

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 24

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1 MEETING OF SENATE

The Senate met at 9.30 am.

2 ABSENCE OF PRESIDENT

The Clerk informed the Senate of the temporary absence of the President (Senator the Honourable Paul Calvert). The Deputy President (Senator Hogg) took the chair and read prayers.

3 GOVERNMENT DOCUMENTS

The following government documents were tabled:

Australian Communications Authority—National relay service provider performance—Report for 2003-04.

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 October to 31 December 2004.

Interactive Gambling Act 2001—Report for 2003 and 2004 on the operation of the prohibition on interactive gambling advertisements.

Treaties—

Bilateral—Text, together with national interest analysis and annexures—

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

Agreement between the Government of Australia and the Government of the Republic of Korea on Cooperation in the Fields of Energy and Mineral Resources (Canberra, 30 August 2004).

Mutual Recognition Agreement on Conformity Assessment in Relation to Medicines Good Manufacturing Practice Inspection and Certification between the Government of Australia and the Government of Canada (Canberra, 16 March 2005).

Multilateral—Text, together with national interest analysis and annexures—

Amendments to Annex III [2005] ATS 9, and additional Annex VI [2005] ATNIF 5, to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, done at Rotterdam on 10 September 1998 (Geneva, 24 September 2004).

Final Protocol and Partial Revision of the 2001 Radio Regulations, as incorporated in the International Telecommunications Union Final Acts of the World Radiocommunication Conference (WRC-03), done at Geneva on 4 July 2003.

Measure 1 (2003) Secretariat of the Antarctic Treaty, adopted at Madrid, Spain on 20 June 2003, under the Antarctic Treaty, done at Washington on 1 December 1959.

**4 FINANCE AND PUBLIC ADMINISTRATION REFERENCES COMMITTEE—
APPOINTMENT OF MEMBER**

The Deputy President (Senator Hogg) informed the Senate that the President had received a letter nominating a senator to be a member of a committee.

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Colbeck), by leave, moved—That Senator Bishop be appointed as a participating member of the Finance and Public Administration References Committee.

Question put and passed.

**5 DEATH OF FORMER MEMBER THE HONOURABLE ALBERT (AL) JAIME
GRASSBY, AM**

Order of the day read for the further consideration of the motion of the Minister for Family and Community Services (Senator Patterson)—That the Senate records its deep regret at the death, on 23 April 2005, of the Honourable Albert (Al) Jaime Grassby, AM, former federal minister and member for Riverina, and places on record its appreciation of his long public service and tenders its profound sympathy to his family in their bereavement.

The motion was supported and all senators present stood in silence—

Question passed.

6 DEATH OF THE HONOURABLE SIR JOHANNES (JOH) BJELKE-PETERSEN, KCMG

The Leader of The Nationals in the Senate (Senator Boswell), by leave, moved—That the Senate records its deep regret at the death, on 23 April 2005, of the Honourable Sir Johannes Bjelke-Petersen, KCMG, former Premier for the state of Queensland, and places on record its appreciation of his long public service and tenders its profound sympathy to his family in their bereavement.

The motion was supported and all senators present stood in silence—

Question passed.

7 DEFENCE—HELICOPTER ACCIDENT—INDONESIA

The Leader of the Government in the Senate (Senator Hill), pursuant to notice, moved government business notice of motion no. 1—That the Senate—

- (a) records its deep regret at the death of nine servicemen and women and serious injuries to two further servicemen on the island of Nias, Indonesia, on 2 April 2005 as a result of a helicopter accident;
- (b) notes that these men and women were engaged in a humanitarian mission to provide medical assistance following a devastating earthquake;
- (c) expresses its sincere condolences to the families and loved ones of those who died and wishes those injured an early and full recovery;
- (d) recognises that there are inherent risks in military service, whether in war or peace operations; and
- (e) acknowledges with gratitude the commitment and contribution of our service personnel.

The motion was supported and all senators present stood in silence—

Question passed.

8 ORDER OF BUSINESS—REARRANGEMENT

The Minister for the Arts and Sport (Senator Kemp) moved—That intervening business be postponed till after consideration of government business order of the day no. 3 (Family Law Amendment Bill 2005).

Question put and passed.

9 FAMILY LAW AMENDMENT BILL 2005

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.

Senator Stott Despoja moved the following amendment:

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

- (a) calls on the Government to implement the remaining six (of the seven) Australian Law Reform Commission (ALRC) recommendations relating to parentage testing, and specific to the Government, in the ALRC report, *Essentially Yours: The Protection of Human Genetic Information in Australia* (ALRC 96) (tabled in May 2003); and
- (b) urges the Government to implement, as a matter of urgency, the ALRC report recommendations relating to:
 - (i) amending the *Therapeutic Goods Act 1989* and its regulations to enable Therapeutic Goods Administration regulation of DNA identification test kits (recommendation no. 11-6),
 - (ii) enacting legislation to provide for DNA parentage testing to be conducted only by laboratories accredited by the National Association of Testing Authorities (recommendation no. 35-1),
 - (iii) reviewing Part IIA of the Family Law Regulations 1984 to ensure parentage testing meets the highest technical and ethical standards (recommendation no. 35-3),
 - (iv) enacting legislation to provide that parentage testing reports are not admissible in family law proceedings unless the testing complies with regulations (recommendation no. 35-4),
 - (v) enacting legislation providing for children’s consent to genetic testing where the child is over 12 years of age (recommendation no. 35-7), and
 - (vi) enacting legislation providing, in the case of insufficient maturity of a child, for genetic testing to only be conducted with the consent of all responsible parties (recommendation no. 35-9)”.

Debate ensued.

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

Main 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.

