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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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No. 7

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1 MEETING OF SENATE

The Senate met at 9.30 am. The President (Senator the Honourable Paul Calvert) took the chair and read prayers.

2 NOTICES

Notices of motion:

The Minister for Justice and Customs (Senator Ellison): 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:

Copyright Legislation Amendment Bill 2004
James Hardie (Investigations and Proceedings) Bill 2004
National Water Commission Bill 2004.

Documents: Senator Ellison tabled the following documents:

Consideration of legislation—Statements of reasons [3] for introduction and passage of certain bills in the 2004 spring sittings.

Senator Ferris, at the request of the Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen): To move 15 sitting days after today—

No. 1—That the Air Navigation (Aviation Security Status Checking) Regulations 2004, as contained in Statutory Rules 2004 No. 207 and made under the *Air Navigation Act 1920*, be disallowed.

No. 2—That the Crimes Amendment Regulations 2004 (No. 1), as contained in Statutory Rules 2004 No. 164 and made under the *Crimes Act 1914*, be disallowed.

No. 3—That the National Health Amendment Regulations 2004 (No. 2), as contained in Statutory Rules 2004 No. 186 and made under the *National Health Act 1953*, be disallowed.

No. 4—That the National Health (Private Health Insurance Levies) Regulations 2004, as contained in Statutory Rules 2004 No. 187 and made under the *National Health Act 1953*, be disallowed.

Senator Ferris, by leave, made a statement relating to the notices of motion.

The Chair of the Employment, Workplace Relations and Education References Committee (Senator Crossin): To move on the next day of sitting—That the following matter be referred to the Employment, Workplace Relations and Education References Committee for inquiry and report by 12 May 2005:

The implications for the Government's proposed changes to the funding arrangements for targeted assistance in Indigenous education.

Notices of motion withdrawn:

Senator Brown withdrew business of the Senate notice of motion no. 1 standing in his name for today, proposing the reference of matters to the Finance and Public Administration References Committee.

Senator Nettle withdrew business of the Senate notice of motion no. 3 standing in her name for today, proposing the reference of a matter to the Community Affairs Legislation Committee.

3 ROUTINE OF BUSINESS—VARIATION

The Minister for Justice and Customs (Senator Ellison), by leave, moved—That the routine of business from not later than 4.30 pm to 6 pm shall be government business only.

Debate ensued.

Question put and passed.

4 POSTPONEMENT

The following item of business was postponed:

General business notice of motion no. 27 standing in the name of Senator Lees for today, relating to Asian elephants, postponed till 7 December 2004.

5 FINANCE AND PUBLIC ADMINISTRATION REFERENCES COMMITTEE—PROPOSED REFERENCE

Motion determined as not formal: The Leader of the Opposition in the Senate (Senator Evans), also on behalf of the Leader of the Australian Democrats (Senator Bartlett) and Senators Brown and Lees, requested that business of the Senate notice of motion no. 2 standing in their names for today, proposing the reference of matters to the Finance and Public Administration References Committee, be taken as formal.

An objection was raised and the motion was not proceeded with as a formal motion.

6 FOREIGN AFFAIRS—UKRAINE

Senator Chapman, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 32—That the Senate—

(a) notes that:

- (i) international observers, including the International Election Monitoring Mission of the Organisation of Security and Cooperation in Europe have reported that the recent presidential election in Ukraine has fallen well short of international standards,
- (ii) reported irregularities include suspiciously high voter turnout in several regions, the fraudulent use of absentee voting, intimidation of voters at some polling stations, abuse of state resources and overt media bias,
- (iii) in such circumstances the officially declared results of the election cannot be taken to properly represent the will of the Ukrainian people, and
- (iv) a resolution to the current political crisis in Ukraine can only be achieved through a new election, which is conducted in a transparent manner that meets international standards;

(b) calls on the Government of Ukraine to:

- (i) ensure the safety and welfare of all its citizens, including those taking part in peaceful demonstrations as part of the exercise of their democratic rights,
- (ii) hold a new presidential election based on democratic principles that:
 - (A) ensures absentee ballots are cast in a free and democratic manner, and are not subject to abuse,
 - (B) allows both presidential candidates equal and unbiased access to the mass media of Ukraine in the period leading up to the new election date, and

- (C) ensures that international observers participate at all levels of the election process to achieve a result that is acceptable to all parties;
- (c) requests the President of the Senate to transmit this resolution to the outgoing President of Ukraine, Leonid Kuchma, the Parliament of Ukraine and the Ukrainian Ambassador to Australia; and
- (d) urges the Australian Government to make further representations to the above effect.

Question put and passed.

7 FOREIGN AFFAIRS—IRAQ—CHILDREN

Senator Allison amended general business notice of motion no. 30 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes the release of the report, *The enduring effects of war: health in Iraq 2004*;
- (b) notes that the report finds:
 - (i) that the risk of death from violence in the 18 months after the invasion was 58 times higher than in the 15 months before the invasion, while the risk of death from all causes was 2.5 times higher,
 - (ii) 32 per cent of children are chronically malnourished and 17 per cent are underweight,
 - (iii) since April 2003, at least 400 women and girls, some as young as eight, have been raped during or after the war, and
 - (iv) in 2003 over a quarter of primary care centres closed, over half of primary care facilities no longer provide family planning services and between 30 per cent and 40 per cent of women deliver their babies without qualified help; and
- (c) calls on the Government to:
 - (i) support a comprehensive investigation of casualties and the state of health in Iraq, and
 - (ii) increase humanitarian aid to Iraq to address health needs, in particular the re-establishment of safe, accessible primary health facilities.

Question put and passed.

8 INDIGENOUS AUSTRALIANS—TANGENTYERE COUNCIL

Senator Crossin, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 34—That the Senate—

- (a) congratulates the Alice Springs Aboriginal Housing Organisation, Tangentyere Council, on celebrating 25 years since its incorporation;
- (b) notes that Tangentyere Council is one of the largest Aboriginal organisations in Central Australia, incorporating 18 Aboriginal housing associations;
- (c) acknowledges the organisation was formed in the 1970s by Aboriginal people like Geoff Shaw and Eli and Wenten Rubuntja;
- (d) recognises that Tangentyere Council has played a key role in providing basic services, such as running water and shelter, to Aboriginal people living on the fringes of Alice Springs and has ensured that there are now special purpose leases and permanent housing for their members; and

- (e) congratulates the members and executive of Tangentyere Council, its Executive Director, William Tilmouth, and staff for their ongoing commitment, dedication and work.

