act (No. 2) 2008-2009—*Determinations to Reduce Appropriations Upon Request—

(No. 19 of 2008-2009) [F2009L01099]\*.

(No. 20 of 2008-2009) [F2009L01245]\*.

(No. 22 of 2008-2009) [F2009L01647]\*.

Auslink (National Land Transport) Act—Determination of the Auslink Roads to Recovery List—Instrument No. 2009/1 [F2009L01192]\*.

Australian Meat and Live-stock Industry Act—Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Order 2009 [F2009L00671]\*.

Australian Prudential Regulation Authority Act—Australian Prudential Regulation Authority (Confidentiality) Determination Nos—

4 of 2009—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 [F2009L01171]\*.

5 of 2009—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 [F2009L01454]\*.

## Australian Research Council Act—

## Approval of Proposals—Determinations Nos—

64—Linkage International Social Sciences Collaboration commencing in 2009.

65—Linkage Learned Academies Special Projects commencing in 2009.

Australian Research Council Linkage Infrastructure, Equipment and Facilities (LIEF) Funding Rules for funding commencing in 2010 [F2009L01455]\*.

Australian Research Council Linkage Projects Funding Rules for funding commencing in 2010 [F2009L01443]\*.

## Broadcasting Services Act—

Broadcasting Services (Amalgamated Remote Television Licence Areas – Remote Central and Eastern Australia TV1 and Mt Isa TV1) Determination 2009 [F2009L01239]\*.

Broadcasting Services (Amalgamated Remote Television Licence Areas – Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2) Determination 2009 [F2009L01237]\*.

Broadcasting Services (Technical Planning) Amendment Guidelines 2009 (No. 1) [F2009L01623]\*.

Charter of the United Nations Act—Select Legislative Instrument 2009 No. 59—Charter of the United Nations (Sanctions — Iran) Amendment Regulations 2009 (No. 1) [F2009L01298]\*.

Child Support (Registration and Collection) Act—SSAT Child Support Review Directions 2009 [F2009L01300]\*.

Christmas Island Act—Christmas Island Space Centre (APSC Proposal) Repeal Ordinance 2009 [F2009L01469]\*.

## Civil Aviation Act—

## Civil Aviation Regulations—

Civil Aviation Order 40.0 Amendment Order (No. 1) 2009 [F2009L01234]\*.

## Instruments Nos CASA—

142/09—Direction – parallel runway operations at Sydney (Kingsford Smith) Airport [F2009L01216]\*.

145/09—Direction – number of cabin attendants [F2009L01187]\*.

146/09—Permission and direction – helicopter special operations [F2009L01246]\*.

150/09—Instructions – use of RNAV (GNSS) approaches by RNP-capable aircraft [F2009L01223]\*.

157/09—Permission and direction – helicopter special operations [F2009L01244]\*.

EX21/09—Amendment of instrument CASA EX15/09 [F2009L00982]\*.

EX22/09—Exemption – recency flying at night by holders of night V.F.R. agricultural ratings [F2009L00827]\*.

EX24/09—Exemption – training and checking organisation, flight check system [F2009L00990]\*.

EX28/09—Exemption – single-pilot operations in Cessna 550/560 aeroplanes [F2009L01175]\*.

EX29/09—Exemption – operations by RAA aircraft in Avalon aerodrome temporary restricted area [F2009L01199]\*.

EX30/09—Exemption – maximum take-off weight requirements in flight manuals or other documents (agricultural or restricted category aircraft) [F2009L01193]\*.

EX32/09—Exemption – from standard take-off and landing minima [F2009L01389]\*.

Civil Aviation Safety Regulations—

Airworthiness Directives—Part—

105—

AD/A320/231—Flap Track No. 1 Pendulum Assembly [F2009L00898]\*.

AD/A330/86 Amdt 3—MLG Bogie Beam [F2009L01075]\*.

AD/A330/92 Amdt 1—Passenger Compartment Electrical Harness [F2009L01577]\*.

AD/A330/100—Fire Extinguishing System – Replacement/Modification [F2009L01576]\*.

AD/AB139/8—Generator Control Unit [F2009L01575]\*.

AD/AS 355/60 Amdt 4—Tail Rotor Blade Trailing Edge [F2009L01009]\*.

AD/AT/4—Rudder Hinges – Inspection [F2009L01499]\*.

AD/AT/7—Horizontal Stabiliser Eyebolts [F2009L01498]\*.

AD/AT/8 Amdt 1—Aileron Control – Push-Pull Rods [F2009L01573]\*.

AD/AT/10—Aircraft Wiring [F2009L01572]\*.

AD/B-2/6—Overrunning Clutch – Modification and Cockpit Placard Amendment [F2009L01571]\*.

AD/B727/217—Fuel Tank Safety [F2009L01570]\*.

AD/B737/354—Fwd Cargo Compartment Frames and Frame Reinforcements [F2009L01497]\*.

AD/B747/314 Amdt 1—Aft Pressure Bulkhead Web [F2009L01496]\*.

AD/B747/380 Amdt 2—External Skin Doublers [F2009L01495]\*.

AD/B747/390—Section 42 Fuselage Skin at Frame Shear Tie End Fasteners [F2009L01494]\*.

