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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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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 PETITIONS

The following 2 petitions, lodged with the Clerk by the senators indicated, were received:

Senator Humphries, from 91 petitioners, requesting that the Senate take action to have the treatment for osteoporosis made available on the Pharmaceutical Benefits Scheme.

Senator Ray, from 19 petitioners, requesting that the Senate take action to oppose any legislation to abolish ATSIC.

3 NOTICES

Notices of motion:

Senator Evans: To move on the next day of sitting—That the Senate expresses its abhorrence at the barbaric murder of Mr Nicholas Berg. (*general business notice of motion no. 869*)

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

(a) notes that:

- (i) the week beginning 9 May 2004 is International Myalgic Encephalomyelitis/Chronic Fatigue Syndrome/Fibromyalgia (ME/CFS/FM) Awareness Week,
- (ii) Myalgic Encephalomyelitis (commonly referred to as Chronic Fatigue Syndrome) is a serious condition characterised by marked and prolonged fatigue for which no identifiable cause can be found, which also gives rise to a number of other symptoms including muscle weakness and pain, and causes considerable suffering and disability,
- (iii) Chronic Fatigue Syndrome (CFS) has devastating effects not only on the individual who has the disease but also on the family, and
- (iv) conservative estimates of the annual costs to the Australian community of CFS are \$416 million; and

(b) calls on the Government to:

- (i) support research into the prevalence, underlying causes and effective treatments for CFS,
- (ii) support the education of health professionals, including general practitioners, and the broader community, including employers, to increase recognition of the reality and seriousness of the suffering and associated disability experienced by individuals with CFS, and
- (iii) encourage and support organisations and groups that provide education, advice and practical assistance to individuals with CFS and their families. (*general business notice of motion no. 870*)

The Chair of the Community Affairs References Committee (Senator McLucas): To move on the next day of sitting—That the time for the presentation of the report of the Community Affairs References Committee on children in institutional care be extended to 30 July 2004. (*general business notice of motion no. 871*)

Senator Brown: To move on the next day of sitting—That there be laid on the table by the Minister for Immigration and Multicultural and Indigenous Affairs, no later than 5 pm on 15 June 2004, the following documents:

- (a) the report by the Human Rights and Equal Opportunity Commission on children in immigration detention centres;
- (b) any response to the report by the company or companies contracted to manage the detention centres; and
- (c) the Government's response to the commission's report. (*general business notice of motion no. 872*)

Senator Brown: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Science, no later than 4 pm on Thursday, 17 June 2004, the following documents:

- (a) a list of all of the proposals submitted for funding under the Government's Cooperative Research Centre Program, including the amount of funds sought;
- (b) a list of all the proposals which the Minister approved, including the amount of funding allocated and the reasons for approving the proposals;
- (c) a list of all the proposals which the Minister rejected and the reasons for rejecting them;
- (d) AGO Brief 2003/(EA Sub 2897) Options for Support of the Australian Photovoltaic Industry, dated 12 December 2003, sent to the Minister for the Environment and Heritage and the Minister for Industry, Tourism and Resources by Gerry Morvell; and
- (e) AGO Brief 2003/264 (EA Sub 03/2609) (ITR Trace 03/43625) Mandatory Renewable Energy Target (MRET) – Government Response to Independent Review, dated 17 November 2003, sent to the Minister for the Environment and Heritage and the Minister for Industry, Tourism and Resources by Gerry Morvell. (*general business notice of motion no. 873*)

Intention to withdraw: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen), pursuant to standing order 78, gave notice of his intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notices of motion nos 1 and 2 standing in his name for 12 sitting days after today for the disallowance of the following instruments:

Excise Amendment Regulations 2004 (No. 1), as contained in Statutory Rules 2004 No. 27 and made under the *Excise Act 1901*.

Temporary Order No. 4 of 2003, made under subsection 43(8) of the *Fisheries Management Act 1991*.

Senator Tchen, by leave, made a statement relating to the notice of intention.

