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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:

Airservices Australia—Corporate plan 1 July 2009 to 30 June 2014.

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

Defence Housing Australia—Statement of corporate intent 2009-10.

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

Treaties—

Bilateral—

Convention between Australia and New Zealand for the Avoidance of Double Taxation with respect to Taxes on Income and Fringe Benefits and the Prevention of Fiscal Evasion, done at Paris on 26 June 2009—Text, together with national interest analysis and regulation impact statement.

Explanatory statement—2009—

No. 7—Agreement to Amend the Agreement between Australia and the United States of America concerning Acquisition and Cross-Servicing of 9 December 1998, done at Washington on 30 July 2009.

Text, together with national interest analysis—

Agreement between the Government of Australia and the Government of Jersey for the Allocation of Taxing Rights with Respect to Certain Income of Individuals and to Establish a Mutual Agreement Procedure in Respect of Transfer Pricing Adjustments, done at London on 10 June 2009.

Agreement between the Government of Australia and the Government of Jersey for the Exchange of Information with Respect to Taxes, done at London on 10 June 2009.

Agreement between the Government of Australia and the Government of the Republic of Singapore concerning the Use of Shoalwater Bay Training Area and the Use of Associated Facilities in Australia, Singapore 31 May 2009.

Agreement to amend the Agreement between the Government of Australia and the Government of the United States of America concerning Certain Mutual Defense Commitments (Chapeau Defense Agreement) of 1 December 1995, done on 4 December 2008.

Second Protocol amending the Agreement between Australia and the Kingdom of Belgium for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income signed at Canberra on 13 October 1977 as amended by the Protocol signed at Canberra on 20 March 1984, done at Paris on 24 June 2009.

Multilateral—

Explanatory statement—2009—

No. 11—Amendment, adopted at Bergen in April/May 2009, to Annex 1 of the Agreement on the Conservation of Albatrosses and Petrels (ACAP) of 19 June 2001.

Proposed Amendment of the Articles of Agreement of the International Monetary Fund to Enhance Voice and Participation in the International Monetary Fund, adopted by the IMF Board of Governors on 28 April 2008; Proposed Amendment of the Articles of Agreement of the International Monetary Fund to Expand the Investment Authority of the International Monetary Fund, adopted by the IMF Board of Governors on 5 May 2008; Proposed Amendment of the Articles of Agreement of the International Bank for Reconstruction and Development to Enhance Voice and Participation in the International Bank for Reconstruction and Development, adopted by the IBRD Board of Governors on 30 January 2009—Text, together with national interest analysis.

3 MIGRATION AMENDMENT (ABOLISHING DETENTION DEBT) BILL 2009 [NO. 2]

Order of the day read for the adjourned debate on the motion of the Minister for Innovation, Industry, Science and Research (Senator Carr)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

The Leader of the Family First Party (Senator Fielding) moved the following amendments together by leave:

Schedule 1, Parts 1 to 3, page 4 (line 2) to page 9 (line 29), omit the Parts, substitute:

Migration Act 1958

1 After section 214

Insert:

214A Liability ceases for refugees

- (1) If a person is assessed to be a refugee for the purposes of the Refugees Convention as amended by the Refugees Protocol, any immigration detention liability incurred under one or more of the provisions specified in subsection (2) ceases from the time the assessment is made.
- (2) The provisions specified for the purposes of subsection (1) are:
 - (a) section 209, 211, 262 or 264, or subsection 151(3) or 213(3), of the *Migration Act 1958*;
 - (b) an undertaking or obligation prescribed by regulations made for the purposes of subsection 140H(1) of that Act;

- (c) an arrangement referred to in paragraph 145(c), 146(1)(b), 147(c) or 148(c) of that Act;
- (d) any other instrument.

2 Application

The amendment made by item 1 applies in respect of any liability of the kind referred to in subsection 214A(1) which exists at, or is incurred after, the commencement of this Schedule, whether the assessment referred to in that subsection is made before or after this Schedule commences.