Question put and passed.

9 FOREIGN AFFAIRS—WEST PAPUA

Senator Brown, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 38—That the Senate—

- (a) notes that 1 December 2004 was West Papuan National Day, the 43rd anniversary of the 1961 West Papuan Declaration of Independence from Dutch colonial rule; and
- (b) calls on the Australian Government to urge the Indonesian Government to lift the ban on the flying of the Papuans' morning star flag.

Question put.

The Senate divided—

AYES, 9

Senators—

Allison (Teller)	Cherry	Lees	Nettle
Bartlett	Greig	Murray	Ridgeway
Brown			

NOES, 50

Senators—

Abetz	Crossin	Kirk	Payne
Barnett	Denman	Knowles	Ray
Bishop	Eggleston	Lightfoot	Santoro
Bolkus	Ellison	Ludwig	Scullion
Boswell	Evans	Lundy	Stephens
Buckland	Ferguson	Macdonald, Ian	Tchen
Calvert	Ferris	Macdonald, Sandy	Troeth
Campbell, G (Teller)	Fifield	Marshall	Vanstone
Carr	Forshaw	McGauran	Watson
Chapman	Hogg	McLucas	Webber
Colbeck	Humphries	Minchin	Wong
Collins	Hutchins	O'Brien	
Coonan	Johnston	Patterson	

Question negatived.

10 FOREIGN AFFAIRS—HUMAN RIGHTS—MR DAVID HICKS AND MR MAMDOUH HABIB

Senator Nettle, also on behalf of Senator Brown, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 37—That the Senate—

- (a) notes the report of the International Red Cross into the treatment of prisoners at Guantanamo Bay, Cuba, and the report's conclusion that interrogation techniques amounted to torture;
- (b) expresses concern that such techniques, which contravene international standards, may have been used on Australian prisoners, David Hicks and Mamdouh Habib, who are being held at Guantanamo Bay; and
- (c) calls on the Government to act immediately to return David Hicks and Mamdouh Habib to Australia.

Question put.

The Senate divided—

AYES, 9

Senators—

Allison (Teller)	Cherry	Lees	Nettle
Bartlett	Greig	Murray	Ridgeway
Brown			

NOES, 53

Senators—

Abetz	Crossin	Kemp	Payne
Barnett	Denman	Kirk	Ray
Bishop	Eggleston	Knowles	Santoro
Bolkus	Ellison	Ludwig	Scullion
Boswell	Evans	Lundy	Stephens
Brandis	Ferguson	Macdonald, Ian	Tchen
Buckland	Ferris (Teller)	Macdonald, Sandy	Troeth
Calvert	Fifield	Marshall	Vanstone
Campbell, George	Forshaw	Mason	Watson
Carr	Heffernan	McGauran	Webber
Chapman	Hogg	McLucas	Wong
Colbeck	Humphries	Minchin	
Collins	Hutchins	O'Brien	
Coonan	Johnston	Patterson	

Question negatived.

11 TRADE—FREE TRADE AGREEMENT—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 35—That there be laid on the table by the Minister representing the Minister for Trade, no later than 4 pm on Tuesday, 7 December 2004, the final letters and any attachments and annexures exchanged between the governments of Australia and the United States of America (US) to finalise the free trade agreement between Australia and the US.

Question put and passed.

12 AIR PASSENGER TICKET LEVY (COLLECTION) ACT—DETERMINATIONS—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Allison, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 29—That there be laid on the table by the Minister representing the Minister for Employment and Workplace Relations, no later than 5 pm on 6 December 2004, any determinations made by the Minister under subsections 22(1) and (2) of the *Air Passenger Ticket Levy (Collection) Act 2001*.

Question put and passed.

13 SOCIAL ISSUES—PEOPLE WITH DISABILITIES

Senator Greig, also on behalf of Senator McLucas, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 28—That the Senate—

- (a) notes that Friday, 3 December 2004, is International Day of People with a DisAbility;

- (b) further notes:
- (i) the valuable and willing contribution made by people with disabilities to the development, strength and diversity of the Australian community,
 - (ii) that people with disabilities continue to experience barriers to employment, education, premises, technology, transport, accommodation, support and services that diminish their access to full participation in the community, and
 - (iii) that many people with disabilities and their carers live in poverty with increasing concern about the adequacy of future income and social support; and
- (c) calls on the Government to address barriers to participation by leading an active response to unmet need, reviewing funding arrangements through the Commonwealth-State/Territory Disability Agreement, providing increased access to education, employment and training options, reinstating a permanent Disability Discrimination Commissioner, and expediting the completion of standards under the *Disability Discrimination Act 1992*.

Question put and passed.

14 FOREIGN AFFAIRS—BURMA

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 31—That the Senate—

- (a) notes:
- (i) ongoing concern about the political situation in Burma,
 - (ii) the continued detention of Daw Aung San Suu Kyi and reports that this detention has been extended by the military regime in Burma, and
 - (iii) the recent release of student leader Minko Naing and his call for urgent action to pursue democratic reform and national reconciliation; and
- (b) calls on the Government:
- (i) to urge the Burmese junta to fully engage with the United Nations (UN) Secretary General Kofi Annan and the UN Special Envoy Tan Sri Razali Ismail in their work to find a political solution to Burma's problems,
 - (ii) to reiterate Australian demands for the release of the National League for Democracy's Vice-Chairman, U Tin Oo, and all the remaining political prisoners, and for the immediate and unconditional release of Daw Aung San Suu Kyi,
 - (iii) to support the Committee Representing People's Parliament mandate as the legitimate body to convene a democratic Parliament in Burma, according to the 1990 election result, and
 - (iv) support the Burmese National League for Democracy's call for the UN Security Council to convene a special session to consider what further measures the UN can take to encourage democratic reform and respect for human rights in Burma.