Explanatory memorandum: Senator Ellison tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

At 12.45 pm: The Acting Deputy President (Senator Marshall) resumed the chair and the Chair of Committees (Senator Hogg) reported progress.

10 MATTERS OF PUBLIC INTEREST

Matters of public interest were discussed.

Suspension of sitting: On the motion of the Minister for Fisheries, Forestry and Conservation (Senator Ian Macdonald) the sitting of the Senate was suspended at 1.56 pm till 2 pm.

At 2 pm—

11 QUESTIONS

Questions without notice were answered.

Distinguished visitors: The President welcomed members of a parliamentary delegation from Indonesia led by the Chairman of the Indonesian People's Consultative Assembly, His Excellency Dr Hidayat Nur Wahid, and, with the concurrence of honourable senators, invited the Chairman to take a seat on the floor of the chamber.

Further questions without notice were answered.

12 BUDGET 2005-06—ANSWERS TO QUESTIONS

Senator Sherry moved—That the Senate take note of the answers given by the Minister for Finance and Administration (Senator Minchin) to questions without notice asked today relating to the 2005-06 Budget.

Debate ensued.

Question put and passed.

13 IMMIGRATION—TRAFFICKING FOR PROSTITUTION—ANSWER TO QUESTION

Senator Greig moved—That the Senate take note of the answer given by the Minister for Justice and Customs (Senator Ellison) to a question without notice asked by Senator Greig today relating to trafficking for prostitution.

Question put and passed.

14 DEATH OF FORMER MEMBER DONALD WILLIAM MAISEY

The Deputy President (Senator Hogg) informed the Senate of the death, on 20 April 2005, of Donald William Maisey, a member of the House of Representatives for the division of Moore from 1963 to 1974.

15 PETITIONS

The following 5 petitions, lodged with the Clerk by the senators indicated, were received:

The President, from 109 petitioners, requesting that the Senate take action to ensure that the Government negotiates a fair and equitable maritime boundary with Timor Leste according to current international law and the provisions of the UN Convention on the Law of the Sea.

Senator Bartlett, from 40 petitioners, requesting that the Senate take action to end the live animal export trade and develop a chilled and frozen carcass trade using humane slaughtering practices.

Senator Bartlett, from 20 petitioners, requesting that the Senate take action to release all children from immigration detention centres into the community, and to provide them with psychological counselling, education and medical services.

Senator Cherry, from 63 petitioners, requesting that the Senate take action to oppose the removal of Mr Alkhousi from Australia and to grant him permanent residency status.

Senator Moore, from 702 petitioners, requesting that the Senate take action to ensure that the Government commits funds to build an overpass at the rail crossing on Beaudesert Road at Acacia Ridge, Brisbane.

16 NOTICES

Senators Ridgeway, Carr and Nettle: To move on the next day of sitting—That the Senate—

(a) notes that:

- (i) 26 May 2005 is National Day of Healing, and that this date commemorates the anniversary of the handing down of the *Bringing Them Home* report on 26 May 1997,
- (ii) National Day of Healing, previously National Sorry Day, is an opportunity for all Australians to acknowledge and help heal the wounds of the many Aboriginal and Torres Strait Islander people and their families who suffered as a result of the forced removal policies of successive Australian Governments between 1910 and the 1970s, and
- (iii) National Day of Healing recognises that the journey of healing for the stolen generations depends on and contributes to healing within the wider Indigenous community and between Indigenous and non-Indigenous Australians;

- (b) congratulates those involved in the ‘Journey of Healing’ and other community-based organisations who are holding events across the country to help all Australians understand the ongoing impact of the removal policies and to rebuild relations between Indigenous and non-Indigenous Australians in the spirit of reconciliation;
- (c) acknowledges that despite the efforts of many individuals, communities and community organisations, the progress of reconciliation in Australia remains an ongoing challenge for all Australians; and
- (d) urges the Government to finally implement the recommendations of the *Bringing Them Home* report and the subsequent Legal and Constitutional References Committee report on the inquiry into the Stolen Generations in 2000, in particular the recommendation for the establishment of a national

Stolen Generations Reparations Tribunal to deliver a humane and compassionate alternative to the adversarial, expensive and traumatic process of litigation. (*general business notice of motion no. 129*)

Senator Carr: To move on the next day of sitting—That there be laid on the table, no later than 5 pm on Thursday, 12 May 2005, the following documents:

- (a) all correspondence between the Minister for Education, Science and Training (Dr Nelson) and all office-holders and members of the Board, Council or Executive of the former Melbourne University Student Union (MUSU) in 2002 and 2003, including all correspondence between the Minister and Mr Nathan Barker, elected in late 2002 as the incoming MUSU House and Services Officer; and
- (b) all correspondence between the Minister and others who may not have been office-holders and members of the Board, Council or Executive of the former MUSU in 2002 or 2003 but who subsequently became office-holders of MUSU. (*general business notice of motion no. 130*)

Senator Wong: To move on the next day of sitting—That the Senate notes the Howard Government's cuts to the incomes of the most vulnerable families in Australia, its introduction of a parents' dole and a disability dole, and its failure to effectively tackle the need for real welfare reform. (*general business notice of motion no. 131*)

The Leader of the Australian Democrats (Senator Allison): To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Health and Ageing, no later than 4.30 pm on Thursday, 12 May 2005, copies of all reports provided by the Australian Federation of Pregnancy Support Services to the Department of Health and Ageing as part of their reporting requirements, including financial statements. (*general business notice of motion no. 132*)

The Leader of the Australian Democrats (Senator Allison): To move on the next day of sitting—That the Senate—