4 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Local Government, Territories and Roads (Senator Ian Campbell) moved—That the following government business orders of the day be considered from 12.45 pm till not later than 2 pm today:

No. 4 Classification (Publications, Films and Computer Games) Amendment Bill 2004.

No. 5 Law and Justice Legislation Amendment Bill 2004.

Question put and passed.

Senator Ian Campbell moved—That general business notice of motion no. 868 standing in the name of Senator Carr, relating to the implementation of the current Cooperative Research Centre selection round, be considered during general business today till not later than 6 pm.

Question put and passed.

5 HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION

The Minister for Local Government, Territories and Roads (Senator Ian Campbell), by leave, moved—That the order of the Senate of 11 May 2004 relating to the hours of meeting and routine of business for today (*see entry no. 10, 11 May 2004*) be varied to omit “7.30 pm” and substitute “8 pm”.

Debate ensued.

Question put and passed.

6 POSTPONEMENTS

Items of business were postponed as follows:

General business notice of motion no. 866 standing in the name of the Chair of the Select Committee on the Free Trade Agreement between Australia and the United States of America (Senator Cook) for today, relating to the date for the committee to present its report, postponed till 15 June 2004.

7 NOTICES OF MOTION WITHDRAWN

Senator Allison withdrew business of the Senate notice of motion no. 1 standing in her name for today, proposing the reference of a matter to the Employment, Workplace Relations and Education References Committee.

Senator Allison withdrew general business notice of motion no. 850 standing in her name for today, proposing the establishment of a select committee on tobacco.

Senator Brown withdrew business of the Senate notice of motion no. 4 standing in his name for today, proposing the reference of a matter to the Legal and Constitutional References Committee.

8 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION REFERENCES COMMITTEE—REFERENCE

Senator Allison, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 5—That the following matter be referred to the Employment, Workplace Relations and Education References Committee for inquiry and report by 11 August 2004:

The principles of the Government’s schools funding package and the effect of these principles on:

- (a) the capacity of all schools to meet current and future school needs and to achieve the Adelaide Declaration (1999) on National Goals for Schooling in the Twenty-First Century;
- (b) the role and responsibility of the Federal Government, in partnership with state and territory governments, for quality, equity, efficiency and effectiveness in public funding for government and non-government schools across Australia;
- (c) the effectiveness of accountability arrangements for state, territory and Federal governments’ funding of government and non-government schools; and

- (d) the application of the framework of principles for the funding of schools that has been endorsed by state and territory governments through the Ministerial Council on Education, Employment, Training and Youth Affairs.

Senator Nettle, by leave, moved the following amendment:

Omit paragraph (b), substitute:

- (b) the role and responsibility of the Australian Government, in partnership with state and territory governments, for quality and equity in public funding for government and non-government schools across Australia and for promoting efficiency and effectiveness in the allocation of public funds for schooling, including effects on enrolment trends in the government and non-government sectors;

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

Main question, as amended, put and passed.

9 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—REFERENCE

Senator Allison, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 3—That the following matters be referred to the Community Affairs Legislation Committee for inquiry and report by 4 August 2004:

- (a) the provisions of the Commonwealth Electoral Amendment (Preventing Smoking Related Deaths) Bill 2004;
- (b) the exposure draft of the Tobacco Advertising Prohibition (Film, Internet and Misleading Promotion) Amendment Bill 2004; and
- (c) the adequacy of the response to date of the Australian Competition and Consumer Commission (ACCC) to the orders of the Senate of 24 September 2001, 27 June 2002 and 12 November 2002, which require the ACCC to report to the Senate on various issues concerning tobacco.

Question put and passed.