Clause 2, page 2 (table item 2), omit “, Part 1”.

Debate ensued.

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

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of the Minister for Immigration and Citizenship (Senator Evans) the report from the committee was adopted.

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

Question put.

The Senate divided—

AYES, 34

Senators—

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

NOES, 30

Senators—

Abetz	Colbeck	Johnston	Parry
Adams	Coonan	Joyce	Payne
Back	Eggleston	Kroger	Ronaldson
Bernardi	Ferguson	Macdonald	Ryan
Boswell	Fierravanti-Wells	Mason	Scullion
Brandis	Fifield	McGauran	Williams (Teller)
Bushby	Fisher	Minchin	
Cash	Heffernan	Nash	

Question agreed to.

Bill read a third time.

4 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Immigration and Citizenship (Senator Evans) moved—That intervening business be postponed till after consideration of government business order of the day no. 3 (Uranium Royalty (Northern Territory) Bill 2008).

Question put and passed.

5 URANIUM ROYALTY (NORTHERN TERRITORY) BILL 2008

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 Ludlam moved the following amendment:

At the end of the motion, add “but the Senate calls on the Government to provide for the orderly phasing-out of uranium mining in the Northern Territory”.

Debate ensued.

At 2 pm: Debate was interrupted.

6 QUESTIONS

Questions without notice were answered.

7 MOTION TO TAKE NOTE OF ANSWERS

Senator Ryan moved—That the Senate take note of the answers given by the Minister for Employment Participation (Senator Arbib) to questions without notice asked by Senators Ryan, Eggleston and Payne today.

Debate ensued.

Question put and passed.

8 PETITION

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

From 4 479 petitioners, requesting that the Senate call on the Government to facilitate an additional licence to dispense medicine in Colac.

9 NOTICES

Notices of motion:

The Chair of the Select Committee on Fuel and Energy (Senator Cormann): To move on the next day of sitting—That the Select Committee on Fuel and Energy be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 10 September 2009. (*general business notice of motion no. 540*)

The Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin): To move on the next day of sitting—That the time for the presentation of the report of the Legal and Constitutional Affairs Legislation Committee on annual reports tabled by 30 April 2009 be extended to 15 September 2009. (*general business notice of motion no. 541*)

Senator O’Brien: To move on the next day of sitting—That the following matter be referred to the Economics References Committee for inquiry and report by 25 November 2009:

The current circumstances of the dairy industry in Tasmania, including:

- (a) the economic effect on the Tasmanian dairy industry of announced reductions in prices to be paid to producers by milk processors;
- (b) the impact of the concentration of ownership of milk processing facilities on milk market conditions in the dairy industry;
- (c) whether aspects of the trade practices law are in need of review having regard to market conditions and industry sector concentration in this industry; and
- (d) any other related matters.

Senator Ludlam: To move on 17 September 2009—That the Senate—

- (a) notes that:
 - (i) more than 2 000 nuclear weapons tests have been conducted between 1945 and 2009,
 - (ii) the Comprehensive Nuclear-Test-Ban Treaty (CTBT) bans all nuclear test explosions in all environments, for military or civilian purposes,
 - (iii) the sixth Article XIV (Entry Into Force) conference (the conference) of the CTBT will be held on 24 September and 25 September 2009,
 - (iv) for more than half a century countless scientific experts, political leaders and community organisations have pursued the goal of a more secure world free of the dangers of nuclear weapons test explosions,
 - (v) the CTBT is important to all states because it stigmatises nuclear testing, halts the qualitative and quantitative nuclear arms race and the development of increasingly more destructive weapons, and protects human health and the global environment from the devastating effects of nuclear weapons production and testing, and
 - (vi) nine states required for the entry into force of the treaty have not yet ratified the treaty; and
- (b) calls on the Government to:
 - (i) renew and sustain dialogue with those nine states that have not ratified the CTBT urging them to do so without delay, most notably those states possessing nuclear weapons, the United States of America, the People's Republic of China, India, Pakistan, Israel and the Democratic People's Republic of Korea,
 - (ii) call on all states possessing nuclear weapons to refrain from research and development efforts that could lead to new warheads and the possibility of the resumption of nuclear testing,
 - (iii) participate in the conference at the highest level, and
 - (iv) continue to participate and support the development of the CTBT verification regime, including the international monitoring system. (*general business notice of motion no. 542*)