- (a) notes that the Bush Administration's proposed 2006 budget for the United States of America (US), includes:
 - (i) \$US4 million to fund a study for enabling nuclear warheads to penetrate deeper underground before exploding, known as Robust Nuclear Earth Penetrators,
 - (ii) \$US606 billion to fund the weapons activities of the US Energy Department's National Security Administration, and a total of \$US9.4 billion for the agency for 2006, an increase of \$US233 million on current spending,
 - (iii) \$US786 million to power nuclear navy vessels,
 - (iv) \$US35 million for retiring and dismantling excess warheads, the same as the current spending,
 - (v) \$US25 million to ensure nuclear weapons testing can take place within 18 months of a decision to do so, having previously been 24 to 36 months, and
 - (vi) \$US7.7 million for a Modern Pit Facility to build new warhead cores known as 'pits' to replace those whose plutonium has degraded over time, a facility expected to process 125 pits per year; and

- (b) urges the Minister for Defence (Senator Hill) and the Minister for Foreign Affairs (Mr Downer) to express concern at the current Nuclear Non-Proliferation Treaty conference in New York at the lack of serious nuclear disarmament that these budget proposals imply. (*general business notice of motion no. 133*)

Senator Bartlett: To move on the next day of sitting—

- (1) That the Senate:
 - (a) notes that the Housing Assistance (Form of Agreement) Determination 2003 in Schedule 1, subsections 4(33) to 4(36) requires states to report on expenditure and progress towards their respective bilateral agreements to the Commonwealth within 6 months after the end of each grant year;
 - (b) orders that there be laid on the table, no later than 3.30 pm on 12 May 2005, all reports provided by the states and territories to the Commonwealth under those provisions for the financial year 2003-04; and
 - (c) orders that all reports provided by the states and territories to the Commonwealth under those provisions be tabled in the Senate within 5 sittings days, or one calendar month, after receipt (whichever is the later), and that the Senate be notified in writing by the Minister for Family and Community Services within 5 sitting days of the expiration of the 6 months if reports have not been provided within the required 6 months.
- (2) That this order is of continuing effect. (*general business notice of motion no. 134*)

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

- (a) notes that 27 May 2005 marks the 15th anniversary of the last election in Burma;
- (b) expresses:
 - (i) concern at the recent bomb blasts in Rangoon and the deteriorating conditions of the Burmese people, and
 - (ii) continued support for the Committee Representing the People's Parliament to implement the democratically-elected parliament of Burma;
- (c) calls on the Burmese ruling regime to:
 - (i) resume the reconciliation process with the National League for Democracy and ethnic nationalities in cooperation with the United Nations Special Envoy for Burma, Mr Razali Ismail, and
 - (ii) cease the military offensive against the ethnic minorities in the Shan, Karen and Karenni states;
- (d) restates its call for the unconditional release of Daw Aung San Suu Kyi and all political prisoners in Burma; and
- (e) calls on the Government to express concerns with our regional neighbours regarding the Burmese regime's imminent qualification for the chair of the Association of South East Asian Nations in 2006. (*general business notice of motion no. 135*)

Senator Greig: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to regulate the unauthorised installation of computer software, to require the clear disclosure to computer users of certain computer software features that may pose a threat to user privacy, and for related purposes. **Spyware Bill 2005.** (*general business notice of motion no. 136*)

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 Social Security Legislation Amendment (One-off Payments for Carers) Bill 2005, allowing it to be considered during this period of sittings.

Document: Senator Ellison tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the Social Security Legislation Amendment (One-off Payments for Carers) Bill 2005 in the 2005 Budget sittings.

Senator George Campbell, at the request of Senator Conroy: To move on the next day of sitting—That the order of the Senate providing for estimates hearings be amended by adding at the end of paragraph (2) the following:

“and (b) that officers of the ACCC responsible for communications matters, including telecommunications matters, are required to appear before the Environment, Communications, Information Technology and the Arts Legislation Committee considering Budget estimates during May 2005”. (*general business notice of motion no. 137*)

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 Customs Tariff Amendment Bill (No. 1) 2005, allowing it to be considered during this period of sittings.

Document: Senator Ellison tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the Customs Tariff Amendment Bill (No. 1) 2005 in the 2005 Budget sittings.

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 Social Security Amendment (Extension of Youth Allowance and Austudy Eligibility to New Apprentices) Bill 2005, allowing it to be considered during this period of sittings.

Document: Senator Ellison tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the Social Security Amendment (Extension of Youth Allowance and Austudy Eligibility to New Apprentices) Bill 2005 in the 2005 Budget sittings.

17 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 4 OF 2005

The Chair of the Selection of Bills Committee (Senator Ferris) tabled the following report:

SELECTION OF BILLS COMMITTEE

REPORT NO. 4 OF 2005

1. The committee met in private session on Tuesday, 10 May 2005 at 4.26 pm.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Copyright Amendment (Film Directors' Rights) Bill 2005 be *referred immediately* to the Legal and Constitutional Legislation Committee for inquiry and report by 9 August 2005;
 - (b) the Crimes Legislation Amendment (Telecommunications Interception and Other Measures) Bill 2005 be *referred immediately* to the Legal and Constitutional Legislation Committee for inquiry and report by 13 June 2005; and
 - (c) the *provisions* of the Higher Education Support Amendment (Abolition of Compulsory Up-front Student Union Fees) Bill 2005 be *referred immediately* to the Employment, Workplace Relations and Education Legislation Committee for inquiry and report by 9 August 2005.
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
 - Civil Aviation Amendment Bill 2005
 - Consular Privileges and Immunities Amendment Bill 2005
 - Environment and Heritage Legislation Amendment Bill 2005
 - Family Law Amendment Bill 2005
 - Fisheries Legislation Amendment (International Obligations and Other Matters) Bill 2005
 - Social Security Amendment (Extension of Youth Allowance and Austudy Eligibility to New Apprentices) Bill 2005
 - Statute Law Revision Bill 2005.
4. The committee met again in private session on Wednesday, 11 May 2005 at 9.22 am.
5. The committee resolved to recommend—That the *provisions* of the Tax Laws Amendment (Improvements to Self Assessment) Bill (No. 1) 2005 and the Shortfall Interest Charge (Imposition) Bill 2005 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 22 June 2005.