10 FOREIGN AFFAIRS—MINE BAN TREATY

Senator Stott Despoja amended general business notice of motion no. 867 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes:
 - (i) that the week of 14 May to 23 May 2004 is Landmine Action Week in Australia,
 - (ii) the objective of Landmine Action Week is to promote Australia's efforts to eliminate landmines, assist landmine survivors and encourage support for the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction (Mine Ban Treaty), with a special emphasis on the Asia-Pacific region, and
 - (iii) only half the countries in the Asia-Pacific region have banned landmines, while about 12 countries continue to produce and use them, making the Asia-Pacific region the most prolific producer and user of landmines of any region in the world;

- (b) commends the Australian Government for its commitment of \$100 million for Mine Action over the decade ending 2005 and acknowledges the extent of mine-clearing and victim assistance achieved as a result of providing those funds;
- (c) urges the Australian Government to make a new Mine Action funding pledge for the decade commencing 2006; and
- (d) calls again on the Australian Government to increase efforts to encourage other Asia-Pacific nations to sign and ratify the Mine Ban Treaty, through bilateral discussions and multilateral forums, including the Association of South East Asian Nations.

Question put and passed.

11 CORPORATIONS AMENDMENT REGULATIONS—DISALLOWANCE—RESCISSION

The Minister for Local Government, Territories and Roads (Senator Ian Campbell), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That, for the purposes of section 49 of the *Acts Interpretation Act 1901*, the Senate rescinds its resolution of 24 March 2004 disallowing certain items of the Corporations Amendment Regulations 2003 (No. 8), as contained in Statutory Rules 2003 No. 282 and made under the *Corporations Act 2001*.

Question put and passed.

12 CONSIDERATION OF LEGISLATION

Motion determined as not formal: The Minister for Local Government, Territories and Roads (Senator Ian Campbell) requested that government business notice of motion no. 2 standing in his name for today, relating to consideration of legislation, be taken as formal.

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

13 PUBLICATIONS—STANDING COMMITTEE—17TH REPORT

Senator Ferris, at the request of the Chair of the Standing Committee on Publications (Senator Colbeck), tabled the following report:

PUBLICATIONS COMMITTEE

17TH REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the House of Representatives.

The Committee, having considered documents presented to the Parliament since 31 March 2004, recommends that the following be printed:

Finance—Budget 2004-05—Ministerial statements—

A sustainability strategy for the Australian continent—Statement by the Minister for the Environment and Heritage (Dr Kemp), 11 May 2004.

Australia's international development cooperation—Statement by the Minister for Foreign Affairs (Mr Downer), 11 May 2004.

Regional partnerships for growth and security—Statement by the Minister for Transport and Regional Services (Mr Anderson), 11 May 2004.

Rural and regional Australia: Sustaining the nation—Statement by the Minister for Agriculture, Fisheries and Forestry (Mr Truss), 11 May 2004.

Native Title Act 1993—Native title representative bodies—Central Land Council—Report for 2002-03—Addendum.

Senator Richard Colbeck
Chairman
13 May 2004.

Senator Ferris moved—That the report be adopted.

Question put and passed.

**14 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—
REPORT—ADMINISTRATION OF BIOSECURITY AUSTRALIA—IMPORT RISK
ANALYSIS FOR PIG MEAT**

Senator Ferris, at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Heffernan), tabled the following report and documents:

Rural and Regional Affairs and Transport Legislation Committee—Biosecurity Australia's import risk analysis for pig meat—Report, dated May 2004, *Hansard* record of proceedings [2 vols], document presented to the committee and submissions [26].

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

**15 VETERANS' ENTITLEMENTS (CLARKE REVIEW) BILL 2004
BANKRUPTCY (ESTATE CHARGES) AMENDMENT BILL 2004
HEALTH LEGISLATION AMENDMENT (PODIATRIC SURGERY AND OTHER MATTERS)
BILL 2004
AGRICULTURAL AND VETERINARY CHEMICALS LEGISLATION AMENDMENT (NAME
CHANGE) BILL 2004**

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

Message no. 572, dated 12 May 2004—A Bill for an Act to provide for compensation payments in respect of veterans interned by North Korean military forces and to amend the *Veterans' Entitlements Act 1986*, and for related purposes.

Message no. 573, dated 12 May 2004—A Bill for an Act to amend the *Bankruptcy (Estate Charges) Act 1997*, and for related purposes.

Message no. 574, dated 12 May 2004—A Bill for an Act to amend legislation relating to health, and for related purposes.

Message no. 575, dated 12 May 2004—A Bill for an Act to amend legislation relating to agricultural and veterinary chemicals, and for related purposes.