Senator Barnett: To move on the next day of sitting—That the following matters be referred to the Education, Employment and Workplace Relations References Committee for inquiry and report:

- (a) consideration of waste and mismanagement within the Federal Government's Primary Schools for the 21st Century program, with particular reference to:
 - (i) schools being forced to use non-local contractors at the instruction of state government departments and the role of state governments generally,

- (ii) inflated ‘project management’ charges diverting funds from reaching schools and contractors inflating prices for certain projects,
 - (iii) timing and budget concerns including possible funding bias,
 - (iv) mass-produced ‘demountables’ being delivered to schools, rather than the promised ‘iconic’ buildings,
 - (v) schools being compelled to accept certain projects for fear of losing funding,
 - (vi) the extent of duplication of existing facilities,
 - (vii) school signs and plaques, and
 - (viii) other examples;
- (b) consideration of possible measures to reduce or eliminate this waste and mismanagement, and ensure value for money for the remaining life of this program, and future school infrastructure programs; and
- (c) other related matters.

The Minister for Defence (Senator Faulkner): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend legislation relating to military justice, and for related purposes. ***Military Justice (Interim Measures) Bill (No. 1) 2009.***

The Minister for Defence (Senator Faulkner): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act relating to military justice, and for related purposes. ***Military Justice (Interim Measures) Bill (No. 2) 2009.***

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

Military Justice (Interim Measures) Bill (No. 1) 2009

Military Justice (Interim Measures) Bill (No. 2) 2009.

Document: Senator Ludwig tabled the following document:

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

Intention to withdraw: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Wortley), pursuant to standing order 78, gave notice of her intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notice of motion no. 1 standing in her name for 2 sitting days after today for the disallowance of the Aviation Transport Security Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 24 and made under the *Aviation Transport Security Act 2004*.

Document: Senator Wortley, by leave, tabled the following document:

Aviation Transport Security Amendment Regulations 2009—Correspondence with the Minister for Infrastructure, Transport, Regional Development and Local Government and from the Australian and International Airline Pilots Association.

10 ECONOMICS REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Parry, by leave and at the request of the Chair of the Economics References Committee (Senator Eggleston), moved—That the Economics References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 9 September 2009, from 3 pm.

Question put and passed.

11 POSTPONEMENT

The following item of business was postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Milne for today, proposing the disallowance of the Energy Efficiency Opportunities Amendment Regulations 2009 (No. 1), postponed till 9 September 2009.

12 ECONOMICS REFERENCES COMMITTEE—REFERENCE

The Leader of the Australian Greens (Senator Bob Brown) amended business of the Senate notice of motion no. 3 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—

- (1) That the following matter be referred to the Economics References Committee for inquiry and report by 2 October 2009:

The economic stimulus initiatives announced by the Government since October 2008.

- (2) That the Senate requests the committee:

- (a) to invite the Secretary of the Treasury, accompanied by any other officials he considers appropriate, to appear before the committee, on or after the morning of Monday, 14 September 2009, for the purpose of giving evidence on the matter;
- (b) to invite the Reserve Bank Governor, Mr Glenn Stevens, and other independent pre-eminent economists to appear before the committee, on a date to be determined by the committee, for the purpose of giving evidence on the matter; and
- (c) to hold public meetings to take evidence from those witnesses, in the form of a full update on the economic stimulus initiatives, which addresses:
 - (i) the efficacy of the spending measures to date,
 - (ii) the anticipated costs and benefits of continuing the spending measures,
 - (iii) consequent change in the stimulus 'roll out' that ought to be entertained given the changed economic circumstances,
 - (iv) anticipated impact of the stimulus spending on future interest rate movements and taxpayer liabilities,
 - (v) an evaluation of the environmental impacts of the spending to date, and
 - (vi) other related matters.