The committee recommends accordingly.

6. The committee *deferred* consideration of the following bills to the next meeting:

Bill deferred from meeting of 8 February 2005

Trade Practices Amendment (Personal Injuries and Death) Bill 2004.

Bills deferred from meeting of 10 May 2005

Higher Education Support Amendment (Melbourne University Private) Bill 2005

New International Tax Arrangements (Foreign-owned Branches and Other Measures) Bill 2005.

Jeannie Ferris
Chair
11 May 2005.

Senator Ferris moved—That the report be adopted.

Question put and passed.

18 LEAVE OF ABSENCE

Senator Ferris, by leave and at the request of Senators Harradine and Murphy, moved—That leave of absence be granted to Senators Harradine and Murphy for the period 10 May to 12 May 2005, on account of ill health.

Question put and passed.

19 ECONOMICS LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Ferris, by leave and at the request of the Chair of the Economics Legislation Committee (Senator Brandis), moved—That the time for the presentation of the report of the committee on the Tax Laws Amendment (2005 Measures No. 1) Bill 2005 be extended to 15 June 2005.

Question put and passed.

20 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Ferris, by leave and at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), moved—That the time for the presentation of the report of the committee on the provisions of the Criminal Code Amendment (Suicide Related Material Offences) Bill 2005 be extended to 12 May 2005.

Question put and passed.

21 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Hutchins), by leave, moved—That the time for the presentation of the report of the committee on the effectiveness of the Australian military justice system be extended to 16 June 2005.

Question put and passed.

22 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Greig for today, relating to the proposed accreditation of the Southern Bluefin Tuna Fisheries Management Plan, postponed till 14 June 2005.

Business of the Senate notice of motion no. 2 standing in the name of Senator Murray for today, proposing an amendment to the terms of reference for the Legal and Constitutional References Committee inquiry into the effectiveness and appropriateness of the *Privacy Act 1988*, postponed till 15 June 2005.

Business of the Senate notice of motion no. 3 standing in the name of Senator Bartlett for today, proposing the reference of a matter to the Legal and Constitutional References Committee, postponed till 14 June 2005.

General business notice of motion no. 27 standing in the name of Senator Lees for today, relating to Asian elephants, postponed till 16 June 2005.

General business notice of motion no. 123 standing in the name of the Leader of the Australian Democrats (Senator Allison) for 12 May 2005, relating to reproductive health, postponed till 14 June 2005.

23 EDUCATION—MINISTER FOR EDUCATION, SCIENCE AND TRAINING—COMMENTS

Senator Brown, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 119—That the Senate—

- (a) notes the following comments given by the Minister for Education, Science and Training (Dr Nelson) on ABC's *AM* program on 16 March 2005: 'You have to ask yourself, why is it that if you're on campus at Sydney University, with your compulsory student union fees subsidising the services there, you pay \$2.00 for a sausage roll, but if you walk across the road into Newtown into a private shop you pay \$1.70, plus you get served by a person who's actually smiling at you'; and
- (b) calls on the Minister to apologise to university union catering workers for these gratuitously insulting comments.

Question put and passed.

24 DECLARATION OF INTEREST—SENATOR LIGHTFOOT—STATEMENT BY LEAVE

Senator Lightfoot, by leave, made a statement relating to sponsorship of his trip to Iraq in July 2004 and his failure to register that interest.

The Leader of the Opposition in the Senate (Senator Evans), by leave, moved—That the Senate take note of the statement.

Notice of motion withdrawn: Senator Evans withdrew matter of privilege notice of motion no. 1 standing in his name for today, relating to the reference of a matter to the Standing Committee of Privileges.

Debate ensued.

Question put and passed.

25 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE—REFERENCE

Senator O'Brien, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 120—That the following matter be referred to the Joint Standing Committee on the National Capital and External Territories for inquiry and report by the last sitting day in June 2006:

Current and future governance arrangements for the Indian Ocean Territories, with particular reference to:

- (a) accountability and transparency of decision-making in relation to the Indian Ocean Territories;
- (b) the role of the Shire of Christmas Island and the Shire of Cocos (Keeling) Islands;
- (c) aspirations of the residents of Christmas Island and Cocos (Keeling) Islands for more representative governance arrangements;

- (d) the link between more effective governance and improved economic sustainability for the Indian Ocean Territories;
- (e) the operation of Western Australian applied laws;
- (f) community service delivery including the effectiveness of service delivery agreements with the Western Australian Government; and
- (g) proposals for reform of governance arrangements.

Question put and passed.

26 FOREIGN AFFAIRS—GALLIPOLI—ROAD WORKS—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Bishop, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 127—That there be laid on the table by the Minister for Defence, no later than Thursday, 12 May 2005, all briefings to the Minister and the Minister for Veterans' Affairs, on the matter of road works at Gallipoli over the past 4 years, and all internal minutes and file notes, including records of meetings between the Office of Australian War Graves and officials of the Government of Turkey on the same subject.

Question put.