The Minister for Local Government, Territories and Roads (Senator Ian Campbell) 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 Ian Campbell moved—That these bills be now read a second time.

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

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

Question put and passed.

16 PARLIAMENTARY SUPERANNUATION BILL 2004

**PARLIAMENTARY SUPERANNUATION AND OTHER ENTITLEMENTS LEGISLATION
AMENDMENT BILL 2004**

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

Message no. 576, dated 12 May 2004—A Bill for an Act to provide for the making of superannuation contributions in respect of members of Parliament, and for related purposes.

Message no. 577, dated 12 May 2004—A Bill for an Act to amend the law relating to the superannuation and other entitlements of members of Parliament, and for related purposes.

The Minister for Local Government, Territories and Roads (Senator Ian Campbell) 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 Ian Campbell moved—That these bills be now read a second time.

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

17 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—PROPOSED REFERENCE

Senator Brown, pursuant to notice, moved business of the Senate notice of motion no. 2—That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 23 June 2004:

The Australian Government's knowledge of the mistreatment of prisoners detained under the control of the United States of America or its coalition partners in Iraq, Afghanistan and at Guantanamo Bay, with particular reference to:

- (a) when the Government or its agencies first received information about the abuse;
- (b) when and how this information first came to the notice of the Prime Minister (Mr Howard), the Minister for Foreign Affairs (Mr Downer), or other members of the Government;
- (c) what action has been taken to ensure that there has been and will be no Australian involvement, or Australian acquiescence, in this matter;
- (d) how and when the Prime Minister conveyed Australia's rebuke to Washington and London;
- (e) the extent of government knowledge about abuse of prisoners in prisons in Afghanistan, including at Bagram Air Base; and
- (f) what disapprovals Australia has conveyed to the White House about the practice of placing hoods and manacles on prisoners, including Australians, at Guantanamo Bay and what other information the Government has about mistreatment of prisoners there.

Debate ensued.

Senator Mackay moved—That the debate be adjourned.

Question put and passed. Senator Brown, by leave, recorded his vote for the noes.

**18 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—
REPORT—CUSTOMS TARIFF AMENDMENT (PARAQUAT DICHLORIDE) BILL 2004**

Pursuant to order, Senator Eggleston, at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Heffernan), tabled the following report and documents:

Rural and Regional Affairs and Transport Legislation Committee—Customs Tariff Amendment (Paraquat Dichloride) Bill 2004—Report, dated May 2004 and submissions [4].

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

**19 ECONOMICS LEGISLATION COMMITTEE—REPORT—TOURISM AUSTRALIA
BILL 2004**

Pursuant to order, Senator Eggleston, at the request of the Chair of the Economics Legislation Committee (Senator Brandis), tabled the following report and documents:

Economics Legislation Committee—Provisions of the Tourism Australia Bill 2004—Report, dated May 2004, *Hansard* record of proceedings and submissions [10].

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

20 CONSIDERATION OF LEGISLATION

The Minister for Finance and Administration (Senator Minchin), at the request of Minister for Local Government, Territories and Roads (Senator Ian Campbell) and pursuant to notice, moved government business notice of motion no. 2—That the provisions of paragraphs (5), (6) and (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Family Assistance Legislation Amendment (More Help for Families—One-off Payments) Bill 2004
Family Assistance Legislation Amendment (More Help for Families—Increased Payments) Bill 2004.

Debate ensued.

The question was divided—

Question—That the motion in respect of the Family Assistance Legislation Amendment (More Help for Families—One-off Payments) Bill 2004 be agreed to—put and passed.

Question—That the motion in respect of the Family Assistance Legislation Amendment (More Help for Families—Increased Payments) Bill 2004 be agreed to—

The Leader of the Australian Democrats (Senator Bartlett), by leave, moved—That the debate be adjourned till the next day of sitting.

Question for the adjournment put and negatived.

Question put and passed.