AD/B747/391—Refuel Valve Control Unit [F2009L01569]\*.

AD/B767/163 Amdt 1—Door Emergency Escape System [F2009L01493]\*.

AD/BAe 146/107 Amdt 3—Forward Fuselage Skin [F2009L01492]\*.

AD/BAe 146/133 Amdt 1—Airworthiness Limitations [F2009L00897]\*.

AD/BAe 146/138—Frame 29 Wing-to-Fuselage Lug Plate Attachment [F2009L01491]\*.

AD/BELL 205/6—Cyclic Control Supports – Inspection [F2009L01015]\*.

AD/BELL 205/22—Transmission Oil System – Inspection [F2009L01014]\*.

AD/BELL 205/35 Amdt 1—Swashplate Support Assembly – Retirement Life [F2009L01013]\*.

AD/BELL 205/53—Main Rotor Pillow Block [F2009L01012]\*.

AD/BELL 205/55—Pitch Change Link Universal [F2009L01011]\*.

AD/BELL 206/177—Main Rotor – Pitch Horn Trunnion Bearing [F2009L01179]\*.  
AD/BELL 212/7—Internal Rescue Hoist Assembly – Modification [F2009L01008]\*.  
AD/BELL 212/16—Cyclic SCAS Stops Installation – Modification [F2009L01007]\*.  
AD/BELL 212/19 Amdt 1—External Cargo Suspension Kit – Load Restriction and Modification [F2009L01006]\*.  
AD/BELL 212/20—Emergency Float Bag Deflector – Installation P/N 212-030-629-101 L/H and -102 R/H [F2009L01005]\*.  
AD/BELL 212/29—Emergency Flotation Installation Manual Actuation System – Modification and Rerigging [F2009L00966]\*.  
AD/BELL 212/30—Engine Mount Fireshield – Installation [F2009L00965]\*.  
AD/BELL 212/33—Main Rotor Grip/Blade Bolt – Inspection and Rework [F2009L01004]\*.  
AD/BELL 212/37 Amdt 1—Main Rotor Pillow Block [F2009L00972]\*.  
AD/BELL 212/38—Engine Fuel Valve Electrical Connectors P/NO MS3456W14S-5S [F2009L00971]\*.  
AD/BELL 212/39—Engine Fuel Switch [F2009L00970]\*.  
AD/BELL 212/41—Pitch Change Link Universal [F2009L00969]\*.  
AD/BELL 212/42—Main Rotor Tension Torsion Straps [F2009L01003]\*.  
AD/BELL 212/43—Bogus Pressure Gauge Emergency Floats P/N 212-073-905-1 [F2009L00964]\*.  
AD/BELL 212/44—Swashplate Outer Ring [F2009L00968]\*.  
AD/BELL 212/48—Tension Torsion Straps Retention Pins [F2009L00896]\*.  
AD/BELL 407/33—Tailboom Assembly [F2009L01180]\*.  
AD/BELL 407/34—Hydraulic Pump – Driveshaft Assembly [F2009L01568]\*.  
AD/BELL 407/35—Gas Producer RPM [F2009L01567]\*.  
AD/BELL 407/36—Anti-Drive Link Assembly [F2009L01644]\*.  
AD/BELL 412/57—Main Rotor Yoke [F2009L01125]\*.  
AD/BELL 427/9—Hydraulic Pump – Driveshaft Assembly [F2009L01566]\*.  
AD/BELL 427/10—Anti-drive Link Assembly [F2009L01645]\*.  
AD/CAP 10/13 Amdt 1—Flight Controls Tie Rod Bolts [F2009L00894]\*.  
AD/CERES/1 Amdt 1—Aileron Outboard Mass Balance Weight Attachments – Modification [F2009L00893]\*.  
AD/CERES/2 Amdt 1—Propeller Counterweights – Modification [F2009L00963]\*.  
AD/CERES/3 Amdt 1—Fuel Tank Vent – Modification [F2009L00962]\*.  
AD/CERES/4 Amdt 1—Mixture Control Lever Quadrant – Modification [F2009L00961]\*.  
AD/CERES/5 Amdt 1—Pilots Safety Harness Inertia Reel – Installation [F2009L00892]\*.

AD/CERES/7 Amdt 1—Turnover Truss – Modification [F2009L00891]\*.  
AD/CESSNA 208/25—Aileron Upper Quadrant Carry-Through Cable Attachment [F2009L01490]\*.  
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AD/CHA/8—Front Wing Strut [F2009L01489]\*.  
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AD/DHC-1/39—Flap Operating System Latch Plate [F2009L01002]\*.  
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AD/ERJ-170/22—FADEC Software [F2009L01555]\*.  
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AD/FU24/59—Rudder Torque Tube to Rudder Attachment – Inspection [F2009L01397]\*.

AD/FU24/61—Main Landing Gear Torque Link Brackets – Inspection/Replacement [F2009L01396]\*.

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AD/HU 269/32 Amdt 1—Tail Rotor Gearbox – Inspection and/or Replacement [F2009L01547]\*.

