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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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Contents

1	Meeting of Senate	625
2	Notices	625
3	Order of Business—Rearrangement	625
4	Selection of Bills—Standing Committee—Report No. 4 of 2005—Variation ..	625
5	Order of Business—Rearrangement	625
6	Postponements	625
7	Notices of Motion Withdrawn	626
8	Foreign Affairs—Burma	626
9	Family and Community Services—Housing Assistance Agreements—Order for Production of Documents	626
10	Environment—Tasmania—Proposed Pulp Mill—Order for Production of Documents	627
11	Consideration of Legislation	628
12	Indigenous Australians—National Day of Healing	628
13	Spyware Bill 2005	629
14	Health—Pregnancy Support Services—Order for Production of Documents ...	629
15	Scrutiny of Bills—Standing Committee—4th Report and Alert Digest No. 4 of 2005	630
16	Publications—Standing Committee—3rd Report	630
17	Corporations and Financial Services—Joint Statutory Committee— Report—Statutory Oversight of the Australian Securities and Investments Commission	631
18	Legal and Constitutional Legislation Committee—Additional Information— Budget Estimates 2004-05	631
19	Customs Tariff Amendment Bill (No. 1) 2005 Social Security Legislation Amendment (One-off Payments for Carers) Bill 2005 Social Security Amendment (Extension of Youth Allowance and Austudy Eligibility to New Apprentices) Bill 2005	631

20	Criminal Code Amendment (Suicide Related Material Offences) Bill 2005 Tax Laws Amendment (Improvements to Self Assessment) Bill (No. 1) 2005 Shortfall Interest Charge (Imposition) Bill 2005 Workplace Relations Amendment (Extended Prohibition of Compulsory Union Fees) Bill 2005	632
21	Migration—Joint Standing Committee—Change in Membership	632
22	Environment, Communications, Information Technology and the Arts References Committee—Proposed Reference	633
23	Rural and Regional Affairs and Transport Legislation Committee— Report—AusLink (National Land Transport) Bills	633
24	Social Security Legislation Amendment (One-off Payments for Carers) Bill 2005	633
25	Higher Education Legislation Amendment (2005 Measures No. 1) Bill 2005 ..	634
26	Order of Business—Rearrangement	635
27	Criminal Code Amendment (Trafficking in Persons Offences) Bill 2004 [2005]	635
28	Australian Institute of Marine Science Amendment Bill 2005	635
29	Questions	635
30	Immigration—Ms Vivian Alvarez—Answers to Questions	635
31	Urgency Motion—Immigration	636
32	Legal and Constitutional Legislation Committee—Report—Migration Litigation Reform Bill 2005	636
33	Legal and Constitutional Legislation Committee—Report—National Security Information Legislation Amendment Bill 2005	636
34	Environment, Communications, Information Technology and the Arts Legislation Committee—Report—Telecommunications Legislation Amendment (Regular Reviews and Other Measures) Bill 2005	636
35	Legal and Constitutional Legislation Committee—Report—Criminal Code Amendment (Suicide Related Material Offences) Bill 2005	636
36	Documents	637
37	Committees—Changes in Membership	637
38	Family and Community Services—Welfare Reform	638
39	Budget Statement and Documents 2005-06	638
40	Health—Pregnancy Support Services—Order for Production of Documents—Statement by Leave	638
41	Foreign Affairs—Gallipoli—Road Works—Order for Production of Documents—Statement by Leave	638
42	Family and Community Services—Housing Assistance Agreements—Order for Production of Documents—Statement by Leave	638
43	Science and Technology—Gene Technology—Order for Production of Documents—Documents	639
44	Employment—Building on Success Community Development Employment Project—Order for Production of Documents—Statement by Leave	639
45	Employment—Breaching Review Taskforce—Order for Production of Documents—Document	639
46	Adjournment	639
47	Attendance	639

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

Senator Brown: To move on the next day of sitting—That there be laid on the table by the Minister representing the Prime Minister, no later than 3.30 pm on 22 June 2005, all correspondence from January 2002 to the present between the Prime Minister, his staff and department and Gunns Pty Ltd relating to the proposed pulp mill in Tasmania. (*general business notice of motion no. 139*)

Senator Bishop: To move on the next day of sitting—That the following matters be referred to the Joint Standing Committee on Foreign Affairs, Defence and Trade for inquiry and report:

- (a) the ability of the Australian Defence Force to maintain air superiority in our region to 2020, given current planning; and
- (b) any measures required to ensure air superiority in our region to 2020. (*general business notice of motion no. 140*)

3 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Justice and Customs (Senator Ellison) moved—That government business order of the day no. 8 (Australian Institute of Marine Science Amendment Bill 2005) be considered from 12.45 pm till not later than 2 pm today.