Question put and passed.

13 FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator O'Brien, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Polley) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 534—That the time for the presentation of the report of the Finance and Public Administration Legislation Committee on the Parliamentary Superannuation Amendment (Removal of Excessive Super) Bill 2009 be extended to 17 September 2009.

Question put and passed.

14 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING SITTINGS

Senator O'Brien, at the request of Senator Lundy and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 535—That the Joint Committee of Public Accounts and Audit be authorised to hold public meetings during the sitting of the Senate, from 11.15 am to 1.30 pm:

- (a) on Wednesday, 9 September 2009, to take evidence for the committee's inquiry into the role of the Auditor-General in monitoring compliance with the 'Guidelines on Campaign Advertising'; and
- (b) on Wednesday, 16 September 2009, to take evidence for the committee's inquiry into the review of the *Auditor-General Act 1997*.

Question put and passed.

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

Senator Parry, at the request of the Chair of the Finance and Public Administration References Committee (Senator Bernardi) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 536—That the time for the presentation of the report of the Finance and Public Administration References Committee on the relationship between the Central Land Council and Centrecorp Aboriginal Investment Corporation Pty Ltd be extended to 26 November 2009.

Question put and passed.

16 ENVIRONMENT—NATIONAL THREATENED SPECIES DAY

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 539—That the Senate—

- (a) notes that Monday, 7 September 2009 is National Threatened Species Day;
- (b) acknowledges the significance of the date which is the anniversary of the death of the last known thylacine (Tasmanian tiger) in captivity in 1936 at Hobart's Beaumaris Zoo;
- (c) expresses:
 - (i) concern at the continuing decline of Australia's biodiversity and the increasing levels of threat and endangerment faced by Australia's endemic species, with 125 endemic species now listed as critically endangered, and

- (ii) alarm at accelerating levels of species threat in northern Australia, as noted by a meeting of wildlife experts in Darwin in February 2009 that reported on a 'new and potentially catastrophic wave of mammalian extinctions';
- (d) notes that Australia leads the world in mammalian extinctions, with 40 species lost over the past 200 years; and
- (e) calls on the Government to increase funding for the listing and protection of threatened species, habitats and communities and the preparation and implementation of management plans.

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

Question put.

The Senate divided—

AYES, 6

Senators—

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

NOES, 39

Senators—

Adams	Crossin	Hutchins	Parry (Teller)
Back	Farrell	Kroger	Polley
Barnett	Feeney	Ludwig	Pratt
Bilyk	Ferguson	Lundy	Ryan
Birmingham	Fielding	Marshall	Stephens
Bishop	Fierravanti-Wells	McEwen	Sterle
Brown, Carol	Fisher	McLucas	Troeth
Cameron	Forshaw	Moore	Williams
Colbeck	Furner	Nash	Wortley
Collins	Hurley	O'Brien	

Question negatived.

17 UNITED NATIONS INTERNATIONAL LITERACY DAY

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 537—That the Senate—

- (a) notes that:
 - (i) 8 September is United Nations International Literacy Day,
 - (ii) literacy is integral to individual empowerment, civic and social development and global peace and harmony, and
 - (iii) in the international literacy decade, much work is still needed to realise the goal of increasing global literacy rates by 50 per cent by 2015;
- (b) recognises that:
 - (i) one in five adults worldwide are not literate and two-thirds of these are women,
 - (ii) 75 million children are not enrolled in school, and
 - (iii) in Australia, there is an enormous gap in the English literacy rates of Indigenous and non-Indigenous people; and

- (c) calls on the Government to continue to work with the United Nations in pursuit of its goal to increase literacy across the globe and in Indigenous communities throughout Australia.