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- EX35/09—Exemption – extension of time for drug and alcohol education program [F2009L01225]\*.
- EX36/09—Exemption – extension of time for drug and alcohol education program [F2009L01226]\*.
- Select Legislative Instrument 2009 No. 64—Civil Aviation and Civil Aviation Safety Amendment Regulations 2009 (No. 1) [F2009L01295]\*.
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    - AASB 2008-13—Amendments to Australian Accounting Standards arising from AASB Interpretation 17 – Distributions of Non-cash Assets to Owners [F2009L01106]\*.

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52—Corporations Amendment Regulations 2009 (No. 3) [F2009L01169]\*.

70—Corporations Amendment Regulations 2009 (No. 4) [F2009L01627]\*.

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0946488 [F2009L01415]\*.  
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0946616 [F2009L01408]\*.  
0946641 [F2009L01409]\*.

Defence Act—Determinations under section 58B—Defence Determinations—  
2009/21—Operation Outreach – amendment.  
2009/22—Higher duties allowance and specialist competencies.

- 2009/23—Post indexes – amendment.
- 2009/24—Army critical categories – amendment.
- 2009/25—Miscellaneous amendments.
- 2009/26—Posting location and leave – amendment.
- 2009/27—Travel – consequential amendments.
- 2009/28—Education assistance – amendment.
- 2009/29—Reunion travel and benchmark schools – amendment.
- 2009/30—Post indexes – amendment.

Diplomatic Privileges and Immunities Act—Diplomatic Privileges and Immunities (Indirect Tax Concession Scheme) Amendment Determination 2009 (No. 1) [F2009L01651]\*.

Education Services for Overseas Students Act—ESOS Assurance Fund 2009 Contributions Criteria [F2009L01103]\*.

Environment Protection and Biodiversity Conservation Act—Amendments of lists of—

Exempt native specimens—

EPBC303DC/SFS/2009/06 [F2009L01183]\*.

EPBC303DC/SFS/2009/07 [F2009L01218]\*.

EPBC303DC/SFS/2009/08 [F2009L01184]\*.

EPBC303DC/SFS/2009/09 [F2009L01185]\*.

EPBC303DC/SFS/2009/11 [F2009L01613]\*.

Specimens taken to be suitable for live import—  
EPBC/s.303EC/SSLI/Amend/028 [F2009L01211]\*.

Threatened species, dated 14 April 2009 [F2009L01477]\*.

Environment Protection (Sea Dumping) Act—Select Legislative Instrument 2009 No. 57—Environment Protection (Sea Dumping) Amendment Regulations 2009 (No. 1) [F2009L01220]\*.

Export Control Act—Export Control (Orders) Regulations—Export Control (Prescribed Goods — General) Amendment Order 2009 (No. 1) [F2009L01303]\*.

Federal Court of Australia Act—Select Legislative Instrument 2009 No. 47—Federal Court (Bankruptcy) Amendment Rules 2009 (No. 1) [F2009L01135]\*.

Federal Magistrates Act—Select Legislative Instrument 2009 No. 55—Federal Magistrates Court Amendment Rules 2009 (No. 1) [F2009L01212]\*.

Financial Management and Accountability Act—

Determination 2009/04—Section 32 (Transfer of Functions from DEEWR to DIISR) [F2009L01304]\*.

Select Legislative Instrument 2009 No. 41—Financial Management and Accountability Amendment Regulations 2009 (No. 2) [F2009L01034]\*.

Fisheries Management Act—

Bass Strait Central Zone Scallop Fishery Management Plan 2002—

BSCZSF (Closures) Direction No. 1 2009 [F2009L01479]\*.

Bass Strait Central Zone Scallop Fishery Total Allowable Catch Determination 2009 [F2009L01355]\*.

Bass Strait Central Zone Scallop Fishery Management Plan Temporary Order 2009 [F2009L01296]\*.