Question put and passed.

Senator Ellison moved—That general business notice of motion no. 131 standing in the name of Senator Wong relating to welfare reform be considered during general business today.

Question put and passed.

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

Senator Ferris, by leave, moved—That the order of the Senate of 11 May 2005 adopting the 4th report of 2005 of the Selection of Bills Committee (*see entry no. 17, 11 May 2005*) be varied to provide that the Legal and Constitutional Legislation Committee report on the Crimes Legislation Amendment (Telecommunications Interception and Other Measures) Bill 2005 by 14 June 2005.

Question put and passed.

5 ORDER OF BUSINESS—REARRANGEMENT

Senator Ferris, by leave and at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), moved—That business of the Senate order of the day no. 2, relating to the presentation of the report of the committee on the provisions of the Criminal Code Amendment (Suicide Related Material Offences) Bill 2005, be postponed till a later hour.

Question put and passed.

6 POSTPONEMENTS

The following items of business were postponed:

- General business notice of motion no. 133 standing in the name of the Leader of the Australian Democrats (Senator Allison) for today, relating to nuclear weapons technology, postponed till 14 June 2005.

Senator Carr, by leave, moved—That general business notice of motion no. 130 standing in his name for today, proposing an order for the production of documents, be postponed till the next day of sitting.

Question put and passed.

7 NOTICES OF MOTION WITHDRAWN

The following notices of motion were withdrawn:

Government business notice of motion no. 2 standing in the name of the Minister for Justice and Customs (Senator Ellison) for today, relating to consideration of legislation.

Government business notice of motion no. 3 standing in the name of the Minister for Justice and Customs (Senator Ellison) for today, relating to consideration of legislation.

8 FOREIGN AFFAIRS—BURMA

Senator Nettle amended general business notice of motion no. 135 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—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 Shan, Karen and Karenni ethnic minorities;
- (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 to our regional neighbours regarding the Burmese regime's imminent qualification for the chair of the Association of South East Asian Nations in 2006.

Question put and passed.

9 FAMILY AND COMMUNITY SERVICES—HOUSING ASSISTANCE AGREEMENTS— ORDER FOR PRODUCTION OF DOCUMENTS

Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 134—

- (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.

Question put.

The Senate divided—

AYES, 30

Senators—

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

NOES, 25

Senators—

Abetz	Fierravanti-Wells	Macdonald, Sandy	Scullion
Calvert	Fifield	Mason	Tchen
Chapman	Humphries	McGauran	Troeth
Eggleston	Johnston	Minchin	Vanstone
Ellison	Kemp	Patterson	
Ferguson	Knowles	Payne	
Ferris (Teller)	Macdonald, Ian	Santoro	

Question agreed to.

10 ENVIRONMENT—TASMANIA—PROPOSED PULP MILL—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Brown, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 138—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.

Question put.

The Senate divided—

AYES, 31

Senators—

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

NOES, 26

Senators—

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

Question agreed to.

11 CONSIDERATION OF LEGISLATION

The Minister for Justice and Customs (Senator Ellison), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—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.

Question put and passed.

12 INDIGENOUS AUSTRALIANS—NATIONAL DAY OF HEALING

Senator Ridgeway, also on behalf of Senators Carr and Nettle, and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 129—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.

Question put and passed.

13 SPYWARE BILL 2005

Senator Greig, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 136—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.

Question put and passed.

Senator Greig presented the bill and 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 Greig moved—That this bill be now read a second time.

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

14 HEALTH—PREGNANCY SUPPORT SERVICES—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Bartlett, at the request of the Leader of the Australian Democrats (Senator Allison) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 132—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.

Question put.

The Senate divided—

AYES, 31

Senators—

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

NOES, 28

Senators—

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

Question agreed to.

