



# Senate Daily Summary

## Tuesday, 7 February 2012

The Senate met from 12.30 pm until 9.39 pm

### Legislation

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[Bills and related documents](#)

#### Bills considered

The following bills were introduced

- ❑ Minerals Resource Rent Tax Bill 2011 and 10 related bills [passed by the House of Representatives on 23 November 2011]
- ❑ Offshore Petroleum and Greenhouse Gas Storage Amendment (Significant Incident Directions) Bill 2011 [passed by the House of Representatives on 23 November 2011]

The following bill was debated

- ❑ Tobacco Advertising Prohibition Amendment Bill 2010—second reading debate continued [[first speaker](#)]

#### Messages from the House of Representatives

Agreeing to amendments made by the Senate to the following bills

- ❑ Aviation Transport Security Amendment (Air Cargo) Bill 2011
- ❑ Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011

[The bills have been assented to]

Agreeing to the following bills without amendment

- ❑ Business Names Registration (Application of Consequential Amendments) Bill 2011
- ❑ Coal Mining Industry (Long Service Leave) Legislation Amendment Bill 2011
- ❑ Social Security Legislation Amendment (Family Participation Measures) Bill 2011

[The bills have been assented to]

## Bills assented to

[Assent](#) to a number of laws was reported in the Senate.

## [Notice of motion](#) to introduce a private senator's bill

- Migration Amendment (Removal of Mandatory Minimum Penalties) Bill 2012

See **Committees** for details of reports relating to legislation

## Committees

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Scheduled [public committee hearings](#)

[Committee reports](#)

## Estimates

Notice of motion given

The Leader of the Opposition in the Senate (Senator Abetz) gave a [notice of motion](#) relating to the attendance of the former General Manager of Fair Work Australia at the 2011-12 additional estimates hearings of the Education, Employment and Workplace Relations Legislation Committee.

## Reports tabled

Reports on legislation

- Consumer Credit and Corporations Legislation Amendment (Enhancements) Bill 2011–Corporations and Financial Services Joint Committee [\[report\]](#)
- Consumer Credit and Corporations Legislation Amendment (Enhancements) Bill 2011–Economics Legislation Committee [\[report\]](#)

Other reports

- Appropriations and Staffing Committee–Annual report for 2010-11 [\[report\]](#)
- Corporations and Financial Services Joint Committee–
  - Statutory oversight of the Australian Securities and Investments Commission [\[report\]](#)
  - Collapse of Trio Capital–Interim report [\[report\]](#)
- Electoral Matters Joint Committee–Funding of political parties and election campaigns [\[report\]](#)
- Foreign Affairs, Defence and Trade References Committee–Procurement procedures for Defence capital projects–Interim [\[report\]](#) and preliminary [\[report\]](#) reports [a motion to extend the reporting date to 28 June 2012 was agreed to]
- Gambling Reform Joint Select Committee–Interactive and online gambling and Interactive Gambling and Broadcasting Amendment (Online Transactions and Other Measures) Bill 2011 [\[report\]](#)
- Public Accounts and Audit Joint Committee–
  - 427th report–Inquiry into national funding agreements [\[report\]](#)
  - 428th report–Review of Auditor-General's reports Nos 16 to 46 (2010-11) [\[report\]](#)

- ❑ Rural Affairs and Transport References Committee–Biosecurity and quarantine arrangements: The management of the removal of the fee rebate for AQIS export certification functions–Interim report [[report](#)]
- ❑ Rural Affairs and Transport References Committee–Management of the Murray-Darling Basin: The impact of mining coal seam gas on the management of the Murray-Darling Basin–Interim report [[report](#)] [a motion to extend the reporting date to 29 June 2012 was agreed to]

### **Document tabled**

- ❑ Senators’ Interests Standing Committee–Register of senators’ interests incorporating statements of registrable interests and notifications of alterations of interests of senators lodged between 6 August and 30 November 2011

