



# Senate Daily Summary

Monday, 16 November 2009

The Senate met from 12.30 pm until 10.29 pm

## **National apology**

---

The Leader of the Government in the Senate (Senator Evans) moved a [motion](#) supporting the apology given by the Prime Minister, on behalf of the nation, to the Forgotten Australians and former child migrants. The motion was debated and agreed to [[first speaker](#)].

## **Legislation**

---

Bills and related documents available on BillsNet <[www.aph.gov.au/bills/index.htm](http://www.aph.gov.au/bills/index.htm)>

### **Bills considered**

The following bill was introduced

- ❑ Tax Laws Amendment (2009 Measures No. 5) Bill 2009 [passed by the House of Representatives on 29 October 2009]

The following bills were debated

- ❑ Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009—second reading debate commenced [[first speaker](#)]  
1 Australian Greens second reading [amendment](#) to be determined [expressing a view about the policy of the bill]

### **Notice of motion to vary the hours of meeting**

A [notice](#) was given by the Special Minister of State (Senator Ludwig) to vary the hours of meeting for 17 November 2009 to enable the Government's legislative program to be considered.

### **Message from the House of Representatives**

- ❑ Corporations Amendment (Improving Accountability on Termination Payments) Bill 2009—disagreeing to the amendment made by the Senate [The Senate did not insist on its amendment. The bill will now be assented to]

## Bills assented to

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

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

## Committees

---

For scheduled [public committee hearings](#)

For [committee reports](#)

### Reports tabled

- ❑ [Crimes Legislation](#) Amendment (Serious and Organised Crime) Bill (No. 2) 2009–Legal and Constitutional Affairs Legislation Committee
- ❑ [Fair Work Amendment](#) (State Referrals and Other Measures) Bill 2009–Education, Employment and Workplace Relations Legislation Committee
- ❑ [Tax Laws Amendment](#) (2009 Budget Measures No. 2) Bill 2009–Economics Legislation Committee [a [motion](#) to take note of the report was agreed to]
- ❑ [Telecommunications](#) (Interception and Access) Amendment Bill 2009–Legal and Constitutional Affairs Legislation Committee

### [Government responses](#) tabled

- ❑ Corporations and Financial Services Joint Committee–Opportunity not opportunism: Improving conduct in Australian franchising
- ❑ Economics Committee–The need, scope and content of a definition of unconscionable conduct for the purposes of Part IVA of the *Trade Practices Act 1974*

### New inquiry

The Senate referred matters relating to [public interest immunity claims](#) to the Finance and Public Administration References Committee, to report by the first sitting day in 2010.

### Meeting during the sitting of the Senate

The Senate authorised the Legal and Constitutional Affairs Legislation Committee to hold a meeting otherwise than in accordance with standing order 33(1) while the Senate was sitting on 16 November 2009.

### Reporting dates extended

The Senate extended reporting dates for the following inquiries:

- ❑ Economics References Committee–GROCERYchoice website–to report by 18 November 2009
- ❑ Legal and Constitutional Affairs Legislation Committee–Personal Property Securities (Consequential Amendments) Bill 2009–to report by 23 November 2009

### Notices of motion given

#### To extend reporting deadlines

- Foreign Affairs, Defence and Trade Legislation Committee—Defence Amendment (Parliamentary Approval of Overseas Service) Bill 2008 [No. 2]—to report by 25 February 2010
- Legal and Constitutional Affairs Legislation Committee—Crimes Amendment (Working With Children—Criminal History) Bill 2009—to report by 19 November 2009
- Legal and Constitutional Affairs References Committee—to report by 26 November 2009
  - Access to justice
  - Australia's judicial system and the role of judges

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

- Legal and Constitutional Affairs References Committee—17 November 2009 from 4.00 pm to 5.30 pm—Australia's judicial system and the role of judges

## Documents

---

### 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]

### [Notices of motion](#) to disallow given

- Definition of *electioneering* in subregulation 3AA(11) in item [1] of Schedule 1 of the Parliamentary Entitlements Amendment Regulations 2009 (No. 1) Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 250 and made under the *Parliamentary Entitlements Act 1990* [[homepage](#)]  
—notice given by Senator Ronaldson
- Health Insurance (Cataract Surgery) Determination 2009, made under section 3C(1) of the *Health Insurance Act 1973* [[homepage](#)]  
—notice given by Senator Cormann, the Leader of the Family First Party (Senator Fielding) and Senator Xenophon

### Notice of intention to withdraw a notice

Senator Abetz gave a notice of intention to withdraw a notice to disallow Schedule 2 of the Fair Work Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 164 and made under the *Fair Work Act 2009* [[homepage](#)].

## Orders for the production of documents

### Documents tabled

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

- ❑ Assistant Treasurer (Senator Sherry)—document relating to the Carbon Pollution Reduction Scheme and the Frontier Economics report [the Minister made a [statement](#)] [tabled in response to an order of the Senate agreed to on [27 October 2009](#) on the motion of Senator Xenophon]
- ❑ Assistant Treasurer (Senator Sherry)—documents relating to the Montara oil spill [tabled in response to the order of the Senate agreed to on [29 October 2009](#) on the motion of Senator Siewert]
- ❑ Documents relating to the disposal of Telstra shares by the Future Fund [tabled in response to the order of the Senate agreed to on [26 October 2009](#) on the motion of the Leader of the Family First Party (Senator Fielding)]

### Notices of motion given

The following [notices of motion](#) were given requiring Ministers to table documents:

- ❑ Assessment by Geoscience Australia relating to underground carbon dioxide storage sites—no later than 4.00 pm on 18 November 2009—notice given by Senator Milne
- ❑ Minister for Broadband, Communications and the Digital Economy—to table a document relating to an appointment to NBN Co—no later than 10.00 am on 18 November 2009—notice given by the Leader of the Opposition in the Senate (Senator Minchin)
- ❑ Minister representing the Minister for Health and Ageing (Senator Ludwig)—
  - to table documents relating to aged care providers—no later than 12.00 pm on 18 November 2009—notice given by Senator Cormann
  - to table legal advice relating to the Health Insurance Amendment (Revival of Table Items) Bill 2009—no later than 5.00 pm on 17 November 2009—notice given by Senator Cormann

### Documents tabled

- ❑ Auditor-General—Audit reports nos 9 and 10 of 2009-10
- ❑ [Government documents](#)
- ❑ [A petition](#)

## Other business

---

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

### Matter of public importance discussed

The Senate discussed issues relating to [border protection](#), raised by Senator Parry as a matter of public importance. [[first speaker](#)]

### **Death of former member**

The Deputy President informed the Senate of the death, on 7 November 2009, of Allan William Mulder, a member of the House of Representatives for the division of Evans from 1972 to 1975.

### **Notices of motion**

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

\* \* \* \* \*

#### **Online**

The *Senate Daily Summary* is available on the Internet at [www.aph.gov.au/senate](http://www.aph.gov.au/senate)

It is issued by the Senate Table Office as a convenient summary of each day's proceedings in the Senate. For a complete account see the official record, the *Journals of the Senate*, on the Internet at <http://www.aph.gov.au/senate/pubs/index.htm>

#### **Related resources**

The *Order of Business* (or 'Senate Red') and the *Dynamic Red* (which updates the *Order of Business* throughout the sitting day) are also available on the Internet at [www.aph.gov.au/senate](http://www.aph.gov.au/senate)

#### **Contact details**

Inquiries, comments and suggestions:      phone 6277 3021  
e-mail: [sds@aph.gov.au](mailto:sds@aph.gov.au)