15 SCRUTINY OF BILLS—STANDING COMMITTEE—4TH REPORT AND ALERT DIGEST NO. 4 OF 2005

Senator George Campbell, at the request of the Chairman of the Standing Committee for the Scrutiny of Bills (Senator Ray), tabled the following report and document:

Scrutiny of Bills—Standing Committee—

4th report of 2005, dated 11 May 2005.

Alert Digest No. 4 of 2005, dated 11 May 2005.

Report ordered to be printed on the motion of Senator George Campbell.

16 PUBLICATIONS—STANDING COMMITTEE—3RD REPORT

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

PUBLICATIONS COMMITTEE

3RD 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 17 March 2005, recommends that the following be printed:

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

Native title.

Social justice.

Australian Competition and Consumer Commission—Telecommunications report for 2003-04—Telstra's compliance with price control arrangements.

Australian Electoral Commission—Funding and disclosure report—Election 2001.

Finance—Budget 2005-06—Ministerial statements—

Australia's overseas aid program 2005-06.

Building stronger communities 2005-06.

Making Australia stronger-Delivering our commitments 2005-06.

Taking stock-Positioning our rural and food industries for the future 2005-06.

Foreign Investment Review Board—Report for 2003-04—Corrigendum.

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.

Native Title Act 1993—Native title representative bodies—Ngaanyatjarra Council (Aboriginal Corporation)—Report for 2003-04.

Pharmaceutical Benefits Pricing Authority—Report for 2003-04.

Productivity Commission—Report no. 33—Review of national competition policy reforms, 28 February 2005.

States Grants (Primary and Secondary Education Assistance) Act 2000—Report on financial assistance granted to each State in respect of 2003.

Telecommunications (Interception) Act 1979—Report for 2003-04 on the operation of the Act.

Senator John Watson

Chairman

12 May 2005.

Senator Ferris moved—That the report be adopted.

Question put and passed.

**17 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—
REPORT—STATUTORY OVERSIGHT OF THE AUSTRALIAN SECURITIES AND
INVESTMENTS COMMISSION**

The Chair of the Parliamentary Joint Committee on Corporations and Financial Services (Senator Chapman) tabled the following report and document:

Corporations and Financial Services—Joint Statutory Committee—Statutory oversight of the Australian Securities and Investments Commission—Report, dated May 2005 and Hansard record of proceedings.

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

**18 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—ADDITIONAL
INFORMATION—BUDGET ESTIMATES 2004-05**

Senator Eggleston, at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), tabled additional information received by the committee (Budget estimates 2004-05 (Supplementary)—5 vols).

**19 CUSTOMS TARIFF AMENDMENT BILL (NO. 1) 2005
SOCIAL SECURITY LEGISLATION AMENDMENT (ONE-OFF PAYMENTS FOR CARERS)
BILL 2005
SOCIAL SECURITY AMENDMENT (EXTENSION OF YOUTH ALLOWANCE AND
AUSTUDY ELIGIBILITY TO NEW APPRENTICES) BILL 2005**

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

Message no. 120, dated 11 May 2005—A Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

Message no. 121, dated 11 May 2005—A Bill for an Act to provide for one-off payments to carers, and for related purposes.

Message no. 123, dated 11 May 2005—A Bill for an Act to amend the law relating to social security, and for other 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.

Explanatory memorandum: Senator Ellison tabled a revised explanatory memorandum relating to the Social Security Amendment (Extension of Youth Allowance and Austudy Eligibility to New Apprentices) Bill 2005.

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

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.

20 CRIMINAL CODE AMENDMENT (SUICIDE RELATED MATERIAL OFFENCES)

BILL 2005

TAX LAWS AMENDMENT (IMPROVEMENTS TO SELF ASSESSMENT) BILL (NO. 1) 2005

SHORTFALL INTEREST CHARGE (IMPOSITION) BILL 2005

WORKPLACE RELATIONS AMENDMENT (EXTENDED PROHIBITION OF COMPULSORY UNION FEES) BILL 2005

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

Message no. 119, dated 11 May 2005—A Bill for an Act to amend the *Criminal Code Act 1995*, and for related purposes.

Message no. 124, dated 11 May 2005—A Bill for an Act to amend the law relating to taxation, and for related purposes.