**21 FAMILY ASSISTANCE LEGISLATION AMENDMENT (MORE HELP FOR FAMILIES—
ONE-OFF PAYMENTS) BILL 2004
FAMILY ASSISTANCE LEGISLATION AMENDMENT (MORE HELP FOR FAMILIES—
INCREASED PAYMENTS) BILL 2004**

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

Message no. 570, dated 12 May 2004—A Bill for an Act to provide for one-off payments to families and carers, and for related purposes.

Message no. 571, dated 12 May 2004—A Bill for an Act to amend the *A New Tax System (Family Assistance) Act 1999* and the *A New Tax System (Family Assistance) (Administration) Act 1999*, and for other purposes.

The Minister for Finance and Administration (Senator Minchin) 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 Minchin moved—That these bills be now read a second time.

Debate ensued.

Senator Nettle moved the following amendment in respect of the Family Assistance Legislation Amendment (More Help for Families—Increased Payments) Bill 2004:

At the end of the motion, add “but the Senate:

- (a) condemns the Commonwealth Government for ensuring that Australia is one of only two Organisation for Economic Co-operation and Development countries that does have a national paid maternity leave scheme; and
- (b) calls on the Commonwealth Government to implement immediately a national system of paid maternity leave”.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 9

Senators—

Allison (Teller)	Cherry	Murray	Ridgeway
Bartlett	Greig	Nettle	Stott Despoja
Brown			

NOES, 46

Senators—

Barnett	Crossin	Lundy	Santoro
Bishop	Eggleston	Macdonald, Sandy	Scullion
Brandis	Ferris (Teller)	Mackay	Sherry
Buckland	Fifield	Marshall	Stephens
Campbell, George	Forshaw	Mason	Tchen
Campbell, Ian	Hogg	McGauran	Tierney
Carr	Humphries	McLucas	Troeth
Chapman	Hutchins	Moore	Watson
Colbeck	Johnston	Murphy	Webber
Collins	Kirk	Patterson	Wong
Conroy	Knowles	Payne	
Cook	Ludwig	Ray	

Question negatived.

Main question put and passed.

Bills read a second time.

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

In the committee

**FAMILY ASSISTANCE LEGISLATION AMENDMENT (MORE HELP FOR FAMILIES—
ONE-OFF PAYMENTS) BILL 2004—**

Bill taken as a whole by leave.

Senator Greig moved the following amendment:

Schedule 2, item 1, page 12 (line 14), omit “11 May 2004”, substitute “any date between 11 May and 30 June 2004”.

Debate ensued.

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

Bill agreed to.

**FAMILY ASSISTANCE LEGISLATION AMENDMENT (MORE HELP FOR FAMILIES—
INCREASED PAYMENTS) BILL 2004—**

Bill, taken as a whole by leave, agreed to.

Bills to be reported without amendments.

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

On the motion of the Minister for Family and Community Services (Senator Patterson) the report from the committee was adopted.

Senator Patterson moved—That these bills be now read a third time.

Debate ensued.

Question put and passed.

Bills read a third time.

At 12.45 pm—

22 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Family and Community Services (Senator Patterson) moved—That intervening business be postponed till after consideration of government business order of the day no. 5 (Law and Justice Legislation Amendment Bill 2004).

Question put and passed.

23 LAW AND JUSTICE LEGISLATION AMENDMENT BILL 2004

Order of the day read for the adjourned debate on the motion of the Minister for Fisheries, Forestry and Conservation (Senator Ian Macdonald)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

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

**24 CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT
BILL 2004**

Order of the day read for the adjourned debate on the motion of the Minister for Fisheries, Forestry and Conservation (Senator Ian Macdonald)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

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

In the committee

Bill, taken as a whole by leave, debated and agreed to.

Bill to be reported without amendment.

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

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

Suspension of sitting: On the motion of Senator Troeth the sitting of the Senate was suspended till 2 pm.

At 2 pm—

25 QUESTIONS

Questions without notice were answered.

26 BUDGET 2004-05—ANSWERS TO QUESTIONS

Senator Sherry moved—That the Senate take note of the answers given by the Minister for Revenue and Assistant Treasurer (Senator Coonan) and the Minister for Family and Community Services (Senator Patterson) to questions without notice asked by Senators Sherry and Forshaw today relating to the 2004-05 Budget.