The Senate divided—

AYES, 33

Senators—

Allison	Crossin	Lundy	Ridgeway
Bartlett	Faulkner	Mackay	Sherry
Bishop	Forshaw	Marshall	Stephens
Brown	Greig	McLucas	Stott Despoja
Buckland	Hogg	Moore	Webber
Campbell, G (Teller)	Hutchins	Murray	Wong
Carr	Kirk	Nettle	
Collins	Lees	O'Brien	
Conroy	Ludwig	Ray	

NOES, 29

Senators—

Abetz	Coonan	Knowles	Santoro
Barnett	Eggleston	Lightfoot	Scullion
Boswell	Ellison	Macdonald, Ian	Troeth
Brandis	Fierravanti-Wells	Macdonald, Sandy	Vanstone
Calvert	Heffernan	Mason	Watson
Campbell, Ian	Humphries	McGauran (Teller)	
Chapman	Johnston	Patterson	
Colbeck	Kemp	Payne	

Question agreed to.

**27 EMPLOYMENT—BUILDING ON SUCCESS COMMUNITY DEVELOPMENT
EMPLOYMENT PROJECT—ORDER FOR PRODUCTION OF DOCUMENTS**

Senator Carr, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 124—That there be laid on the table by the Minister representing the Minister for Employment and Workplace Relations, no later than 3.30 pm on Thursday, 12 May 2005, all submissions received by the Department of Employment and Workplace Relations in response to the Building on Success Community Development Employment Project Discussion Paper 2005.

Question put and passed.

28 FINANCE AND PUBLIC ADMINISTRATION REFERENCES COMMITTEE—REFERENCE

Senator Bishop, 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 matters be referred to the Finance and Public Administration References Committee for inquiry and report by 30 June 2005:

- (a) the circumstances surrounding the request by the Australian Government to the Turkish Government in August 2004 to undertake work to ease congestion on the Gallipoli Peninsula;
- (b) the role of the Minister for Foreign Affairs (Mr Downer), the Department of Foreign Affairs and Trade, the Department of Veterans' Affairs, the Attorney-General's Department, the Office of Australian War Graves, the Department of the Prime Minister and Cabinet and Environment Australia in the road works, and related construction activity, at ANZAC Cove in the lead-up to ANZAC Day on 25 April 2005;
- (c) the heritage protection of ANZAC Cove, including the proposed joint historical and archaeological survey of ANZAC Cove and proposals for the establishment of an international peace park, as well as national and world heritage listing for the area; and
- (d) any other related matters.

Question put.

The Senate divided—

AYES, 32

Senators—

Allison	Crossin	Ludwig	O'Brien
Bartlett	Faulkner	Lundy	Ray
Bishop	Forshaw	Mackay	Ridgeway
Brown	Greig	Marshall	Sherry
Buckland	Hogg	McLucas	Stephens
Campbell, G (Teller)	Hutchins	Moore	Stott Despoja
Carr	Kirk	Murray	Webber
Collins	Lees	Nettle	Wong

NOES, 29

Senators—			
Abetz	Eggleston	Kemp	Payne
Boswell	Ellison	Knowles	Santoro
Brandis	Ferris	Lightfoot	Scullion
Calvert	Fierravanti-Wells	Macdonald, Ian	Vanstone
Campbell, Ian	Fifield	Macdonald, Sandy	Watson
Chapman	Heffernan	Mason	
Colbeck	Humphries	McGauran (Teller)	
Coonan	Johnston	Patterson	

Question agreed to.

29 **HEALTH—BIRD FLU PANDEMIC**

Senator Brown, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 126—That the Senate, aware of the concern by global health authorities that another bird flu pandemic is likely, calls on the Government to match the United Kingdom's much larger stockpile of antiviral drugs and to publish its national plan for dealing with a pandemic.

Question put.

The Senate divided—

AYES, 8

Senators—			
Allison	Greig	Murray	Ridgeway
Brown	Lees	Nettle (Teller)	Stott Despoja

NOES, 40

Senators—			
Bishop	Eggleston	Kirk	Moore
Boswell	Ellison	Knowles	Patterson
Brandis	Fierravanti-Wells	Lightfoot	Payne
Buckland	Fifield	Ludwig	Sherry
Campbell, George	Forshaw	Lundy	Stephens
Carr	Hogg	Mackay	Tchen
Chapman	Humphries	Marshall	Troeth
Colbeck	Hutchins	Mason	Vanstone
Coonan	Johnston	McGauran (Teller)	Watson
Crossin	Kemp	McLucas	Webber

Question negatived.

30 **EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT**

The Chair of the Employment, Workplace Relations and Education References Committee (Senator Crossin), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 122—That the time for the presentation of the report of the Employment, Workplace Relations and Education References Committee on Indigenous education be extended to 15 June 2005.

Question put and passed.

31 **MINISTER FOR IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS—
CENSURE**

Motion determined as not formal: Senator Nettle requested that general business notice of motion no. 128 standing in her name for today, relating to the censure of the Minister for Immigration and Multicultural and Indigenous Affairs (Senator Vanstone), be taken as formal.

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

Suspension of standing orders: Senator Nettle, pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent her moving a motion relating to the conduct of the business of the Senate, namely a motion to give precedence to general business notice of motion no. 128.

Debate ensued.

Question put.

The Senate divided—

AYES, 32

Senators—

Allison	Collins	Kirk	Nettle
Bartlett	Conroy	Lees	O'Brien
Bishop	Crossin	Ludwig	Ray
Brown	Faulkner	Lundy	Ridgeway
Buckland	Forshaw	Mackay	Sherry
Campbell, George	Greig	McLucas	Stephens
Carr	Hogg	Moore	Stott Despoja
Cherry	Hutchins	Murray	Webber (Teller)

NOES, 28

Senators—

Abetz	Coonan	Kemp	Patterson
Barnett	Eggleston	Lightfoot	Payne
Boswell	Ellison	Macdonald, Ian	Santoro
Brandis	Ferris	Macdonald, Sandy	Scullion
Calvert	Fierravanti-Wells	Mason	Troeth
Campbell, Ian	Heffernan	McGauran (Teller)	Vanstone
Chapman	Johnston	Minchin	Watson

Question agreed to.