Question put and passed.

**15 AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT
BILL (NO. 2) 2004**

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

Message no. 14, dated 1 December 2004—A Bill for an Act to amend the law relating to agriculture, fisheries and forestry, and for related purposes.

The Minister for Justice and Customs (Senator Ellison) 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 Ellison moved—That this bill be now read a second time.

On the motion of Senator George Campbell the debate was adjourned.

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

**16 SCHOOLS ASSISTANCE (LEARNING TOGETHER—ACHIEVEMENT THROUGH CHOICE
AND OPPORTUNITY) BILL 2004
STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE)
LEGISLATION AMENDMENT BILL 2004**

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

Message no. 18, dated 1 December 2004—A Bill for an Act to grant financial assistance to the States for 2005 to 2008 for primary and secondary education, and for related purposes.

Message no. 17, dated 1 December 2004—A Bill for an Act relating to the grant of financial assistance to the States for primary and secondary education, and for related purposes.

The Minister for Justice and Customs (Senator Ellison) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

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

On the motion of Senator George Campbell the debate was adjourned.

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

**17 SUPERANNUATION LEGISLATION AMENDMENT BILL 2004
CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT
BILL (NO. 2) 2004**

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

Message no. 16, dated 1 December 2004—A Bill for an Act to amend the law relating to superannuation, and for related purposes.

Message no. 15, dated 1 December 2004—A Bill for an Act to amend the *Classification (Publications, Films and Computer Games) Act 1995*, and for related purposes.

The Minister for Justice and Customs (Senator Ellison) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

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

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

Consideration of legislation: Senator Ellison moved—That the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

18 FINANCE AND PUBLIC ADMINISTRATION REFERENCES COMMITTEE—REFERENCE

The Leader of the Opposition in the Senate (Senator Evans), also on behalf of the Leader of the Australian Democrats (Senator Bartlett) and Senators Brown and Lees, pursuant to notice, moved business of the Senate notice of motion no. 2—That the following matters be referred to the Finance and Public Administration References Committee for inquiry and report by 15 August 2005:

- (1) The administration of the Regional Partnerships program and the Sustainable Regions program, with particular reference to the process by which projects are proposed, considered and approved for funding, including:
 - (a) decisions to fund or not to fund particular projects;
 - (b) the recommendations of area consultative committees;
 - (c) the recommendations of departmental officers and recommendations from any other sources including from other agencies or other levels of government;
 - (d) the nature and extent of the respective roles of the administering department, minister and parliamentary secretary, other ministers and parliamentary secretaries, other senators or members and their advisers and staff in the process of selection of successful applications;
 - (e) the criteria used to take the decision to fund projects;
 - (f) the transparency and accountability of the process and outcomes;
 - (g) the mechanism for authorising the funding of projects;
 - (h) the constitutionality, legality and propriety of any practices whereby any members of either House of Parliament are excluded from committees, boards or other bodies involved in the consideration of proposed projects, or coerced or threatened in an effort to prevent them from freely communicating with their constituents; and
 - (i) whether the operation of the program is consistent with the Auditor-General's 'Better Practice Guide for the Administration of Grants', and is subject to sufficient independent audit.
- (2) With respect to the future administration of similar programs, any safeguards or guidelines which might be put in place to ensure proper accountability for the expenditure of public money, particularly the appropriate arrangements for independent audit of the funding of projects.

(3) Any related matters.

Debate ensued.

Question put.

The Senate divided—

AYES, 32

Senators—

Allison	Cherry	Hogg	Nettle
Bartlett	Collins	Hutchins	O'Brien
Bishop	Conroy	Lees	Ray
Bolkus	Crossin	Ludwig	Ridgeway
Brown	Denman	Marshall	Sherry
Buckland	Evans	McLucas	Stephens
Campbell, G (Teller)	Forshaw	Murphy	Webber
Carr	Greig	Murray	Wong

NOES, 29

Senators—

Abetz	Ferris	Lightfoot	Scullion
Barnett	Fifield	Macdonald, Ian	Tchen
Boswell	Harradine	Macdonald, Sandy	Troeth
Brandis	Heffernan	Mason	Vanstone
Chapman	Humphries	McGauran	Watson
Colbeck	Johnston	Minchin	
Eggleston (Teller)	Kemp	Payne	
Ferguson	Knowles	Santoro	

Question agreed to.

**19 FAMILY AND COMMUNITY SERVICES AND VETERANS' AFFAIRS LEGISLATION
AMENDMENT (2004 ELECTION COMMITMENTS) BILL 2004**

Order of the day read for the further consideration of the bill in committee of the whole.

In the committee

Consideration resumed of the bill—and of the requests for amendments moved by Senator Greig:

That the House of Representatives be requested to make the following amendments:

Schedule 1, page 11 (after line 15), before item 20, insert:

19A Subsection 5E(1) (after the definition of *couple*)

Insert:

interdependence relationship means a relationship between 2 persons that is acknowledged by both and that involves:

- (a) living together; and
- (b) being closely interdependent; and
- (c) having a continuing commitment to mutual emotional and financial support.

Schedule 1, page 11 (after line 15), before item 20, insert:

19B Subparagraphs 5E(2)(b)(i) to (iii)

Repeal the subparagraphs, substitute:

- (i) the person is living with another person (in this paragraph called the *partner*);
- (ii) the person is not legally married to the partner;
- (iii) the person and the partner are, in the Commission's opinion (formed as mentioned in section 11A), in an interdependence relationship;

Schedule 1, page 11 (after line 15), before item 20, insert:

19C After subsection 5R(3)

Insert:

- (3A) The determinations made under subsection (3) are to be applied to individual cases only and not to classes of persons.

Debate resumed.

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

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Colbeck) the report from the committee was adopted and the bill read a third time.

20 WORKPLACE RELATIONS AMENDMENT (AGREEMENT VALIDATION) BILL 2004

Order of the day read for the adjourned debate on the motion of the Minister for the Environment and Heritage (Senator Ian Campbell)—That this bill be now read a second time.

Debate resumed.