Message no. 122, dated 11 May 2005—A Bill for an Act to impose shortfall interest charge as a tax in some circumstances.

Message no. 125, dated 11 May 2005—A Bill for an Act to amend laws relating to workplace relations, 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 Ellison the debate was adjourned till the next day of sitting.

Consideration of legislation: Senator Ellison moved—That the Criminal Code Amendment (Suicide Related Material Offences) Bill 2005 and the Workplace Relations Amendment (Extended Prohibition of Compulsory Union Fees) Bill 2005 be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

21 MIGRATION—JOINT STANDING COMMITTEE—CHANGE IN MEMBERSHIP

A message from the House of Representatives was reported informing the Senate of a change in the membership of the Joint Standing Committee on Migration, as follows:

Message no. 117, dated 10 May 2005—Mr Price in place of Mrs Irwin.

22 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS REFERENCES COMMITTEE—PROPOSED REFERENCE

Senator Brown, pursuant to notice, moved business of the Senate notice of motion no. 1—That the following matters be referred to the Environment, Communications, Information Technology and the Arts References Committee for inquiry and report by 9 August 2005:

- (a) whether the new National Heritage List is protecting places of national significance given that only seven places have so far been entered on the list;
- (b) the reason behind the National Heritage Council being granted extensions of time, beyond the initial 12 months, to assess 10 sites nominated for the list, including Recherche Bay and ANZAC Cove;
- (c) the need to apply the precautionary principle when considering emergency listings of a place; and
- (d) the damage or threatened damage to ANZAC Cove and the north-east peninsula of Recherche Bay and the need for any action to stop further degradation.

Debate ensued.

Question put and negatived.

23 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—REPORT—AUSLINK (NATIONAL LAND TRANSPORT) BILLS

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—Provisions of the AusLink (National Land Transport) Bill 2004 and the AusLink (National Land Transport—Consequential and Transitional Provisions) Bill 2004—Report, dated May 2005, Hansard record of proceedings, additional information and submissions [29].

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

24 SOCIAL SECURITY LEGISLATION AMENDMENT (ONE-OFF PAYMENTS FOR CARERS) 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 Greig moved the following amendment:

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

- (a) condemns the Government for failing to take this opportunity to ensure that all persons who receive a social security or veterans’ income support payment, other than youth allowance, newstart allowance or austudy payment and who are providing constant care to a person who has a physical, intellectual or psychological impairment and where that care is needed permanently or for an extended period, qualify for the full carer payment bonus of \$1 000;
- (b) notes the Government’s failure to rectify this situation which was first brought to the notice of the Senate in May 2004; and
- (c) calls on the Minister for Family and Community Services (Senator Patterson) to recognise this inappropriate result and to use her powers under Item 1 of Schedule 2 to make a special payment to make up the shortfall”.

Debate ensued.

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

Main 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 Colbeck) the bill was read a third time.

25 HIGHER EDUCATION LEGISLATION AMENDMENT (2005 MEASURES NO. 1)

BILL 2005

Order of the day read for the adjourned debate on the motion of the Minister for Family and Community Services (Senator Patterson)—That this bill be now read a second time.

Debate resumed.

Senator Carr moved the following amendment:

At the end of the motion, add “but the Senate notes with concern:

- (a) that the Government has failed to provide a clear or adequate rationale for amending the *Higher Education Support Act 2003* to allow the institutions listed on Table B access to funding from the Capital Development Pool, and that this gives rise to concerns that the Government is attempting to expand subsidies to private higher education providers by stealth; and
- (b) that the Government is proceeding to expand public subsidies to private higher education providers in the absence of the stringent quality requirements, as well as the public reporting and other accountability requirements, placed on public universities”.

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.

Question—That the bill be agreed to—divided in respect of Schedule 1, item 2.

Schedule 1, item 2 debated and agreed to.

Bill further debated and agreed to.

Bill to be reported without amendment.

The Deputy President (Senator Hogg) resumed the chair and the 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.

26 ORDER OF BUSINESS—REARRANGEMENT

The Special Minister of State (Senator Abetz) moved—That intervening business be postponed till after consideration of government business order of the day no. 4 (Criminal Code Amendment (Trafficking in Persons Offences) Bill 2004 [2005]).
Question put and passed.