Senator Nettle moved—That general business notice of motion no. 128 may be moved immediately and have precedence over all other business today till determined.

Question put.

The Senate divided—

AYES, 32

Senators—

Allison	Collins	Kirk	Nettle
Bartlett	Conroy	Lees	O'Brien
Bishop	Crossin	Ludwig	Ray
Brown	Faulkner	Lundy	Ridgeway
Buckland	Forshaw	Mackay	Sherry
Campbell, George	Greig	McLucas	Stephens
Carr	Hogg	Moore	Stott Despoja
Cherry	Hutchins	Murray	Webber (Teller)

NOES, 28

Senators—

Abetz	Colbeck	Humphries	Patterson
Barnett	Coonan	Johnston	Payne
Boswell	Ellison	Lightfoot	Santoro
Brandis	Ferris	Macdonald, Sandy	Scullion
Calvert	Fierravanti-Wells	Mason	Troeth
Campbell, Ian	Fifield	McGauran (Teller)	Vanstone
Chapman	Heffernan	Minchin	Watson

Question agreed to.

Senator Nettle moved—That the Senate censures the Minister for Immigration and Multicultural and Indigenous Affairs (Senator Vanstone) for her failure to:

- (a) instigate a full judicial public inquiry into the manifest failure of her department to fulfil its duty of care to those in its responsibility;
- (b) manage the timely and humane processing of asylum seekers;
- (c) abide by the letter and spirit of the international conventions relating to the treatment of children;
- (d) admit responsibility for the wrongful detention of at least 33 people and the illegal deportation of at least one Australian citizen;
- (e) take any steps to monitor the safety of asylum seekers deported from Australia by her department; and
- (f) take her accountability responsibilities seriously.

Debate ensued.

Question put.

The Senate divided—

AYES, 35

Senators—

Allison	Conroy	Lees	O'Brien
Bartlett	Crossin	Ludwig	Ray
Bishop	Evans	Lundy	Ridgeway
Brown	Faulkner	Mackay	Sherry
Buckland (Teller)	Forshaw	Marshall	Stephens
Campbell, George	Greig	McLucas	Stott Despoja
Carr	Hogg	Moore	Webber
Cherry	Hutchins	Murray	Wong
Collins	Kirk	Nettle	

NOES, 32

Senators—

Abetz	Eggleston	Kemp	Patterson
Barnett	Ellison	Knowles	Payne
Boswell	Ferguson	Lightfoot	Santoro
Brandis	Ferris (Teller)	Macdonald, Ian	Scullion
Calvert	Fierravanti-Wells	Macdonald, Sandy	Tchen
Chapman	Fifield	Mason	Troeth
Colbeck	Heffernan	McGauran	Vanstone
Coonan	Johnston	Minchin	Watson

Question agreed to.

32 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Ferris, at the request of Senator Watson and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 121—That the Joint Committee of Public Accounts and Audit be authorised to hold a public meeting during the sitting of the Senate on Thursday, 12 May 2005, from 9.30 am to 11.30 am, to take evidence for the committee's inquiry into the review of Auditor-General's reports.

Question put and passed.

33 EMPLOYMENT—BREACHING REVIEW TASKFORCE—ORDER FOR PRODUCTION OF DOCUMENT

Senator Greig, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 125—That there be laid on the table by the Minister representing the Minister for Employment and Workplace Relations (Senator Abetz), no later than 5 pm on Thursday, 12 May 2005, the final report of the Breaching Review Taskforce, presented to the Minister in December 2004.

Question put and passed.

34 NOTICE

Senator Brown, by leave, gave a notice of motion as follows: To move on the next day of sitting—That there be laid on the table by the Minister for the Environment and Heritage, no later than 3.30 pm on 16 June 2005, all correspondence from January 2002 to the present between the Minister, his staff and department and Gunns Pty Ltd relating to the proposed pulp mill in Tasmania. (*general business notice of motion no. 138*)

35 ENVIRONMENT—GREAT APE POPULATIONS

Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 108—That the Senate—

- (a) notes the precarious state of the world's great ape populations, including estimates that the only great ape in our region, the orang-utan, faces extinction within a decade;
- (b) recalls its resolution of 21 October 1999 which noted that:
 - (i) 'the number of great apes has declined dramatically due to measures such as deforestation, commercial bush-meat trade, live trade, and civil conflicts, with all non-human great ape species being listed as threatened', and
 - (ii) 'scientific evidence that great apes share not only human genes but also basic human mental traits, such as self-awareness, intelligence and other forms of mental insight, complex communications and social systems'; and
- (c) calls on the Government to give consideration to:
 - (i) increasing funding for its Regional Natural Heritage program, which currently provides \$10 million over 3 years to projects towards the conservation of biodiversity in our region, so that Australia can play a more significant role in securing the future of great ape populations,

- (ii) committing to working with relevant governments and local communities to develop significant post-tsunami conservation measures in biodiversity hotspot areas,
- (iii) focusing its efforts on on-the-ground conservation efforts, and
- (iv) providing direct financial assistance to the United Nations' Great Ape Survival Project.

Question put and passed.