Declaration of interest: Senator Lightfoot declared an interest in relation to the bill.

Debate continued.

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.

Senator Sherry moved the following amendments together by leave:

Schedule 1, item 1, page 3 (lines 24 and 25), omit “, to the extent only that the agreement deals with permitted matters.”.

Schedule 1, item 1, page 4 (lines 9 and 10), omit “, to the extent only that the variation deals with permitted matters.”

Schedule 1, item 2, page 6 (lines 1 and 2), omit “, to the extent only that the AWA deals with matters pertaining to that relationship.”

Schedule 1, item 2, page 6 (lines 22 and 23), omit “, to the extent only that the variation agreement deals with matters pertaining to that relationship.”

Debate ensued.

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

On the motion of Senator Murray the following amendments, taken together by leave, were debated and agreed to:

Schedule 1, item 1, page 3 (lines 7 to 9), omit the heading to Division 10A, substitute:

Division 10A—Validation of certain pre-2 September 2004 agreements, variations, industrial action and lockouts

Schedule 1, item 1, page 4 (after line 12), after section 170NHB, insert:

170NHBA Validation of certain industrial action and lockouts

(1) If:

(a) a person has organised or engaged in industrial action or locked out employees from their employment; and

(b) the industrial action or lockout would have been protected action within the meaning of Division 8 but for the fact that it was for a purpose of, or for a purpose that included a purpose of, supporting or advancing a claim made in respect of a matter that was not a permitted matter;

then, to the extent that the industrial action or lockout occurred on or before 2 September 2004, it is taken to be protected action within the meaning of that Division.

(2) However, subsection (1) does not apply, and is taken never to have applied, to the extent that its application would have resulted in an acquisition of property within the meaning of paragraph 51(xxxi) of the Constitution.

Schedule 1, page 6 (after line 26), at the end of the Schedule, add:

3 Application provision

The amendments made by this Act do not apply in relation to industrial action, or a lockout, if, before the commencement of this Act, a court has found the industrial action or lockout not to be protected action (within the meaning of Division 8 of Part VIB of the *Workplace Relations Act 1996*).

Senator Sherry moved the following amendment:

Schedule 1, page 6 (after line 26), at the end of the Schedule, add:

3 After Division 8 of Part VIB

Insert:

Division 8A—Validation of industrial action taken in support of certain agreements made before 2 September 2004

170NBA Validation etc. of certain industrial action

If:

(a) industrial action has been taken; and

- (b) that industrial action would have been protected action pursuant to section 170ML but for the fact that it was taken in support of claims wholly or partly pertaining to matters other than permitted matters;

then that action is taken to have been protected action.

Debate ensued.

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

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

On the motion of the Special Minister of State (Senator Abetz) the report from the committee was adopted and the bill read a third time.

At 2 pm—

21 QUESTIONS

Questions without notice were answered.

22 REGIONAL AUSTRALIA—REGIONAL PARTNERSHIPS PROGRAM—ANSWERS TO QUESTIONS

Senator McLucas moved—That the Senate take note of the answers given by the Minister for Fisheries, Forestry and Conservation (Senator Ian Macdonald) to questions without notice asked by Senators McLucas, Moore and O'Brien today relating to the Regional Partnerships program.

Debate ensued.

Question put and passed.

23 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—GOVERNMENT RESPONSE—AUSTRALIAN WOOL INNOVATION LIMITED

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

Rural and Regional Affairs and Transport Legislation Committee—Report—Australian Wool Innovation Limited: Application and expenditure of funds advanced under Statutory Funding Agreement dated 31 December 2000—Government response.

Senator O'Brien, by leave, moved—That the Senate take note of the document.

Debate ensued.

Question put and passed.

**24 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—
GOVERNMENT RESPONSE—BALI 2002—SECURITY THREATS TO AUSTRALIANS IN
SOUTH EAST ASIA**

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

Foreign Affairs, Defence and Trade References Committee—Report—Bali 2002:
Security threats to Australians in South East Asia—Government response.

The Leader of the Australian Democrats (Senator Bartlett), by leave, moved—That the Senate take note of the document.

Question put and passed.

**25 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—
GOVERNMENT RESPONSE—WATCHING BRIEF ON THE WAR ON TERRORISM**

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

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—
Watching brief on the war on terrorism—Government response.

**26 TREATIES—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—53RD
REPORT**

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

Treaties—Joint Standing Committee—53rd report: Treaties tabled in May and
June 2003—Government response.

**27 TREATIES—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—55TH
REPORT**

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

Treaties—Joint Standing Committee—55th report: Treaties tabled on 9 September
2003—Government response.

**28 TREATIES—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—60TH
REPORT**

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

Treaties—Joint Standing Committee—60th report: Treaties tabled on 2 March
2004—Government response.

The Leader of the Australian Democrats (Senator Bartlett), by leave, moved—That the Senate take note of the document.

Question put and passed.

29 DOCUMENTS

The following documents were tabled by the Clerk:

A New Tax System (Goods and Services Tax) Act—A New Tax System (Goods
and Services Tax) (Language Other Than English - LOTE - courses offered by
ethnic schools) Determination 2004.

Acts Interpretation Act—Acts Interpretation (Substituted References — Section
19BA) Order 2004.

Australian Communications Authority Act—Radiocommunications (Charges)
Amendment Determination 2004 (No. 2).

- Australian Communications Authority Act and Radiocommunications Act—Radiocommunications (Interpretation) Amendment Determination 2004 (No. 3).
- Environment Protection and Biodiversity Conservation Act—
Instrument amending list of specimens suitable for live import under section 303EB, dated 11 August 2004.
Notices of proposed accreditation of the—
Southern Bluefin Tuna Fishery Management Plan (as amended), dated 10 November 2004.
Torres Strait Tropical Rock Lobster management arrangements, dated 11 November 2004.
- Financial Management and Accountability Act—Regulations—Statutory Rules 2004 No. 331.
- Fisheries Management Act—Southern Bluefin Tuna Fishery Management Plan Amendment 2004 (No. SBT 05).
- Great Barrier Reef Marine Park Act—Regulations—Statutory Rules 2004 No. 333.
- Medical Indemnity Act—Regulations—Statutory Rules 2004 No. 334.
- Military Superannuation and Benefits Act—
Military Superannuation and Benefits Amendment Trust Deed 2004 (No. 3).
Military Superannuation and Benefits Amendment Trust Deed 2004 (No. 4).
- Radiocommunications (Transmitter Licence Tax) Act—Radiocommunications (Transmitter Licence Tax) Amendment Determination 2004 (No. 2).
- Telecommunications Act—
Telecommunications Numbering Plan Variation 2004 (No. 8).
Telecommunications Numbering Plan Variation 2004 (No. 9).
- Trade Practices Act—Regulations—Statutory Rules 2004 No. 332.