### **Government responses tabled**

- ❑ Community Affairs References Committee–Gene patents
- ❑ Cyber Safety Joint Select Committee–High-wire act – cyber-safety and the young–Interim report
- ❑ Economics References Committee–Milking it for all it’s worth: Competition and pricing in the Australian dairy industry, and Impacts of supermarket price decisions on the dairy industry
- ❑ Environment, Communications and the Arts References Committee–Forestry and mining operations on the Tiwi Islands
- ❑ Finance and Public Administration Legislation Committee–Reports on annual reports referred to legislation committees—No. 2 of 2009
- ❑ Finance and Public Administration References Committee–Administration of health practitioner registration by the Australian Health Practitioner Regulation Agency
- ❑ Finance and Public Administration References Committee–Native vegetation laws, greenhouse gas abatement and climate change measures
- ❑ Legal and Constitutional Affairs References Committee–Review of government compensation payments
- ❑ Rural Affairs and Transport Legislation Committee–Exposure draft and explanatory memorandum of the Illegal Logging Prohibition Bill 2011
- ❑ Schedule of government responses outstanding to parliamentary committee reports–tabled by the President of the Senate on 7 July 2011

### **Meetings during the sitting of the Senate**

The Senate authorised the following meetings to be held while the Senate is sitting:

- ❑ Community Affairs Legislation Committee–8 February 2012 from 11.00 am–private meeting otherwise than in accordance with standing order 33(1)
- ❑ Cyber Safety Joint Select Committee–8 February 2012 from 4.00 pm to 6.00 pm–public meeting
- ❑ Electoral Matters Joint Committee–8 February 2012 from 9.30 am to 11.00 am–Electoral and Referendum Amendment (Maintaining Address) Bill 2011
- ❑ Foreign Affairs, Defence and Trade Joint Committee–7 February 2012 from 1.00 pm to 2.00 pm–Australia’s human rights dialogues with China and

Vietnam, and from 5.30 pm to 6.30 pm—Review of Defence annual report 2010-11

- Gambling Reform Joint Select Committee—7 February 2012 from 4.00 pm—private meeting otherwise than in accordance with standing order 33(1)
- Public Accounts and Audit Joint Committee—8 February 2012 from 11.00 am to 1.00 pm—public meeting
- Rural Affairs and Transport Legislation Committee—7 February 2012 from 5.00 pm—Environment Protection and Biodiversity Conservation Amendment (Protecting Australia's Water Resources) Bill 2011

#### **Notices of motion given**

- To amend standing order 25(1) and allocate departments and agencies to legislative and general purpose standing committees—notice given by the Minister for Tertiary Education, Skills, Science and Research (Senator Evans)

#### **To hold meetings when the Senate is sitting**

- Corporations and Financial Services Joint Committee—9 February, 1 March, 15 March and 22 March 2012 from 11.30 am to 12.30 pm—private meeting otherwise than in accordance with standing order 33(1)
- Community Affairs Legislation Committee—1 March 2012—Social Security Legislation Amendment Bill 2011, the Stronger Futures in the Northern Territory Bill 2011 and a related bill
- Community Affairs References Committee—9 February 2012—Commonwealth contribution to former forced adoption policies
- Finance and Public Administration Legislation Committee—9 February 2012 from 10.00 am—private meeting otherwise than in accordance with standing order 33(1)
- Foreign Affairs, Defence and Trade Joint Committee—28 February 2012 from 5.30 pm—Review of Defence annual report 2010-11
- Migration Joint Committee—29 February 2012 from 10.30 am to noon—public meeting
- Public Accounts and Audit Joint Committee—29 February, 14 March and 21 March 2012 from 11.00 am to 1.00 pm—public meetings
- Rural Affairs and Transport References Committee—9 February 2012 from 4.30 pm—Examination of the Foreign Investment Review Board national interest test
- Treaties Joint Committee—27 February 2012 from 10.00 am to 12.30 pm—public meeting

#### **To extend a reporting deadline**

- Community Affairs Legislation Committee—Social Security Legislation Amendment Bill 2011, the Stronger Futures in the Northern Territory Bill 2011 and a related bill—to report by 13 March 2012

### To refer matters to committees

- Approval and monitoring of Poly Implant Protheses (PIP) breast implants—Community Affairs References Committee—to report by 31 May 2012—notice given by Senator Xenophon
- Marriage Equality Amendment Bill 2010—Legal and Constitutional Affairs Legislation Committee—to report by 25 May 2012—notice given by Senator Hanson-Young

### Membership

The Senate agreed to [various changes](#) to committee membership.