- Heard Island and McDonald Islands Fishery Management Plan 2002—  
Directions Nos—  
HIMIFD 10—Closure of the area outside of the Heard Island Plateau to  
mackerel icefish fishing [F2009L01240]\*.  
HIMIFD 11—Closure of waters adjacent to Heard Island and McDonald  
Islands [F2009L01241]\*.
- Northern Prawn Fishery Management Plan 1995—NPF Directions Nos—  
122—Protected area closures [F2009L01227]\*.  
123—First season closures [F2009L01229]\*.  
124—Gear trials [F2009L01230]\*.  
125—Prohibition on fishing [F2009L01231]\*.  
126—Prohibition on fishing (Prior to seasons) [F2009L01233]\*.
- Select Legislative Instrument 2009 No. 48—Fisheries Management (Bass Strait  
Central Zone Scallop Fishery) Amendment Regulations 2009 (No. 1)  
[F2009L01137]\*.
- Southern and Eastern Scafish and Shark Fishery Management Plan 2003—  
SESSF (Closures) Direction No. 1 2009—Prohibition on fishing  
[F2009L01123]\*.  
SESSF Determination No. 3 2009 [F2009L01202]\*.  
SESSF (Non-quota Species) Total Allowable Catch—Determination No. 2  
2009 [F2009L01201]\*.  
SESSF (Quota Species) Total Allowable Catch—Determination No. 1 2009  
[F2009L01200]\*.
- Food Standards Australia New Zealand Act—Australia New Zealand Food  
Standards Code – Amendment No. 107 – 2009 [F2009L01618]\*.
- Foreign Acquisitions and Takeovers Act—Select Legislative Instrument 2009  
No. 53—Foreign Acquisitions and Takeovers Legislation Amendment Regulations  
2009 (No. 1) [F2009L01190]\*.
- Gene Technology Act—Select Legislative Instrument 2009 No. 68—Gene  
Technology Amendment Regulations 2009 (No. 1) [F2009L01112]\*.
- Health Insurance Act—  
Determinations HIB—  
2/2009 [F2009L01144]\*.  
3/2009 [F2009L01145]\*.  
4/2009 [F2009L01146]\*.  
5/2009 [F2009L01147]\*.  
6/2009 [F2009L01148]\*.
- Health Insurance (Gippsland and South Eastern New South Wales Mobile MRI  
Trial) Determination 2009 (No. 2) [F2009L01614]\*.
- Select Legislative Instruments 2009 Nos—  
60—Health Insurance (Diagnostic Imaging Services Table) Amendment  
Regulations 2009 (No. 1) [F2009L00840]\*.  
61—Health Insurance (General Medical Services Table) Amendment  
Regulations 2009 (No. 1) [F2009L00112]\*.  
62—Health Insurance (Pathology Services Table) Amendment Regulations  
2009 (No. 1) [F2009L00829]\*.
- Higher Education Support Act—  
Commonwealth Grant Scheme Guidelines No. 1—Amendment No. 5  
[F2009L01293]\*.

Higher Education Provider Approval (No. 3 of 2009)—Southern Cross College of the Assemblies of God in Australia [F2009L01213]\*.

VET Provider Approvals Nos—

14 of 2009—Australian Guild of Music Education [F2009L01208]\*.

15 of 2009—The Board of Northern Melbourne Institute of Technical and Further Education [F2009L01209]\*.

16 of 2009—Parapharm Pty Ltd [F2009L01617]\*.

17 of 2009—Australian Institute of Holistic Medicine Pty Ltd [F2009L01632]\*.

18 of 2009—Royal Melbourne Institute of Technology [F2009L01674]\*.

19 of 2009—Carrick Institute of Education Pty Ltd [F2009L01673]\*.

Household Stimulus Package Act (No. 2)—

Household Stimulus Package (Household Stimulus Payment Administrative Scheme (DEEWR) Amendment Determination 2009 (No. 1) [F2009L01626]\*.

Household Stimulus Package (Household Stimulus Payment Administrative Scheme) (DEEWR) Determination 2009 (No. 1) [F2009L01149]\*.

*Income Tax Assessment Act 1997*—Select Legislative Instrument 2009 No. 54—Income Tax Assessment Amendment Regulations 2009 (No. 2) [F2009L01191]\*.

Industry Research and Development Act—Green Car Innovation Fund Directions No. 1 of 2009 [F2009L01628]\*.

Migration Act—

Instrument IMMI 09/035—Revocation of section 499 Direction No. 36 [F2009L01315]\*.

Migration Agents Regulations—MARA Notices—

MN14-09c of 2009—Migration Agents (Continuing Professional Development – Attendance at a Seminar, Workshop, Conference or Lecture) [F2009L01217]\*.

MN18-09b of 2009—Migration Agents (Continuing Professional Development – Private Study of Audio, Video or Written material) [F2009L01634]\*.

MN18-09c of 2009—Migration Agents (Continuing Professional Development – Attendance at a Seminar, Workshop, Conference or Lecture) [F2009L01633]\*.

MN18-09f of 2009—Migration Agents (Continuing Professional Development – Miscellaneous Activities) [F2009L01635]\*.

Migration Regulations—Instruments IMMI—

08/113—Health waiver – participating states and territories [F2009L01182]\*.

08/119—Class of persons – public interest criteria – revocation of risk factor list [F2009L01316]\*.

09/008—Class of persons [F2009L01343]\*.

09/010—Arrangements for work and holiday visa applicants from Thailand, Iran, Chile, Turkey, United States of America and Malaysia [F2009L01345]\*.

09/016—Specification of addresses [F2009L01301]\*.

09/017—Designated countries to which condition 8205 does not apply [F2009L01131]\*.

09/018—Working holiday visa – post office box addresses [F2009L01347]\*.

09/019—Definition of “superyacht”. [F2009L01302]\*.

- 09/020—Addresses for superyacht crew visa applications [F2009L01299]\*.
- 09/030—Granting of business skills visas in 2008/2009 financial year [F2009L01206]\*.
- 09/031—Skilled occupations, relevant assessing authorities and points for general skilled migration [F2009L01446]\*.
- 09/033—Exemptions to the English language requirement for the Temporary Business (Long Stay) Visa [F2009L01243]\*.
- 09/034—Specification of addresses [F2009L01640]\*.
- 09/036—Health waiver – participating states and territories [F2009L01449]\*.
- 09/042—Travel agents for PRC Citizens applying for Tourist Visas [F2009L01444]\*.

Select Legislative Instrument 2009 No. 67—Migration Amendment Regulations 2009 (No. 3) [F2009L01253]\*.