Question put and passed.

18 WOMEN—EQUAL PAY DAY

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 538—That the Senate—

- (a) notes that:
 - (i) 1 September 2009 marked Equal Pay Day, almost 40 years after women formally achieved the right to equal pay, and
 - (ii) women have to work more than 2 months more to earn the same as men in an ordinary year;
- (b) recognises that:
 - (i) women working full-time in Australia continue to earn, on average, approximately 17 per cent less than men, and
 - (ii) not only do women earn less than men on average, they can expect on average half the superannuation of men in retirement; and
- (c) calls on the Rudd Government to work towards the abolition of unequal pay, through a genuine commitment to the true valuing of women's work and creating real choices and opportunities for women in the workplace.

Question put and passed.

19 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMICS—NEW SOUTH WALES LABOR GOVERNMENT

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

The need for the Federal Government to intervene by way of wasteful spending to compensate for the policy failures of the New South Wales Labor Government.

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

Document: Senator Heffernan, by leave, tabled the following document:

Environment—Belubula Landholders Association—Project application: Cadia East Project; submission on environmental assessment report, dated July 2009.

20 DEFENCE—DEFENCE SCIENCE—MINISTERIAL STATEMENT—DOCUMENT

The Minister for Defence (Senator Faulkner) tabled the following document:

Defence—The contribution of defence science to the security of the nation—Ministerial statement by the Minister for Defence Personnel, Materiel and Science (Mr Combet), dated 8 September 2009.

21 AUDITOR-GENERAL—AUDIT REPORT NO. 3 OF 2009-10—DOCUMENT

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

Auditor-General—Audit report no. 3 of 2009-10—Performance audit—Administration of parliamentarians' entitlements by the Department of Finance and Deregulation.

The Leader of the Australian Greens (Senator Bob Brown), by leave, moved—That the Senate take note of the document.

Debate ensued.

Question put and passed.

22 TRANSFER OF NOTICE OF MOTION

Senator Xenophon, pursuant to standing order 78, indicated his objection to the withdrawal of the following notice of motion:

Business of the Senate notice of motion no. 2 standing in the name of the Chairman of the Standing Committee on Regulations and Ordinances (Senator Wortley) for 2 sitting days after today, for the disallowance of the Aviation Transport Security Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 24 and made under the *Aviation Transport Security Act 2004*.

Senator Xenophon's name was put on the notice of motion.

23 VETERANS' AFFAIRS AND OTHER LEGISLATION AMENDMENT (PENSION REFORM) BILL 2009—EXPLANATORY MEMORANDUM

The Minister for Innovation, Industry, Science and Research (Senator Carr) tabled a correction to the explanatory memorandum relating to the Veterans' Affairs and Other Legislation Amendment (Pension Reform) Bill 2009.

24 INTELLIGENCE AND SECURITY—JOINT STATUTORY COMMITTEE—REPORT—REVIEW OF ADMINISTRATION AND EXPENDITURE: NO. 6—AUSTRALIAN INTELLIGENCE AGENCIES

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

Intelligence and Security—Joint Statutory Committee—Review of administration and expenditure: No. 6—Australian intelligence agencies—Report, dated September 2009.

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

Question put and passed.

25 LEGAL AND CONSTITUTIONAL AFFAIRS REFERENCES COMMITTEE—REPORT—A POSSIBLE CONTEMPT IN RELATION TO A WITNESS TO THE COMMITTEE'S INQUIRY INTO ACCESS TO JUSTICE

The Chair of the Legal and Constitutional Affairs References Committee (Senator Barnett) tabled the following report:

Legal and Constitutional Affairs References Committee—A possible contempt in relation to a witness to the committee's inquiry into access to justice—Report, dated September 2009.

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

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

Question put and passed.