30 COMMITTEES—CHANGES IN MEMBERSHIP

The Deputy President (Senator Hogg) informed the Senate that the President had received letters requesting changes in the membership of various committees.

The Minister for Immigration and Multicultural and Indigenous Affairs (Senator Vanstone), by leave, moved—That senators be discharged from and appointed to committees as follows:

Economics Legislation and References Committees—

Appointed—Participating member: Senator Brown

Environment, Communications, Information Technology and the Arts Legislation and References Committees—

Appointed—Participating member: Senator Brown

Finance and Public Administration Legislation Committee—

Appointed—Participating member: Senator Brown

Finance and Public Administration References Committee—

Appointed—

Substitute members: Senators Murray, Barnett and Johnston to replace Senators Ridgeway, Watson and Heffernan for the committee's inquiry into the operation of the Regional Partnerships program

Participating member: Senator Brown

Foreign Affairs, Defence and Trade Legislation and References Committees—

Appointed—Participating member: Senator Brown

Legal and Constitutional Legislation and References Committees—

Appointed—Participating member: Senator Brown

Rural and Regional Affairs and Transport Legislation and References Committees—

Appointed—Participating member: Senator Brown.

Question put and passed.

31 GOVERNOR-GENERAL'S MESSAGE—ASSENT TO LAWS

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

26 November 2004—Message No. 44—

Customs Amendment (Thailand-Australia Free Trade Agreement Implementation) Act 2004 (Act No. 130, 2004)

Customs Tariff Amendment (Thailand-Australia Free Trade Agreement Implementation) Act 2004 (Act No. 131, 2004).

32 HEALTH INSURANCE AMENDMENT (100% MEDICARE REBATE AND OTHER MEASURES) BILL 2004

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Colbeck)—That this bill be now read a second time.

Debate resumed.

Senator Nettle moved the following amendment:

At the end of the motion, add “but the Senate notes that the Government has:

- (a) failed to support bulk billing for all Australians;
- (b) privatised Australia's health system; and
- (c) undermined the principle of universality which is the foundation of a socially just and economically responsible health system”.

Debate ensued.

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

Main question, as amended, put and passed.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

Senator Allison moved the following amendments together by leave:

Schedule 1, item 1, page 3 (line 10), after “paragraph”, insert “and where those services are bulk-billed”.

Note: *bulk-billed* is defined in the Health Insurance (General Medical Services Table) Regulations 2004.

Schedule 1, item 3, page 3 (line 19), after “to”, insert “bulk-billed”.

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 Moore) resumed the chair and the Chair of Committees (Senator Hogg) reported accordingly.

On the motion of the Minister for the Arts and Sport (Senator Kemp) the report from the committee was adopted and the bill read a third time.

**33 AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT
BILL (NO. 2) 2004**

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

Debate resumed.

Debate adjourned till the next day of sitting, the Leader of the Australian Democrats (Senator Bartlett) in continuation.

34 COMMITTEES—CHANGES IN MEMBERSHIP

The Acting Deputy President (Senator Lightfoot) informed the Senate that the President had received letters requesting changes in the membership of various committees.

The Minister for Fisheries, Forestry and Conservation (Senator Ian Macdonald), by leave, moved—That senators be discharged from and appointed to committees as follows:

Finance and Public Administration References Committee—

Appointed—Substitute members: Senators Carr and O'Brien to replace Senators George Campbell and Moore for the committee's inquiry into the Regional Partnership program

National Capital and External Territories—Joint Standing Committee—

Discharged—Senator Lundy

Appointed—Senator O'Brien.

Question put and passed.

At 6 pm—

General business was called on.

35 GOVERNMENT DOCUMENTS—CONSIDERATION

The following orders of the day relating to government documents were considered:

Australian Law Reform Commission—Report no. 99—Genes and ingenuity: Gene patenting and human health, June 2004. Motion of Senator Buckland to take note of document called on. On the motion of the Leader of the Australian Democrats (Senator Bartlett) debate was adjourned till Thursday at general business.

Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 April to 30 June 2004. Motion of Senator Buckland to take note of document agreed to.

Reserve Bank of Australia—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 January to 31 March 2004. Motion of Senator Buckland to take note of document agreed to.

Medibank Private—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Medibank Private—Statement of corporate intent 2004-2007. Motion of Senator Buckland to take note of document agreed to.

Repatriation Medical Authority—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Final Budget Outcome 2003-04—Report by the Treasurer (Mr Costello) and the Minister for Finance and Administration (Senator Minchin), September 2004. Motion of Senator Buckland to take note of document agreed to.

Australian War Memorial—Report for 2003-04. Motion of Senator Buckland to take note of document called on. On the motion of Senator Bartlett debate was adjourned till Thursday at general business.

Defence Housing Authority—Statement of corporate intent, 2004-05. Motion of Senator Buckland to take note of document agreed to.

Australian Electoral Commission—Report for 2003-04. Motion of Senator Buckland to take note of document debated. Debate adjourned till Thursday at general business, Senator Ludwig in continuation.

Australian Strategic Policy Institute—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

National Standards Commission—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Housing Assistance Act 1996—Report for 2002-03 on the operation of the 1999 Commonwealth-State Housing Agreement [Final report]. Motion of Senator Buckland to take note of document called on. On the motion of Senator Bartlett debate was adjourned till Thursday at general business.