Mutual Recognition Act—Ministerial declaration under section 32 [F2009L01133]\*.

National Health Act—

Instruments Nos PB—

- 21 of 2009—Amendment determination – pharmaceutical benefits [F2009L01072]\*.
- 22 of 2009—Amendment determination – responsible persons [F2009L01073]\*.
- 23 of 2009—Amendment – price determination and special patient contributions [F2009L01120]\*.
- 27 of 2009—Amendment determination – prescription of pharmaceutical benefits by authorised optometrists [F2009L01118]\*.
- 28 of 2009—Determination – drugs on F1 and drugs in Part A of F2 [F2009L01119]\*.
- 29 of 2009—Amendment Special Arrangements – Botulinum Toxin Program [F2009L01221]\*.
- 31 of 2009—Amendment declaration and determination – drugs and medicinal preparations [F2009L01248]\*.
- 32 of 2009—Amendment determination – pharmaceutical benefits [F2009L01249]\*.
- 33 of 2009—Amendment determination – responsible persons [F2009L01250]\*.
- 34 of 2009—Amendment – price determinations and special patient contributions [F2009L01251]\*.
- 35 of 2009—Amendment Special Arrangements – Highly Specialised Drugs Program [F2009L01254]\*.
- 36 of 2009—Amendment Special Arrangements – Chemotherapy Pharmaceuticals Access Program [F2009L01255]\*.
- 37 of 2009—Determination – drugs on F1 [F2009L01445]\*.
- 38 of 2009—Amendment determination – conditions [F2009L01321]\*.

National Health (Pharmaceutical Benefits – Early Supply) Instrument 2009—Instrument No. PB 30 of 2009 [F2009L01354]\*.

National Residue Survey (Excise) Levy Act—Select Legislative Instrument 2009 No. 50—Primary Industries Levies and Charges (National Residue Survey Levies) Amendment Regulations 2009 (No. 1) [F2009L01168]\*.

## Northern Territory National Emergency Response Act—

Northern Territory National Emergency Response (Alcohol – Nitmiluk National Park and Devils Marbles Nature Reserve) Declaration 2009 (No. 1) [F2009L01356]\*.

Northern Territory National Emergency Response (Community Stores – Maryvale Station Store) Instrument 2009 (No. 1) [F2009L01487]\*.

Northern Territory National Emergency Response (Other Areas – Daly River Region) Declaration 2009 (No. 1) [F2009L01232]\*.

## Ozone Protection and Synthetic Greenhouse Gas Management Act—Exemptions Nos—

OZO8912205—Virgin Blue International Airlines Pty Ltd, dated 10 February 2009.

OZO8912340—Airwork Flight Operations Pty Ltd, dated 19 February 2009.

## Primary Industries (Excise) Levies Act—Select Legislative Instrument 2009 No. 49—Primary Industries (Excise) Levies Amendment Regulations 2009 (No. 1) [F2009L01170]\*.

## Privacy Act—Approval to vary the Queensland Club Industry Privacy Code [F2009L01488]\*.

## Private Health Insurance Act—

Private Health Insurance (Benefit Requirements) Amendment Rules 2009 (No. 2) [F2009L01140]\*.

Private Health Insurance (Complying Product) Amendment Rules 2009 (No. 2) [F2009L01141]\*.

## Public Lending Right Act—Public Lending Right Scheme 1997 (Modification No. 1 of 2009) [F2009L01333]\*.

## Quarantine Act—Quarantine Amendment Proclamations 2009—

(No. 1) [F2009L01619]\*.

(No. 2) [F2009L01624]\*.

## Remuneration Tribunal Act—Determinations—

2009/03: Remuneration and Allowances for Holders of Public Office [F2009L01174]\*.

2009/04: Remuneration and Allowances for Holders of Public Office; and Members of Parliament – Entitlements and Office Holders Additional Salary [F2009L01579]\*.

Schools Assistance Act—Guidelines for proposals to vary a Socio-Economic Status (SES) Score 2009 [F2009L00727]—Explanatory Statement [*in substitution for explanatory statement tabled with instrument on 10 March 2009*].

## Social Security Act—

Social Security (Deeming Threshold Rates) (DEEWR) Determinations 2009— (No. 1) [F2009L01167]\*.

(No. 2) [F2009L01139]\*.

Social Security (Waiver of Waiting Period for Advance Payment of Entitlement) Determination 2009 (No. 1) [F2009L01186]\*.

## Social Security (Administration) Act—

Social Security (Administration) (Declared relevant Northern Territory areas — Various) Determination 2009 (No. 3) [F2009L01228]\*.

Social Security (Administration) (Declared relevant Northern Territory areas — Various) Determination 2009 (No. 4) [F2009L01630]\*.

Social Security (Administration) (Declared voluntary income management areas — Western Australia) Determination 2009 (No. 1) [F2009L01631]\*.

Social Security (International Agreements) Act—Select Legislative Instrument 2009 No. 58—Social Security (International Agreements) Act 1999 Amendment Regulations 2009 (No. 1) [F2009L01256]\*.

Student Assistance Act—Student Assistance (Education Institutions and Courses) Determination 2009 (No. 1) [F2009L01134]\*.