26 EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS REFERENCES COMMITTEE—REPORT—EFFECTS OF CLIMATE CHANGE ON TRAINING AND EMPLOYMENT NEEDS

The Chair of the Education, Employment and Workplace Relations References Committee (Senator Humphries) tabled the following report and documents:

Education, Employment and Workplace Relations References Committee—Effects of climate change on training and employment needs—Report and submissions.

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

Senator Humphries, by leave, moved—That the Senate adopt the recommendation of the report that the inquiry into Australia's research and training capacity in the area of climate change not proceed further.

Question put and passed.

27 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—REPORT—INQUIRY INTO ASPECTS OF AGRIBUSINESS MANAGED INVESTMENT SCHEMES

Senator Williams, on behalf of the Parliamentary Joint Committee on Corporations and Financial Services, tabled the following report and documents:

Corporations and Financial Services—Joint Statutory Committee—Inquiry Into aspects of agribusiness managed investment schemes—Report, dated September 2009, Hansard record of proceedings, documents presented to the committee and submissions.

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

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

Debate ensued.

Question put and passed.

28 DOCUMENT

The following document was tabled by the Clerk:

Sydney Airport Curfew Act—Dispensation Report 07/09.

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

The following document was tabled pursuant to the order of the Senate of 30 May 1996, as amended:

Indexed lists of departmental and agency files for the period 1 January to 30 June 2009—Statement of compliance—Australian Taxation Office.

30 TAX LAWS AMENDMENT (2009 MEASURES NO. 4) BILL 2009

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

Message no. 390, dated 7 September 2009—A Bill for an Act to amend the law relating to taxation, and for related purposes.

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

Question put and passed.

Bill read a first time.

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

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

31 INTERNATIONAL MONETARY AGREEMENTS AMENDMENT BILL 2009

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

Message no. 391, dated 8 September 2009—A Bill for an Act to amend the *International Monetary Agreements Act 1947*, and for related purposes.

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

Question put and passed.

Bill read a first time.

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

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

32 GOVERNOR-GENERAL'S MESSAGE—ASSENT TO LAWS

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

7 September 2009—Message No. 30—

Law and Justice (Cross Border and Other Amendments) Act 2009 (Act No. 77, 2009)

Renewable Energy (Electricity) Amendment Act 2009 (Act No. 78, 2009)

Renewable Energy (Electricity) (Charge) Amendment Act 2009 (Act No. 79, 2009).

33 MIGRATION AMENDMENT REGULATIONS 2009—PROPOSED DISALLOWANCE

Senator Fierravanti-Wells, pursuant to notice, moved business of the Senate notice of motion no. 2—That the Migration Amendment Regulations 2009 (No. 6), as contained in Select Legislative Instrument 2009 No. 143 and made under the *Migration Act 1958*, be disallowed.

Debate ensued.

Question put and negatived.

34 NOTICE

Senator Marshall gave a notice of motion as follows: To move on the next day of sitting—That the following matter be referred to the Education, Employment and Workplace Relations References Committee for inquiry and report:

The implementation of the Primary Schools for the 21st Century program

At 6.50 pm—

35 GOVERNMENT DOCUMENTS—CONSIDERATION

The following government documents tabled earlier today (*see entry no. 2*) were considered:

Airservices Australia—Corporate plan 1 July 2009 to 30 June 2014. Motion to take note of document moved by Senator Parry. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 April to 30 June 2009. Motion to take note of document moved by Senator Parry. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Defence Housing Australia—Statement of corporate intent 2009-10. Motion to take note of document moved by Senator Parry. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 April to 30 June 2009. Motion to take note of document moved by Senator Parry. Debate adjourned till Thursday at general business, Senator Parry in continuation.

General business order of the day no. 4 relating to government documents was called on but no motion was moved.

36 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 8.32 pm till Wednesday, 9 September 2009 at 9.30 am.

37 ATTENDANCE

Present, all senators except Senator Boyce (on leave).

HARRY EVANS
Clerk of the Senate