Debate ensued.

Question put and passed.

**27 FREE TRADE AGREEMENT—AUSTRALIA AND THE UNITED STATES OF AMERICA—
SELECT COMMITTEE—REPORTING DATE**

Senator Mackay, by leave and at the request of the Chair of the Select Committee on the Free Trade Agreement between Australia and the United States of America (Senator Cook), moved—That the Select Committee on the Free Trade Agreement between Australia and the United States of America table an interim report on 21 June 2004, and a final report by 12 August 2004.

Question put and passed.

Notice of motion withdrawn: Senator Mackay, at the request of Senator Cook, withdrew general business notice of motion no. 866 standing in the name of Senator Cook for today, relating to the same matter.

**28 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—
GOVERNMENT RESPONSE—EXPANDING AUSTRALIA'S TRADE AND INVESTMENT
RELATIONSHIP WITH THE COUNTRIES OF CENTRAL EUROPE**

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

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—
Expanding Australia's trade and investment relationship with the countries of
Central Europe—Government response.

**29 MIGRATION—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—2003
REVIEW OF MIGRATION REGULATION 4.31B**

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

Migration—Joint Standing Committee—Report—2003 Review of Migration
Regulation 4.31B—Government response.

**30 TREATIES—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—40TH
REPORT**

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

Treaties—Joint Standing Committee—40th report—Extradition: A review of
Australia's law and policy—Government response.

**31 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—GOVERNMENT
RESPONSE—396TH REPORT**

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

Public Accounts and Audit—Joint Statutory Committee—396th report—Review of
Auditor-General's reports 2002-03: First, second and third quarters—Government
response to recommendation 6.

**32 HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION—DOCUMENT—
NATIONAL INQUIRY INTO CHILDREN IN IMMIGRATION DETENTION**

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

Human Rights and Equal Opportunity Commission—A last resort?—Report of the
national inquiry into children in immigration detention, April 2004.

33 TRANSPORT—ETHANOL—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

Pursuant to the order of the Senate of 16 October 2002, the Minister for Defence (Senator Hill) tabled the following documents:

Transport—Ethanol—Documents released under the Freedom of Information Act—

Copies of documents provided by the—

Department of Agriculture, Fisheries and Forestry [2 vols].

Department of Foreign Affairs and Trade.

Department of Industry, Tourism and Resources.

Department of the Treasury.

Schedule of documents—

Schedule B—E-mail records of action officer for 16 January 2003 FOI request.

Schedule B1—E-mail attachments to schedule B.

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

Question put and passed.

34 HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION—DOCUMENT—NATIONAL INQUIRY INTO CHILDREN IN IMMIGRATION DETENTION—CONSIDERATION

The Leader of the Australian Democrats (Senator Bartlett), by leave, moved—That the Senate take note of the document tabled earlier today (*see entry no. 32*).

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

35 DOCUMENTS

The following documents were tabled by the Clerk:

Australian Meat and Live-stock Industry Act—Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Amendment Order 2004 (No. 1).

Defence Act—

Defence Force Regulations—Declaration under regulation 49, dated 10 April 2004.

Determination under section 58B—Defence Determination 2004/18.

Goods and Services Tax Determination GSTD 2004/3.

Health and Other Services (Compensation) Act—Determination under section 33AA, dated 27 April 2004.

National Health Act—Determination PHB 3/2004.

Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 2004 No. 84.

Taxation Determination TD 2004/14.

36 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 Committee—

Appointed—Substitute member: Senator Fifield to replace Senator Chapman for the consideration of the 2004-05 Budget estimates from 31 May to 4 June 2004

Employment, Workplace Relations and Education References Committee—

Appointed—Substitute member: Senator Johnston to replace Senator Tierney for the committee's inquiry into the Office of the Chief Scientist

Environment, Communications, Information Technology and the Arts Legislation Committee—

Appointed—Substitute member: Senator Scullion to replace Senator Tchen for the consideration of the 2004-05 Budget estimates on 25 May 2004 from 7.30 pm

Finance and Public Administration Legislation Committee—

Appointed—

Substitute members: Senators Sherry and Cherry to replace Senators Faulkner and Murray for the committee's inquiry into the provisions of the Parliamentary Superannuation Bill 2004 and a related bill
Participating members: Senators Faulkner and Ludwig.