*Superannuation Act 1976—*

Superannuation (CSS) Approved Authority Amendment Declaration 2009 (No. 1) [F2009L01162]\*.

Superannuation (CSS) (Eligible Employees — Exclusion) Amendment Declaration 2009 (No. 1) [F2009L01164]\*.

Superannuation (CSS) (Eligible Employees — Inclusion) Amendment Declaration 2009 (No. 1) [F2009L01158]\*.

*Superannuation Act 1990—*

Superannuation (PSS) Approved Authority Inclusion Amendment Declaration 2009 (No. 1) [F2009L01163]\*.

Superannuation (PSS) Membership Inclusion Amendment Declaration 2009 (No. 1) [F2009L01161]\*.

*Superannuation Act 2005—*

Superannuation (PSSAP) Approved Authority Exclusion Amendment Declaration 2009 (No. 1) [F2009L01154]\*.

Superannuation (PSSAP) Membership Eligibility (Inclusion) Amendment Declaration 2009 (No. 1) [F2009L01155]\*.

Superannuation Industry (Supervision) Act—Select Legislative Instrument 2009 No. 71—Superannuation Industry (Supervision) Amendment Regulations 2009 (No. 3) [F2009L01485]\*.

Superannuation (Unclaimed Money and Lost Members) Act—Temporary Residents' Superannuation Measure – Scheduled Statement Days 2009 year and onwards [F2009L01210]\*.

Sydney Airport Curfew Act—Dispensation Report 03/09.

Sydney Airport Demand Management Act—Select Legislative Instrument 2009 No. 69—Sydney Airport Demand Management Amendment Regulations 2009 (No. 1) [F2009L01621]\*.

Taxation Administration Act—PAYG withholding—Occasional payroll donations to deductible gift recipients [F2009L01143]\*.

*Telecommunications (Interception and Access) Act—*

Telecommunication (Interception and Access) (Communications Access Co-ordinator) Specification 2009 [F2009L01172]\*.

Telecommunications (Interception and Access) (Emergency Service Facilities — Victoria) Instrument 2009 [F2009L01438]\*.

*Therapeutic Goods Act—*

Poisons Standard Amendment No. 1 of 2009 [F2009L01257]\*.

Select Legislative Instrument 2009 No. 63—Therapeutic Goods Amendment Regulations 2009 (No. 1) [F2009L00839]\*.

Therapeutic Goods (Listing) Notice 2009 (No. 1) [F2009L01384]\*.

Trade Practices Act—

Consumer Protection Notices Nos—

2 of 2009—Consumer Product Safety Standard for Flotation Toys and Aquatic Toys [F2009L01474]\*.

3 of 2009—Consumer Product Safety Standard for Swimming Aids and Flotation Aids for Water Familiarisation and Swimming Tuition [F2009L01476]\*.

Determination under section 152AQA—Pricing principles for the domestic Mobile Terminating Access Service [F2009L01176]\*.

Select Legislative Instrument 2009 No. 66—Trade Practices (Consumer Product Safety Standard) (Reduced Fire Risk Cigarettes) Amendment Regulations 2009 (No. 1) [F2009L01271]\*.

Trans-Tasman Mutual Recognition Act—Select Legislative Instrument 2009 No. 65—Trans-Tasman Mutual Recognition Amendment Regulations 2009 (No. 1) [F2009L01291]\*.

Veterans' Entitlements Act—Statements of Principles concerning—

Bipolar Disorder No. 27 of 2009 [F2009L01594]\*.

Bipolar Disorder No. 28 of 2009 [F2009L01595]\*.

Bronchiectasis No. 17 of 2009 [F2009L01584]\*.

Bronchiectasis No. 18 of 2009 [F2009L01585]\*.

Cerebral Meningioma No. 19 of 2009 [F2009L01586]\*.

Cerebral Meningioma No. 20 of 2009 [F2009L01587]\*.

Cushing's Syndrome No. 33 of 2009 [F2009L01600]\*.

Cushing's Syndrome No. 34 of 2009 [F2009L01601]\*.

Electrical Injury No. 31 of 2009 [F2009L01598]\*.

Electrical Injury No. 32 of 2009 [F2009L01599]\*.

Epileptic Seizure No. 37 of 2009 [F2009L01604]\*.

Epileptic Seizure No. 38 of 2009 [F2009L01605]\*.

Fibrosing Interstitial Lung Disease No. 35 of 2009 [F2009L01602]\*.

Fibrosing Interstitial Lung Disease No. 36 of 2009 [F2009L01603]\*.

Frostbite No. 23 of 2009 [F2009L01590]\*.

Frostbite No. 24 of 2009 [F2009L01591]\*.

Immersion Foot No. 25 of 2009 [F2009L01592]\*.

Immersion Foot No. 26 of 2009 [F2009L01593]\*.

Macular Degeneration No. 13 of 2009 [F2009L01580]\*.

Macular Degeneration No. 14 of 2009 [F2009L01581]\*.

Malignant Neoplasm of the Cerebral Meninges No. 21 of 2009 [F2009L01588]\*.

Malignant Neoplasm of the Cerebral Meninges No. 22 of 2009 [F2009L01589]\*.