**27 CRIMINAL CODE AMENDMENT (TRAFFICKING IN PERSONS OFFENCES)
BILL 2004 [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.
At 12.45 pm: Debate was interrupted while Senator Ludwig was speaking.

28 AUSTRALIAN INSTITUTE OF MARINE SCIENCE AMENDMENT BILL 2005

Order of the day read for the adjourned debate on the motion of the Minister for Communications, Information Technology and the Arts (Senator Coonan)—That this bill be now read a second time.
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 Colbeck) the bill was read a third time.
Suspension of sitting: On the motion of Senator Colbeck the sitting of the Senate was suspended at 12.46 pm till 2 pm.

—————
At 2 pm—

29 QUESTIONS

Questions without notice were answered.

—————
Distinguished visitors: The President welcomed members of a parliamentary delegation from Turkey led by the Speaker of the Grand National Assembly of Turkey, Mr Bülent Arınç, and, with the concurrence of honourable senators, invited the Speaker to take a seat on the floor of the chamber.

—————
Further questions without notice were answered.

30 IMMIGRATION—MS VIVIAN ALVAREZ—ANSWERS TO QUESTIONS

Senator Evans moved—That the Senate take note of the answers given by the Minister for Immigration and Multicultural and Indigenous Affairs (Senator Vanstone) to questions without notice asked by opposition senators today relating to the deportation of Ms Vivian Alvarez.
Debate ensued.
Question put and passed.

31 URGENCY MOTION—IMMIGRATION

The Deputy President (Senator Hogg) informed the Senate that the President had received a letter from Senator Bartlett advising that today he intended to move—That, in the opinion of the Senate, the following is a matter of urgency:

The need for a full judicial inquiry or a Royal Commission into the operation of mandatory detention, deportation and enforcement under the Migration Act, given the wide range of reports and incidents which demonstrate major problems with the administration and operation of the immigration regime.

The proposal was supported by 4 senators.

Senator Bartlett moved the motion.

Debate ensued.

Question put and passed.

32 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—MIGRATION LITIGATION REFORM BILL 2005

The Acting Deputy President (Senator Watson) tabled the following report and documents received on 11 May 2005:

Legal and Constitutional Legislation Committee—Provisions of the Migration Litigation Reform Bill 2005—Report, dated May 2005, Hansard record of proceedings and submissions [25].

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

33 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—NATIONAL SECURITY INFORMATION LEGISLATION AMENDMENT BILL 2005

The Acting Deputy President (Senator Watson) tabled the following report and documents received on 11 May 2005:

Legal and Constitutional Legislation Committee—Provisions of the National Security Information Legislation Amendment Bill 2005—Report, dated May 2005, Hansard record of proceedings and submissions [16].

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

34 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS LEGISLATION COMMITTEE—REPORT—TELECOMMUNICATIONS LEGISLATION AMENDMENT (REGULAR REVIEWS AND OTHER MEASURES) BILL 2005

The Acting Deputy President (Senator Watson) tabled the following report and documents received on 11 May 2005:

Environment, Communications, Information Technology and the Arts Legislation Committee—Provisions of the Telecommunications Legislation Amendment (Regular Reviews and Other Measures) Bill 2005—Report, dated May 2005, Hansard record of proceedings and submissions [11].

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

35 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—CRIMINAL CODE AMENDMENT (SUICIDE RELATED MATERIAL OFFENCES) BILL 2005

Pursuant to order, Senator McGauran, at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), tabled the following report and documents:

Legal and Constitutional Legislation Committee—Provisions of the Criminal Code Amendment (Suicide Related Material Offences) Bill 2005—Report, dated May 2005, Hansard record of proceedings, documents presented to the committee and submissions [32].

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

36 DOCUMENTS

The following documents were tabled by the Clerk:

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

Appropriation Act (No. 3) 2003-2004—Determination to Reduce Appropriation Upon Request—Determination No. 3 of 2004-2005 [F2005L01127]*.

Census and Statistics Act—Statement No. 3 of 2005—List of businesses for the Department of Education, Science and Training.

Corporations Act—ASIC Class Order [CO 05/26] [F2005L01126]*.

Customs Act—Tariff Concession Orders—

0502563 [F2005L01111]*.

0502564 [F2005L01112]*.

0502566 [F2005L01113]*.

0502569 [F2005L01115]*.