Question put and passed.

General business was called on.

37 SCIENCE AND TECHNOLOGY—COOPERATIVE RESEARCH CENTRE

Senator Carr, pursuant to notice, moved general business notice of motion no. 868—That the Senate—

- (a) notes with concern the adverse effects of the Government's botched implementation of the current Cooperative Research Centre (CRC) selection round;
- (b) calls on the Government to restore public interest research as a key selection criteria for future CRCs; and
- (c) calls on the Minister for Science (Mr McGauran) to take responsibility for the denial of funding to nationally-significant CRCs such as the reef, rainforest and photonics CRCs, and to use his powers under the current CRC guidelines to hear appeals from such CRCs against their exclusion from the current selection round.

Debate ensued.

At 6 pm: Debate was interrupted while Senator Humphries was speaking.

General business concluded.

At 8 pm—

38 BUDGET STATEMENT AND DOCUMENTS 2004-05

Order of the day read for the adjourned debate on the motion of the Minister for Finance and Administration (Senator Minchin)—That the Senate take note of the Budget statement and documents.

Debate resumed.

On the motion of the Minister for Fisheries, Forestry and Conservation (Senator Ian Macdonald) the debate was adjourned till the next day of sitting.

39 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—CHANGE IN MEMBERSHIP

The Acting Deputy President (Senator Cherry) informed the Senate that the President had received a letter requesting a change in the membership of a committee.

The Minister for Fisheries, Forestry and Conservation (Senator Ian Macdonald), by leave, moved—That Senator Allison replace Senator Greig on the Community Affairs Legislation Committee for the committee's inquiry into the provisions of legislation relating to tobacco and tobacco advertising, and reports from the ACCC concerning tobacco.

Question put and passed.

40 ADJOURNMENT

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

Debate ensued.

Documents: Senator Heffernan, by leave, tabled the following documents:

Environment—Murray-Darling Basin—Copies of—

Extracts from web sites—

Foundation for Australian Agricultural Women, 'Profiles of sustainability: student, practitioner and community advocate', *Directions*, Spring 2002, printed 13 May 2004, <<http://www.faaw.org.au/pubs/d2002s/08-08.htm>>.

Plane, T and A McGarry, 'River Murray closure threat', *The Australian*, posted 22 April 2003.

Dickie, P, 'Queensland water management: sold down the river', *On Line Opinion*, posted 15 May 2001, <<http://www.onlineopinion.com.au/view.asp?article=1217>>.

Map—Model run water balance—Model description: 2004 & 1981 events with 1981 losses.

Media releases—

Minister for Agriculture, Fisheries and Forestry (Mr Vaile)—'New head for Murray-Darling Advisory Committee', dated 23 December 1998.

Murray-Darling Basin Ministerial Council—'Truss announces membership of the Murray-Darling Basin Community Advisory Committee', dated 6 May 2004.

Newspaper articles—

Roberts, G, 'Cubbie cotton drinks rivers dry', *The Australian*, dated 26 March 2004, p. 5.

Skuthorp, L, 'Where has all the water gone?', *The Land*, dated 5 February 2004.

Paper—Bouilly, Leith, 'Repair and prosper: A fable'—Paper presented to the Murray-Darling Association Whyalla Conference, 13 September 2002.

Transcript—'Community leader believes states share responsibility for environmental problems in the Murray-Darling Basin'—Interview with Ms Leith Bouilly, Chairperson, Murray-Darling Basin Community Advisory Committee, *Radio National Breakfast*, 24 February 2004.

Debate continued.

The Senate adjourned at 9.20 pm till Tuesday, 15 June 2004 at 12.30 pm.

41 ATTENDANCE

Present, all senators except Senators Denman*, Ferguson, Harris* and Lightfoot (* on leave).

HARRY EVANS
Clerk of the Senate