36 APPROPRIATIONS AND STAFFING—STANDING COMMITTEE—42ND REPORT

The Acting Deputy President (Senator Cherry) tabled the following report:

Appropriations and Staffing—Standing Committee—42nd report—Estimates for the Department of the Senate 2005-06, dated May 2005.

Report ordered to be printed on the motion of the Minister for Communications, Information Technology and the Arts (Senator Coonan).

37 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2004-05

Senator Ferris, at the request of the Chair of the Environment, Communications, Information Technology and the Arts Legislation Committee (Senator Eggleston), tabled additional information received by the committee (Budget estimates 2004-05—vols 3 to 6).

38 FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2004-05

Senator Ferris, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Mason), tabled additional information received by the committee (Budget estimates 2004-05—vols 1 and 2; Budget estimates 2004-05 (Supplementary)—vols 1 and 2).

39 TREATIES—JOINT STANDING COMMITTEE—64TH REPORT

Senator Buckland, on behalf of the Joint Standing Committee on Treaties, tabled the following report and documents:

Treaties—Joint Standing Committee—64th report—Treaties tabled on 7 December 2004 (2), dated May 2005, Hansard record of proceedings and minutes of proceedings.

40 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—STATEMENT—ESTIMATES OF THE AUSTRALIAN NATIONAL AUDIT OFFICE

Senator Watson, on behalf of the Joint Committee on Public Accounts and Audit, tabled the following document:

Public Accounts and Audit—Joint Statutory Committee—Statement on the budget estimates for the Australian National Audit Office for 2005-06.

41 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS REFERENCES COMMITTEE—INTERIM REPORT—BUDGETARY AND ENVIRONMENTAL IMPLICATIONS OF THE GOVERNMENT’S ENERGY WHITE PAPER

The Acting Deputy President (Senator Cherry) tabled the following report received on 18 April 2005:

Environment, Communications, Information Technology and the Arts References Committee—Budgetary and environmental implications of the Government’s energy white paper—Interim report, dated 18 April 2005.

42 COMMUNITY AFFAIRS REFERENCES COMMITTEE—GOVERNMENT RESPONSE—HEPATITIS C AND THE BLOOD SUPPLY IN AUSTRALIA

The Acting Deputy President (Senator Cherry) tabled the following document received on 4 April 2005:

Community Affairs References Committee—Report—Hepatitis C and the blood supply in Australia—Government response.

43 ECONOMICS REFERENCES COMMITTEE—GOVERNMENT RESPONSE—STRUCTURE AND DISTRIBUTIVE EFFECTS OF THE AUSTRALIAN TAXATION SYSTEM

The Acting Deputy President (Senator Cherry) tabled the following document received on 27 April 2005:

Economics References Committee—Report—The structure and distributive effects of the Australian taxation system—Government response.

44 GOVERNMENT DOCUMENTS

The Acting Deputy President (Senator Cherry) tabled the following documents received on the dates indicated:

Aboriginal and Torres Strait Islander Social Justice Commissioner—Reports for 2004—

Native title. [*Received 8 April 2005*]

Social justice. [*Received 8 April 2005*]

Australia-Korea Foundation—Report for 2003-04. [*Received 24 March 2005*]

Foreign Investment Review Board—Report for 2003-04—Corrigendum. [*Received 20 April 2005*]

Human Rights and Equal Opportunity Commission—Report—No. 29—Inquiry into complaints by Ms Susan Campbell that the human rights of her daughter were breached by the Commonwealth of Australia under the Convention on the Rights of the Child. [*Received 9 May 2005*]

Indigenous education and training—National report to Parliament 2003. [*Received 4 May 2005*]

Native Title Act 1993—Native title representative bodies—Ngaanyatjarra Council (Aboriginal Corporation)—Report for 2003-04. [*Received 21 April 2005*]

Pharmaceutical Benefits Pricing Authority—Report for 2003-04. [*Received 26 April 2005*]

Productivity Commission—Report—No. 33—Review of national competition policy reforms, 28 February 2005. [*Received 14 April 2005*]

Telecommunications (Interception) Act 1979—Report for 2003-04 on the operation of the Act. [Received 31 March 2005]

United Nations—Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment—Australia's fourth report 30 June 1997 to 29 October 2004. [Received 6 April 2005]

45 AUDITOR-GENERAL—AUDIT REPORTS NOS 39 TO 42 OF 2004-05—DOCUMENTS

The Acting Deputy President (Senator Cherry) tabled the following documents received on the dates indicated:

Auditor-General—Audit reports for 2004-05—

No. 39—Performance audit—The Australian Taxation Office's administration of the superannuation contributions surcharge. [Received 13 April 2005]

No. 40—Performance audit—The Edge project: Department of Family and Community Services; Centrelink. [Received 14 April 2005]

No. 41—Protective security audit—Administration of security incidents, including the conduct of security investigations. [Received 15 April 2005]

No. 42—Performance audit—Commonwealth debt management: Follow-up audit—Australian Office of Financial Management. [Received 19 April 2005]

46 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

Pursuant to the order of the Senate of 20 June 2001, as amended, the Acting Deputy President (Senator Cherry) tabled the following document received on 4 April 2005:

Departmental and agency contracts for 2004—Letter of advice—Transport and Regional Services portfolio agencies.