0502570 [F2005L01116]*.

0502572 [F2005L01118]*.

Family Law Act—Family Law (Superannuation) Regulations—Family Law (Superannuation) (Methods and Factors for Valuing Particular Superannuation Interests) Amendment Approval 2005 (No. 3) [F2005L01023]*.

Financial Management and Accountability Act—Net Appropriation Agreements for the—

Australian Taxation Office [F2005L01073]*.

National Archives of Australia [F2005L01071]*.

Fisheries Management Act—Great Australian Bight Trawl Fishery Management Plan (Revocation) [F2005L01123]*.

* Explanatory statement tabled with legislative instrument.

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

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

Appointed—Substitute member: Senator Fierravanti-Wells to replace Senator Santoro for the consideration of the 2005-06 Budget estimates on 25 May and 26 May 2005

Legal and Constitutional References Committee—

Appointed—Substitute member: Senator Stott Despoja to replace Senator Greig for the committee's inquiry into the effectiveness and appropriateness of the *Privacy Act 1988*.

Question put and passed.

General business was called on.

38 FAMILY AND COMMUNITY SERVICES—WELFARE REFORM

Senator Wong, pursuant to notice, moved general business notice of motion no. 131—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.

Debate ensued.

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

General business concluded.

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At 8 pm—

39 BUDGET STATEMENT AND DOCUMENTS 2005-06

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 Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Colbeck) the debate was adjourned till the next day of sitting.

40 HEALTH—PREGNANCY SUPPORT SERVICES—ORDER FOR PRODUCTION OF DOCUMENTS—STATEMENT BY LEAVE

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Colbeck), by leave, made a statement relating to the order of the Senate agreed to earlier today for the production of documents concerning the Australian Federation of Pregnancy Support Services (*see entry no. 14*).

41 FOREIGN AFFAIRS—GALLIPOLI—ROAD WORKS—ORDER FOR PRODUCTION OF DOCUMENTS—STATEMENT BY LEAVE

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Colbeck), by leave, made a statement relating to the order of the Senate of 11 May 2005 for the production of documents concerning road works at Gallipoli (*see entry no. 26, 11 May 2005*).

42 FAMILY AND COMMUNITY SERVICES—HOUSING ASSISTANCE AGREEMENTS—ORDER FOR PRODUCTION OF DOCUMENTS—STATEMENT BY LEAVE

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Colbeck), by leave, made a statement relating to the order of the Senate agreed to earlier today for the production of documents concerning housing assistance agreements (*see entry no. 9*).

43 SCIENCE AND TECHNOLOGY—GENE TECHNOLOGY—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Colbeck), by leave, made a statement relating to the order of the Senate of 16 March 2005 for the production of certain documents held by the Australian Pesticides and Veterinary Medicines Authority and the Office of the Gene Technology Regulator and, pursuant to that order, tabled the following documents:

Science and Technology—Gene Technology—Copies of—

‘Glyphosate, herbicide-tolerant genetically-modified plants and Fusarium’—
Document prepared by Australian Pesticides and Veterinary Medicines Authority.

GM canola Australian agronomic data—

Data items 1-28.

Summary table of GM canola Australian agronomic data.

44 EMPLOYMENT—BUILDING ON SUCCESS COMMUNITY DEVELOPMENT EMPLOYMENT PROJECT—ORDER FOR PRODUCTION OF DOCUMENTS—STATEMENT BY LEAVE

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Colbeck), by leave, made a statement relating to the order of the Senate of 11 May 2005 for the production of documents concerning the Building on Success Community Development Employment Project Discussion Paper 2005 (*see entry no. 27, 11 May 2005*).

Senator Marshall, by leave, moved—That the Senate take note of the statement.

Question put and passed.

45 EMPLOYMENT—BREACHING REVIEW TASKFORCE—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

The Minister for Fisheries, Forestry and Conservation (Senator Ian Macdonald), by leave, made a statement relating to the order of the Senate of 11 May 2005 for the production of the final report of the Breaching Review Taskforce and, pursuant to that order, tabled the following document:

Employment—Breaching Review Taskforce—Report, December 2004.

46 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 9.54 pm till Tuesday, 14 June 2005 at 12.30 pm.

47 ATTENDANCE

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

HARRY EVANS
Clerk of the Senate