Department of Foreign Affairs and Trade—Reports for 2003-04—Volume 1—Department of Foreign Affairs and Trade. Motion of Senator Buckland to take note of document called on. On the motion of Senator George Campbell debate was adjourned till Thursday at general business.

Department of Foreign Affairs and Trade—Reports for 2003-04—Volume 2—Australian Agency for International Development (AusAID). Motion of Senator Buckland to take note of document agreed to.

National Residue Survey—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Bureau of Statistics—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Safeguards and Non-Proliferation Office—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Department of Agriculture, Fisheries and Forestry—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Civil Aviation Safety Authority Australia—Corporate plan 2004-05 to 2006-07. Motion of Senator Buckland to take note of document agreed to.

Indigenous Land Corporation—National Indigenous land strategy 2001-2006—Changes to strategy, February 2004. Motion of Senator Buckland to take note of document agreed to.

Repatriation Medical Authority—Report for 2003-04—Corrigendum. Motion of Senator Buckland to take note of document called on. On the motion of Senator Bartlett debate was adjourned till Thursday at general business.

Stevedoring Industry Finance Committee—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Albury-Wodonga Development Corporation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Department of Industry, Tourism and Resources—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Export Finance and Insurance Corporation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Wine and Brandy Corporation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Trade Commission (AUSTRADE)—Report for 2003-04. Motion of Senator Buckland to take note of document called on. On the motion of Senator George Campbell debate was adjourned till Thursday at general business.

Maritime Industry Finance Company Limited—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Department of the Prime Minister and Cabinet—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Centre for International Agricultural Research—Report for 2003-04. Motion of Senator Buckland to take note of document called on. On the motion of Senator Webber debate was adjourned till Thursday at general business.

Australian Industrial Relations Commission and Australian Industrial Registry—Reports for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Remuneration Tribunal—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Department of Communications, Information Technology and the Arts—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Telstra Corporation Limited—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2003-04. Motion of Senator Buckland to take note of document agreed to.

National Gallery of Australia—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Film, Television and Radio School—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australia Council—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian National Maritime Museum—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Communications Authority—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

NetAlert Limited—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Film Australia Limited—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Broadcasting Corporation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

National Library of Australia—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

National Museum of Australia—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Postal Corporation (Australia Post)—Equal employment opportunity program—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australia Business Arts Foundation Ltd—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Postal Corporation (Australia Post)—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Office of Film and Literature Classification—Classification Board and Classification Review Board—Reports for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Office of Parliamentary Counsel—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Federal Police Disciplinary Tribunal—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Family Law Council—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Great Barrier Reef Marine Park Authority—Report for 2003-04. Motion of Senator Buckland to take note of document called on. On the motion of Senator Webber debate was adjourned till Thursday at general business.

Film Finance Corporation Australia Limited—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Family Court of Australia—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Office of the Federal Privacy Commissioner—Report for 2003-04 on the operation of the *Privacy Act 1988*. Motion of Senator Buckland to take note of document called on. On the motion of Senator Webber debate was adjourned till Thursday at general business.

Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Industrial Relations Court of Australia—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Government Information Management Office—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Film Commission—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Department of Family and Community Services—Report for 2003-04—Volumes 1 and 2. Motion of Senator Buckland to take note of document agreed to.

Australian Institute of Family Studies—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Director of Public Prosecutions—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Greenhouse Office—Report for 2003-04. Motion of Senator Buckland to take note of document called on. On the motion of Senator Webber debate was adjourned till Thursday at general business.

PSS Board—Public Sector Superannuation Scheme—Report for 2003-04. Motion of Senator Buckland to take note of document called on. On the motion of Senator George Campbell debate was adjourned till Thursday at general business.

CSS Board—Commonwealth Superannuation Scheme—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Acts Interpretation Act—Statement pursuant to section 34C(6) relating to the extension of specified period for the presentation of a report—Department of Finance and Administration—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Research Council—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Repatriation Commission, Military Rehabilitation and Compensation Commission, Department of Veterans' Affairs and National Treatment Monitoring Committee—Reports for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Department of the Environment and Heritage—Report for 2003-04, including the final annual report of the Australian Heritage Commission. Motion of Senator Buckland to take note of document called on. On the motion of Senator Webber debate was adjourned till Thursday at general business.

Commonwealth Grants Commission—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian National Training Authority—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Aboriginal and Torres Strait Islander Services—Report for 2003-04. Motion of Senator Buckland to take note of document called on. On the motion of Senator Webber debate was adjourned till Thursday at general business.

Aboriginal Land Commissioner—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Anindilyakwa Land Council—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Indigenous Land Corporation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Tiwi Land Council—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Central Queensland Land Council Aboriginal Corporation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Goldfields Land and Sea Council Aboriginal Corporation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Gurang Land Council (Aboriginal Corporation)—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Kimberley Land Council Aboriginal Corporation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Aboriginal Legal Rights Movement Inc—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

North Queensland Land Council Aboriginal Corporation—Report for 2003-04. Motion of Senator Buckland to take note of document called on. On the motion of Senator Webber debate was adjourned till Thursday at general business.

South West Aboriginal Land and Sea Council Aboriginal Corporation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

National Oceans Office—Report for 2003-04. Motion of Senator Buckland to take note of document called on. On the motion of Senator Webber debate was adjourned till Thursday at general business.

Australian National Training Authority—Report for 2003. Motion of Senator Buckland to take note of document agreed to.

Inspector-General of Intelligence and Security—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Office of the Renewable Energy Regulator—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

National Australia Day Council—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Commonwealth Ombudsman—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Department of the Treasury—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Office of Financial Management—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Public Lending Right Committee—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Broadcasting Authority—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Bundanon Trust—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Public Service Commissioner—Report for 2003-04, together with the report of the Merit Protection Commissioner. Motion of Senator Buckland to take note of document agreed to.

Australian Nuclear Science and Technology Organisation (ANSTO)—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Institute of Marine Science—Report for 2003-04. Motion of Senator Buckland to take note of document called on. On the motion of Senator Webber debate was adjourned till Thursday at general business.