Schizophrenia No. 15 of 2009 [F2009L01582]\*.

Schizophrenia No. 16 of 2009 [F2009L01583]\*.

Trigeminal Neuropathy No. 29 of 2009 [F2009L01596]\*.

Trigeminal Neuropathy No. 30 of 2009 [F2009L01597]\*.

\* Explanatory statement tabled with legislative instrument.

**49 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—  
ADDITIONAL INFORMATION—CLIMATE CHANGE AND THE AUSTRALIAN  
AGRICULTURAL SECTOR**

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

Rural and Regional Affairs and Transport—Standing Committee—Report—  
Climate change and the Australian agricultural sector—Additional information.

**50 NATIONAL BROADBAND NETWORK—SELECT COMMITTEE—SECOND INTERIM  
REPORT**

The Chair of the Select Committee on the National Broadband Network (Senator Fisher) tabled the following report:

National Broadband Network—Select Committee—Another fork in the road to  
national broadband—Second interim report, dated May 2009.

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

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

Debate ensued.

Debate adjourned till the next day of sitting, the Leader of the Opposition in the Senate (Senator Minchin) in continuation.

**51 EXCISE TARIFF VALIDATION BILL 2009  
CUSTOMS TARIFF VALIDATION BILL 2009**

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

Message no. 300, dated 12 May 2009—A Bill for an Act to validate certain collections of duties of excise.

Message no. 299, dated 12 May 2009—A Bill for an Act to validate certain collections of duties of customs.

The Parliamentary Secretary for Social Inclusion (Senator Stephens) 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.

*Consideration of legislation:* Senator Stephens, by leave, moved—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to these bills, allowing them to be considered during this period of sittings.

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*Document:* Senator Stephens tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the bills in the 2009 Budget sittings.

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Debate ensued.

Question put and passed.

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

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

## 52 ADMINISTRATOR'S AND GOVERNOR-GENERAL'S MESSAGES—ASSENT TO LAWS

Messages from Her Excellency the Administrator of the Commonwealth of Australia were reported, informing the Senate that she had assented to the following laws:

26 March 2009—Message—

No. 4—

*Federal Financial Relations Act 2009* (Act No. 11, 2009)  
*Federal Financial Relations (Consequential Amendments and Transitional Provisions) Act 2009* (Act No. 12, 2009).

No. 5—

*Tax Agent Services Act 2009* (Act No. 13, 2009)  
*Tax Laws Amendment (2008 Measures No. 6) Act 2009* (Act No. 14, 2009)  
*Tax Laws Amendment (Taxation of Financial Arrangements) Act 2009* (Act No. 15, 2009).

No. 6—

*Telecommunications Amendment (Integrated Public Number Database) Act 2009* (Act No. 16, 2009)  
*Australian Energy Market Amendment (AEMO and Other Measures) Act 2009* (Act No. 17, 2009)  
*Defence Legislation (Miscellaneous Amendments) Act 2009* (Act No. 18, 2009)  
*Civil Aviation Amendment Act 2009* (Act No. 19, 2009)  
*Transport Safety Investigation Amendment Act 2009* (Act No. 20, 2009).

No. 7—

*Appropriation Act (No. 3) 2008-2009* (Act No. 21, 2009)  
*Appropriation Act (No. 4) 2008-2009* (Act No. 22, 2009)  
*Appropriation Act (No. 5) 2008-2009* (Act No. 23, 2009)  
*Appropriation Act (No. 6) 2008-2009* (Act No. 24, 2009).

No. 8—

*Social Security Amendment (Liquid Assets Waiting Period) Act 2009* (Act No. 25, 2009)  
*Aviation Legislation Amendment (2008 Measures No. 2) Act 2009* (Act No. 26, 2009)  
*Tax Laws Amendment (2009 Measures No. 1) Act 2009* (Act No. 27, 2009).

A message from Her Excellency the Governor-General was reported, informing the Senate that she had assented to the following law:

7 April 2009—Message No. 9—*Fair Work Act 2009* (Act No. 28, 2009).

## 53 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT— EVIDENCE AMENDMENT (JOURNALISTS' PRIVILEGE) BILL 2009

Pursuant to order, Senator O'Brien, at the request of the Chair of the Legal and Constitutional Affairs Committee (Senator Crossin), tabled the following report and documents:

Legal and Constitutional Affairs—Standing Committee—Evidence Amendment (Journalists' Privilege) Bill 2009 [Provisions]—Report, dated May 2009, Hansard record of proceedings, additional information and submissions.

Report ordered to be printed on the motion of Senator O'Brien.

**54 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—LAW AND JUSTICE (CROSS BORDER AND OTHER AMENDMENTS) BILL 2009**

Pursuant to order, Senator O'Brien, at the request of the Chair of the Legal and Constitutional Affairs Committee (Senator Crossin), tabled the following report and documents:

Legal and Constitutional Affairs—Standing Committee—Law and Justice (Cross Border and Other Amendments) Bill 2009 [Provisions]—Report, dated May 2009, Hansard record of proceedings, additional information and submissions.

Report ordered to be printed on the motion of Senator O'Brien.