### Message from the House of Representatives

A message was received from the House of Representatives agreeing to a variation to the resolution of appointment of the Cyber Safety Joint Select Committee.

## Documents

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### Delegated legislation

See [Disallowance Alert](#) for a complete list of notices of motion to disallow (and outcomes)

- [Clerk's documents](#) were tabled [legislative instruments and other documents required by statute to be tabled, including Governor-General's Proclamations]

### Notice of intention to withdraw a notice

Senator Wright gave notice of intention to withdraw a notice to disallow the Health Insurance (Allied Health Services) Amendment Determination 2011 (No. 2), made under subsection 3C(1) of the *Health Insurance Act 1973* [[homepage](#)].

### Orders for the production of documents

#### Documents tabled

The following documents were tabled in response to orders of the Senate:

- The Minister for Agriculture, Fisheries and Forestry (Senator Ludwig)—Statement and attachments relating to harvesting requirements under the Tasmanian Forests Intergovernmental Agreement [tabled in response to the order of the Senate agreed to on [3 November 2011](#)]
- The Minister representing the Minister for Health and Ageing and the Minister representing the Minister for Human Services—Document relating to the Medicare Chronic Disease Dental Scheme [tabled in response to the order of the Senate agreed to on [24 November 2011](#)]
- The Minister for Tertiary Education, Skills, Jobs and Workplace Relations (Senator Evans)—Bilateral inter-governmental agreement for a national workplace relations system for the private sector between the Commonwealth and the State of Queensland [tabled in response to the order of the Senate agreed to on [18 November 2009](#)]

### *Departmental and agency appointments and vacancies*

Letters of advice for various agencies were tabled [see Journals entries [59](#) and [85](#)] [Lists of appointments made and existing vacancies are [required to be tabled](#) 7 days before the commencement of budget, supplementary budget and additional estimates hearings]

### *Departmental and agency grants*

Letters of advice for various agencies were tabled [see Journals entries [60](#) and [86](#)] [Lists of all grants approved are [required to be tabled](#) 7 days before the commencement of budget, supplementary budget and additional estimates hearings]

### **Documents tabled**

- [2 petitions](#)
- Auditor-General–Audit reports nos 14 to 23 of 2011-12 [see Journals entries [56](#) and [75](#)]
- [Business of the Senate](#)–1 January to 31 December 2011 [a digest of all business considered by the Senate in 2011]
- Correspondence from the Canadian Parliament relating to Australia Day
- Department of Defence–Special purpose flights–Schedule for the period 1 January to 30 June 2011
- Department of Finance and Deregulation–
  - Former parliamentarians’ expenditure on entitlements–1 January to 30 June 2011
  - Parliamentarians’ expenditure on entitlements–1 January to 30 June 2011
- Department of the Senate–Register of Senate senior executive officers’ interests incorporating alterations of registrable interests of Senate senior executive officers lodged between 16 August and 30 November 2011
- Government documents [see Journals entries [2](#) and [55](#)] [[and considered](#)]
- Parliamentarians’ overseas study travel reports–1 January to 30 June 2011
- President of the Senate–
  - [Report to the Senate](#) on government responses outstanding to parliamentary committee reports as at 23 November 2011
  - Statement and correspondence relating to matters of privilege raised by the Leader of the Australian Greens (Senator Bob Brown)
- [Questions on notice summary](#)–28 September 2010 to 31 December 2011
- Responses to Senate resolutions about–
  - Coptic Christians in Egypt–from the Minister for Foreign Affairs (Mr Rudd) [resolution agreed to on [3 November 2011](#)]
  - Global population growth–from the Minister for Foreign Affairs (Mr Rudd) [resolution agreed to on [1 November 2011](#)]
  - Hearing health in Aboriginal and Torres Strait Islander communities–from the Premier of Western Australia (Mr Barnett), South Australian Minister for Health and Ageing (Mr Hill), Premier of New South Wales (Mr O’Farrell) and Northern Territory Minister for Indigenous Development (Ms McCarthy) [resolution agreed to on [22 September 2011](#)] [a [motion](#) to take note of the response was agreed to]
  - Iran–from the Minister for Foreign Affairs (Mr Rudd) [resolution agreed to on [8 November 2011](#)]