Department of Education, Science and Training—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Enterprise and Career Education Foundation Limited—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Administrative Appeals Tribunal—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Law Reform Commission—Report no. 100—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Federal Magistrates Court—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Government Solicitor—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Administrative Review Council—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Federal Court of Australia—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Food Standards Australia New Zealand—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Comcare Australia—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

CrimTrac Agency—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Customs Service—Report for 2003-04. Motion of Senator Buckland to take note of document debated and agreed to.

Australian Reinsurance Pool Corporation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Inspector-General of Taxation—Report for the period 7 August 2003 to 30 June 2004. Motion of Senator Buckland to take note of document agreed to.

Sydney Harbour Federation Trust—Report for 2003-04. Motion of Senator Buckland to take note of document called on. On the motion of Senator Webber debate was adjourned till Thursday at general business.

Supervising Scientist—Report for 2003-04 on the operation of the *Environment Protection (Alligator Rivers Region) Act 1978*. Motion of Senator Buckland to take note of document agreed to.

Employment Advocate—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Commissioner of Taxation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Social Security Appeals Tribunal—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Aboriginal Hostels Limited—Report for the period 29 June 2003 to 26 June 2004. Motion of Senator Buckland to take note of document agreed to.

International Air Services Commission—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Security Intelligence Organisation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Special Broadcasting Service Corporation (SBS)—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Attorney-General's Department—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Insolvency and Trustee Service Australia—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Inspector-General in Bankruptcy—Report for 2003-04 on the operation of the *Bankruptcy Act 1966*. Motion of Senator Buckland to take note of document agreed to.

Acts Interpretation Act—Statement pursuant to section 34C(6) relating to the extension of specified period for the presentation of a report—Department of Transport and Regional Services—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Prudential Regulation Authority—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Royal Australian Air Force Veterans' Residences Trust Fund—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Services Trust Funds—Reports for 2003-04 of the Australian Military Forces Relief Trust Fund, the Royal Australian Navy Relief Trust Fund and the Royal Australian Air Force Welfare Trust Fund. Motion of Senator Buckland to take note of document agreed to.

Commissioner for Complaints—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Aged Care Standards and Accreditation Agency Limited—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Maritime Safety Authority—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Department of Immigration and Multicultural and Indigenous Affairs—Report for 2003-04. Motion of Senator Buckland to take note of document debated. Debate adjourned till Thursday at general business, Senator Ludwig in continuation.

Corporate governance—Review of the corporate governance of statutory authorities and office holders—Report by John Uhrig, June 2003. Motion of Senator Buckland to take note of document agreed to.

Corporate governance—Review of the corporate governance of statutory authorities and office holders—Government response. Motion of Senator Buckland to take note of document agreed to.

Tobacco Research and Development Corporation—Report for 2003-04. [Final report]. Motion of Senator Buckland to take note of document agreed to.

Australian Government Solicitor—Statement of corporate intent 2004-05. Motion of Senator Buckland to take note of document agreed to.

Product Stewardship (Oil) Act 2000—Independent review—Final report by the Allen Consulting Group, May 2004. Motion of Senator Buckland to take note of document agreed to.

Product Stewardship for Oil Program—Independent review of the transitional assistance element of the program—Report by Australian Academy of Technological Sciences and Engineering, March 2004. Motion of Senator Buckland to take note of document agreed to.

Companies Auditors and Liquidators Disciplinary Board—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Financial Reporting Council and Australian Accounting Standards Board—Reports for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Corporations and Markets Advisory Committee—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Securities and Investments Commission—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Statistics Advisory Council—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Radiation Protection and Nuclear Safety Agency—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Murray-Darling Basin Commission—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Advance to the Finance Minister—Statement and supporting applications for funds for June 2004. Motion of Senator Buckland to take note of document agreed to.

Department of Finance and Administration—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Commissioner for Superannuation (ComSuper)—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australia-Indonesia Institute—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Reserve Bank of Australia—Equity and diversity—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Australian Institute of Criminology and the Criminology Research Council—Reports for 2003-04. Motion of Senator Buckland to take note of document agreed to.

National Native Title Tribunal—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Crimes Act 1914—Assumed identities—Australian Federal Police—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Crimes Act 1914—Controlled operations—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

National Witness Protection Program—Report for 2003-04 on the operation of the *Witness Protection Act 1994*. Motion of Senator Buckland to take note of document agreed to.

Department of Employment and Workplace Relations—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Defence Force Remuneration Tribunal—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Safety, Rehabilitation and Compensation Commission—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Seafarers Safety, Rehabilitation and Compensation Authority—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

Coal Mining Industry (Long Service Leave Funding) Corporation—Report for 2003-04. Motion of Senator Buckland to take note of document agreed to.

APEC—Australia's individual action plan 2004. Motion of Senator Buckland to take note of document agreed to.

General business concluded.

36 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—ORDERS OF THE DAY— CONSIDERATION

The following orders of the day relating to committee reports and government responses were considered:

Employment, Workplace Relations and Education Legislation Committee—Interim report—Inquiry into the proposed amendment in the form of Schedule 1B to the Workplace Relations Amendment (Codifying Contempt Offences) Bill 2004. Motion of Senator Webber to take note of report agreed to.

Employment, Workplace Relations and Education References Committee—Interim report—Inquiry into student income support. Motion of Senator Webber to take note of report called on. Debate adjourned till the next day of sitting, Senator Webber in continuation.

Employment, Workplace Relations and Education References Committee—Interim report—Inquiry into Indigenous training and employment. Motion of Senator Wong to take note of report agreed to.

Employment, Workplace Relations and Education References Committee—Interim report—Inquiry into lifelong learning. Motion of Senator Wong to take note of report agreed to.

Legal and Constitutional References Committee—Interim report—Inquiry into Australian expatriates. Motion of Senator Wong to take note of report called on. On the motion of Senator Webber debate was adjourned till the next day of sitting.

Community Affairs References Committee—Interim report—Inquiry into aged care. Motion of Senator Wong to take note of report agreed to.

Community Affairs Legislation Committee—Report—Tobacco advertising prohibition. Motion of Senator Wong to take note of report agreed to.