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

Senator O'Brien, by leave and at the request of the Chair of the Legal and Constitutional Affairs Committee (Senator Crossin), moved—That the time for the presentation of the report of the Legal and Constitutional Affairs Committee on the provisions of the Native Title Amendment Bill 2009 be extended to 13 May 2009.

Question put and passed.

**56 AUSTRALIAN BUSINESS INVESTMENT PARTNERSHIP BILL 2009  
AUSTRALIAN BUSINESS INVESTMENT PARTNERSHIP (CONSEQUENTIAL AMENDMENT) BILL 2009**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas)—That these bills be now read a second time.

Debate resumed.

*At 6.30 pm:* Debate was interrupted while Senator Hurley was speaking.

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*At 8 pm—*

**57 BUDGET STATEMENT AND DOCUMENTS 2009-10**

The Minister for Superannuation and Corporate Law (Senator Sherry) tabled the following documents:

The Budget 2009-10—Statement by the Treasurer (Mr Swan), dated 12 May 2009.

Budget papers—

No. 1—Budget strategy and outlook 2009-10.

No. 2—Budget measures 2009-10.

No. 3—Australia's federal relations 2009-10.

No. 4—Agency resourcing 2009-10.

Ministerial statements—

Australia's international development assistance program: A good international citizen—Statement by the Minister for Foreign Affairs (Mr Smith) and the Parliamentary Secretary for International Development Assistance (Mr McMullan), dated 12 May 2009.

Climate change—Statement by the Minister for Climate Change and Water (Senator Wong) and the Minister for the Environment, Heritage and the Arts (Mr Garrett) and the Minister for Resources and Energy and Minister for Tourism (Mr Ferguson) and the Minister for Families, Housing, Community Services and Indigenous Affairs (Ms Macklin), dated 12 May 2009.

Closing the gap between Indigenous and non-Indigenous Australians—Statement by the Minister for Families, Housing, Community Services and Indigenous Affairs (Ms Macklin), dated 12 May 2009.

Jobs, productivity and fairness – A foundation for recovery—Statement by the Deputy Prime Minister, Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion (Ms Gillard), dated 12 May 2009.

Building our rural communities—Statement by the Minister for Infrastructure, Transport, Regional Development and Local Government (Mr Albanese) and the Minister for Agriculture, Fisheries and Forestry (Mr Burke) and the Minister for Resources and Energy and Minister for Tourism (Mr Ferguson) and the Parliamentary Secretary for Regional Development and Northern Australia (Mr Gray), dated 12 May 2009.

Senator Sherry, by leave, moved—That the Senate take note of the statement and documents.

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

**58 PARTICULARS OF PROPOSED AND CERTAIN EXPENDITURE FOR 2009-10—  
DOCUMENTS—REFERENCE OF ESTIMATES TO COMMITTEES**

The Minister for Superannuation and Corporate Law (Senator Sherry) tabled the following documents:

Particulars of proposed expenditure in respect of the year ending on 30 June 2010.

Particulars of certain proposed expenditure in respect of the year ending on 30 June 2010.

Particulars of proposed expenditure in relation to the parliamentary departments in respect of the year ending on 30 June 2010.

Senator Sherry, by leave, moved—That the particulars documents be referred to standing committees for consideration of estimates.

Question put and passed.

**59 ESTIMATES OF PROPOSED EXPENDITURE FOR 2009-10—PORTFOLIO BUDGET  
STATEMENTS—PARLIAMENTARY DEPARTMENTS—DOCUMENTS**

The President tabled the following documents:

Estimates of proposed expenditure for 2009-10—Portfolio budget statements—Parliamentary departments—

Senate.

Parliamentary Services.

**60 ESTIMATES OF PROPOSED EXPENDITURE FOR 2009-10—PORTFOLIO BUDGET STATEMENTS—PORTFOLIOS AND EXECUTIVE DEPARTMENTS—DOCUMENTS**

The Minister for Superannuation and Corporate Law (Senator Sherry) tabled the following documents:

Estimates of proposed expenditure for 2009-10—Portfolio budget statements—Portfolios and executive departments—

- Agriculture, Fisheries and Forestry portfolio.
- Attorney-General's portfolio.
- Broadband, Communications and the Digital Economy portfolio.
- Defence portfolio.
- Department of Climate Change.
- Department of Veterans' Affairs.
- Education, Employment and Workplace Relations portfolio.
- Environment, Water, Heritage and the Arts portfolio.
- Families, Housing, Community Services and Indigenous Affairs portfolio.
- Finance and Deregulation portfolio.
- Foreign Affairs and Trade portfolio.
- Health and Ageing portfolio.
- Human Services portfolio.
- Immigration and Citizenship portfolio.
- Infrastructure, Transport, Regional Development and Local Government portfolio.
- Innovation, Industry, Science and Research portfolio.
- Prime Minister and Cabinet portfolio.
- Resources, Energy and Tourism portfolio.
- Treasury portfolio.

**61 ADJOURNMENT**

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

The Senate adjourned at 8.02 pm till Wednesday, 13 May 2009 at 9.30 am.

**62 ATTENDANCE**

Present, all senators.

**HARRY EVANS**  
Clerk of the Senate