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

Pursuant to the order of the Senate of 30 May 1996, as amended, the Acting Deputy President (Senator Cherry) tabled the following documents received on the dates indicated:

Indexed lists of departmental and agency files for the period 1 July to 31 December 2004—Statements of compliance—

Attorney-General's Department and portfolio agencies. [Received 1 April 2005]
Australian Agency for International Development (AusAID). [Received 1 April 2005]

Australian Research Council. [Received 18 March 2005]

Civil Aviation Safety Authority. [Received 13 April 2005]

Communications, Information Technology and the Arts portfolio agencies. [Received 30 March 2005]

Defence. [Received 24 March 2005]

Department of Communications, Information Technology and the Arts. [Received 31 March 2005]

Department of the Prime Minister and Cabinet. [Received 18 March 2005]

National Capital Authority. [Received 4 April 2005]

Transport and Regional Services portfolio agencies. [Received 18 March 2005]

Treasury portfolio agencies [except Australian Taxation Office]. [Received 8 April 2005]

48 NATIONAL SCHOOLS CONSTITUTIONAL CONVENTION 2005—DOCUMENT

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

National Schools Constitutional Convention 2005, Old Parliament House, 16 to 18 March 2005—Communiqué.

49 DEFENCE—HMAS MELBOURNE—HMAS VOYAGER—DOCUMENT

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

Defence—HMAS *Melbourne*—HMAS *Voyager*—Letter to the President of the Senate from the Chief of the Defence Force (General PJ Cosgrove, AC, MC) responding to the resolution of the Senate of 10 February 2005, dated 14 March 2005.

50 INDIGENOUS AUSTRALIANS—‘BLACKOUT VIOLENCE’ CAMPAIGN—DOCUMENT

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

Indigenous Australians—‘Blackout violence’ Campaign—Letter to the President of the Senate from the Premier of New South Wales (Mr Carr) responding to the resolution of the Senate of 9 March 2005, dated 31 March 2005.

51 FOREIGN AFFAIRS—NUCLEAR NON-PROLIFERATION TREATY REVIEW—DOCUMENTS

The Acting Deputy President (Senator Cherry) tabled the following documents:

Foreign Affairs—Nuclear Non-Proliferation Treaty review—Letters to the President of the Senate responding to the resolution of the Senate of 10 March 2005 from—

Director (Vilmos Cserveny), Office of External Relations and Policy Coordination, International Atomic Energy Agency, dated 7 April 2005.

High Commissioner of India (His Excellency PP Shukla), dated 18 April 2005.

52 DOCUMENTS

The following documents were tabled by the Clerk:

[*Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number*]

Australian Bureau of Statistics Act—Proposal No. 3 of 2005—Survey of income and housing.

Census and Statistics Act—Statement No. 2 of 2005—List of businesses for the Department of Industry, Tourism and Resources.

Class Ruling CR 2005/28.

Product Rulings PR 2005/67-PR 2005/73.

Taxation Determination TD 2005/13.

**53 COMMUNICATIONS—AUSTRALIAN COMPETITION AND CONSUMER COMMISSION—
TELSTRA—ORDER FOR PRODUCTION OF DOCUMENT—DOCUMENT**

The following document was tabled pursuant to the order of the Senate of 10 March 2005:

Communications—Australian Competition and Consumer Commission—Telstra—
Report to the Senate on the decision not to take further enforcement action in
relation to the Part A competition notice issued to Telstra Corporation Ltd on
19 March 2004, dated 10 May 2005.

54 COMMITTEES—CHANGES IN MEMBERSHIP

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

The Minister for Communications, Information Technology and the Arts (Senator
Coonan), by leave, moved—That senators be discharged from and appointed to
committees as follows:

Employment, Workplace Relations and Education Legislation Committee—

Appointed—Substitute member: Senator Fierravanti-Wells to replace Senator
Troeth for the consideration of the 2005-06 Budget estimates on 30 May 2005

Finance and Public Administration Legislation Committee—

Appointed—Substitute member: Senator Fifield to replace Senator Heffernan
for the consideration of the 2005-06 Budget estimates from 23 May to 27 May
2005

Legal and Constitutional Legislation Committee—

Discharged—Senator Ludwig

Appointed—Senator Kirk.

Question put and passed.

**55 BORDER PROTECTION LEGISLATION AMENDMENT (DETERRENCE OF ILLEGAL
FOREIGN FISHING) BILL 2005
TELECOMMUNICATIONS LEGISLATION AMENDMENT (REGULAR REVIEWS AND
OTHER MEASURES) BILL 2005
MIGRATION LITIGATION REFORM BILL 2005**

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

Message no. 115, dated 17 March 2005—A Bill for an Act to amend the law
relating to fisheries and fishers, and for related purposes.

Message no. 116, dated 17 March 2005—A Bill for an Act to amend the law
relating to telecommunications, and for related purposes.

Message no. 118, dated 11 May 2005—A Bill for an Act to amend legislation in
relation to courts and litigation, particularly in migration matters, and for related
purposes.

The Minister for Communications, Information Technology and the Arts (Senator
Coonan) 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 Coonan moved—That these bills be now read a second time.

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

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

Question put and passed.

After 6.50 pm—

56 GOVERNMENT DOCUMENTS—CONSIDERATION

The following government documents tabled earlier today (*see entries nos 2 and 44*) were considered:

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 October to 31 December 2004. Motion to take note of document moved by Senator Stott Despoja and agreed to.

Aboriginal and Torres Strait Islander Social Justice Commissioner—Social justice—Report for 2004. Motion to take note of document moved by Senator Carr and debated. Debate adjourned till Thursday at general business, Senator Ridgeway in continuation.

Aboriginal and Torres Strait Islander Social Justice Commissioner—Native title—Report for 2004. Motion to take note of document moved by Senator Carr and debated. Debate adjourned till Thursday at general business, Senator Ridgeway in continuation.

At 7.20 pm—

57 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.55 pm till Thursday, 12 May 2005 at 9.30 am.

58 ATTENDANCE

Present, all senators except Senators Cook, Harradine*, Harris and Murphy* (* on leave).

HARRY EVANS
Clerk of the Senate