- Mr Patrick Cummins—from the Chairman of Cricket Australia (Mr Edwards) [resolution agreed to on [24 November 2011](#)]
- Passports for sex and gender diverse people—from the Minister for Foreign Affairs (Mr Rudd) [resolution agreed to on [22 September 2011](#)]
- Religious freedom in Iran—from the Minister for Foreign Affairs (Mr Rudd) [resolution agreed to on [3 November 2011](#)]
- Tuberculosis risk in Papua New Guinea and the Torres Strait islands —from the Acting Premier of Queensland (Mr Fraser) [resolution agreed to on [2 November 2011](#)]
- Youth in Communities (YIC)—from the Minister for Families, Community Services and Indigenous Affairs (Ms Macklin) [resolution agreed to on [9 November 2011](#)]

### Ministerial statements tabled

The Parliamentary Secretary for Defence (Senator Feeney) tabled ministerial statements about—

- Afghanistan
- an update on current emergency events in Queensland and New South Wales
- Australia Network
- Murray-Darling Basin reform
- the status of Queensland floods reconstruction
- the Government's response to people trafficking
- the implementation of an effective aid program for Australia

### Other business

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[Questions without notice and issues arising during question time—first question](#)  
[Adjournment debate—first speaker](#)

### Motion agreed to

- [Composition of the Parliament of Papua New Guinea](#)—moved by the Leader of the Australian Greens (Senator Bob Brown)

### Motions negated

- [Admission of Palestine as a member of UNESCO](#)—moved by the Leader of the Australian Greens (Senator Bob Brown)
- [Establishment of a sovereign wealth fund](#)—moved by the Leader of the Australian Greens (Senator Bob Brown)

### Death of former Governor-General

The President informed the Senate of the death, on 8 December 2011, of the Right Honourable Sir Zelman Cowen, AK, GCMG, GCVO, QC, Governor-General from 1977 to 1982. A [motion](#) moved by the Leader of the Government in the Senate (Senator Evans) was carried [[first speaker](#)].

### **Diamond jubilee anniversary of Her Majesty Queen Elizabeth II**

The President informed the Senate that 6 February 2012 marked the diamond jubilee anniversary of Her Majesty Queen Elizabeth II. A [motion](#) moved by the Leader of the Government in the Senate (Senator Evans) for an address to Her Majesty the Queen was debated and agreed to [[first speaker](#)].

### **Dissent from ruling**

The Senate debated a motion moved by the Leader of the Australian Greens (Senator Bob Brown) objecting to a ruling of the President on 25 November 2011 (that the motion to refer a matter to the Privileges Committee not be given precedence) [debate on the motion will continue on 8 February 2012].

### **Proposed suspension of standing orders**

The Senate debated but did not agree to a proposed suspension of standing orders moved by Senator Cormann to enable debate on a motion relating to the Government's failure to comply with orders of the Senate for the production of documents concerning the Mineral Resource Rent Tax [[first speaker](#)].

### **Matter of public importance discussed**

□ [Gillard Government](#)—proposed by Senator Fifield [[first speaker](#)]

### **Statement by President**

The President made a [statement](#) relating to the donation of the wig and gown used by the former Clerk of the Senate, Mr Harry Evans, to the Museum of Australian Democracy at Old Parliament House.

### **Ministerial arrangements**

The Leader of the Government in the Senate (Senator Evans) informed the Senate of changes to the [Gillard Ministry](#).

### **Notices of motion**

[Notices of motion](#) given today are available in the Senate Journals.

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**Online**

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