Employment, Workplace Relations and Education Legislation Committee—Interim report—Provisions of the Workplace Relations Amendment (Protecting Small Business Employment) Bill 2004. Motion of Senator Webber to take note of report agreed to.

Rural and Regional Affairs and Transport Legislation Committee—Interim report—Provisions of the National Animal Welfare Bill 2003. Motion of Senator Webber to take note of report called on. Debate adjourned till the next day of sitting, Senator Webber in continuation.

Foreign Affairs, Defence and Trade References Committee—Interim report—Inquiry into the effectiveness of Australia's military justice system. Motion of Senator Webber to take note of report agreed to.

Finance and Public Administration Legislation Committee—Report—Annual reports (No. 2 of 2004)—Corrigendum. Motion of Senator Webber to take note of document agreed to.

Legal and Constitutional Legislation Committee—Report—Provisions of the Criminal Code Amendment (Suicide Related Material Offences) Bill 2004. Motion of Senator Webber to take note of report called on. Debate adjourned till the next day of sitting, Senator Webber in continuation.

Legal and Constitutional Legislation Committee—Report—Marriage Amendment Bill 2004. Motion of Senator Webber to take note of report agreed to.

Rural and Regional Affairs and Transport References Committee—Report—Australian forest plantations: A review of *Plantations for Australia: The 2020 Vision*—Corrigendum. Motion of Senator Webber to take note of document agreed to.

Finance and Public Administration References Committee—Interim report—Inquiry into government advertising and accountability. Motion of Senator Webber to take note of report agreed to.

Employment, Workplace Relations and Education Legislation Committee—Supplementary report—Provisions of the Higher Education Legislation Amendment Bill (No. 3) 2004. Motion of Senator Webber to take note of report agreed to.

Environment, Communications, Information Technology and the Arts References Committee—Interim report—Budgetary and environmental implications of the Government's energy white paper. Motion of Senator Webber to take note of report agreed to.

Rural and Regional Affairs and Transport References Committee—Report—Australian forest plantations: A review of *Plantations for Australia: The 2020 Vision*. Motion of Senator Webber to take note of report agreed to.

Rural and Regional Affairs and Transport Legislation Committee—Report—Provisions of the Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 2) 2004. Motion of Senator Webber to take note of report agreed to.

Rural and Regional Affairs and Transport Legislation Committee—Report—Annual reports (No. 2 of 2004), including final report on the administration of the Civil Aviation Safety Authority. Motion of Senator Webber to take note of report agreed to.

Legal and Constitutional Legislation Committee—Report—Annual reports (No. 2 of 2004). Motion of Senator Webber to take note of report agreed to.

Foreign Affairs, Defence and Trade Legislation Committee—Report—Annual reports (No. 2 of 2004). Motion of Senator Webber to take note of report agreed to.

Finance and Public Administration Legislation Committee—Report—Annual reports (No. 2 of 2004). Motion of Senator Webber to take note of report agreed to.

Environment, Communications, Information Technology and the Arts Legislation Committee—Report—Annual reports (No. 2 of 2004). Motion of Senator Webber to take note of report agreed to.

Employment, Workplace Relations and Education Legislation Committee—Report—Annual reports (No. 2 of 2004). Motion of Senator Webber to take note of report agreed to.

Economics Legislation Committee—Report—Annual reports (No. 2 of 2004). Motion of Senator Webber to take note of report agreed to.

Employment, Workplace Relations and Education Legislation Committee—Report—Provisions of the Higher Education Legislation Amendment Bill (No. 3) 2004. Motion of Senator Webber to take note of report agreed to.

Administration of Indigenous Affairs—Select Committee—Interim report. Motion of Senator George Campbell to take note of report agreed to.

Australian Crime Commission—Joint Statutory Committee—Report—Examination of the annual report for 2002-03 of the National Crime Authority and the Australian Crime Commission. Motion of Senator George Campbell to take note of report agreed to.

Legal and Constitutional References Committee—Report—The road to a republic. Motion of Senator Stott Despoja to take note of report called on. On the motion of Senator Webber debate was adjourned till the next day of sitting.

National Capital and External Territories—Joint Standing Committee—Report—Difficult choices: Inquiry into the role of the National Capital Authority in determining the extent of redevelopment of the Pierces Creek Settlement in the ACT. Motion of Senator George Campbell to take note of report agreed to.

National Capital and External Territories—Joint Standing Committee—Report—Indian Ocean territories: Review of the annual reports of the Department of Transport and Regional Services and the Department of the Environment and Heritage. Motion of Senator George Campbell to take note of report agreed to.

37 AUDITOR-GENERAL'S REPORTS—ORDERS OF THE DAY—CONSIDERATION

The following orders of the day relating to reports of the Auditor-General were considered:

Auditor-General—Audit report no. 10 of 2004-05—Business support process audit—The Senate order for departmental and agency contracts (calendar year 2003 compliance). Motion of Senator Webber to take note of document agreed to.

Auditor-General—Report for 2003-04. Motion of Senator Webber to take note of document agreed to.

Auditor-General—Audit report no. 11 of 2004-05—Performance audit—Commonwealth entities' foreign exchange risk management: Department of Finance and Administration. Motion of Senator Webber to take note of document agreed to.

Auditor-General—Audit report no. 12 of 2004-05—Performance audit—Research project management follow-up audit: Commonwealth Scientific and Industrial Research Organisation (CSIRO). Motion of Senator Webber to take note of document agreed to.

Auditor-General—Audit report no. 13 of 2004-05—Business support process audit—Superannuation payments for independent contractors working for the Australian Government. Motion of Senator Webber to take note of document agreed to.

Auditor-General—Audit report no. 14 of 2004-05—Performance audit—Management and promotion of citizenship services: Department of Immigration and Multicultural and Indigenous Affairs. Motion of Senator Webber to take note of document called on. On the motion of Senator Ludwig debate was adjourned till the next day of sitting.

38 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 6.54 pm till Monday, 6 December 2004 at 12.30 pm.

39 ATTENDANCE

Present, all senators except Senators Ian Campbell, Cook*, Harris, Mackay, Stott Despoja* and Tierney* (* on leave).

HARRY EVANS
Clerk of the Senate