

2004-05

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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No. 44

TUESDAY, 13 SEPTEMBER 2005

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1 MEETING OF SENATE

The Senate met at 12.30 pm. The President (Senator the Honourable Paul Calvert) took the chair and read prayers.

2 GOVERNMENT DOCUMENTS

The following government documents were tabled:

Army and Air Force Canteen Service Board of Management (trading as Frontline Defence Services)—Report for 2003-04, including report on the equal employment management plan.

Australian Government Solicitor—Statement of corporate intent 2005-06.

Australian Postal Corporation (Australia Post)—Statement of corporate intent 2005-06 to 2007-08.

Crimes Act 1914—Authorisations for the acquisition and use of assumed identities for 2004-05—Australian Federal Police.

Defence Housing Authority—Statement of corporate intent 2005-06.

Repatriation Medical Authority—Report for 2004-05.

Reserve Bank of Australia—Report for 2004-05.

Treaty—*Multilateral*—Text, together with national interest analysis and annexure—Amendments, done at Ulsan, Republic of Korea on 24 June 2005, to the Schedule to the International Convention for the Regulation of Whaling, done at Washington on 2 December 1946.

Witness Protection Act 1994—Report for 2004-05 on the operation of the National Witness Protection Program.

3 TELSTRA (TRANSITION TO FULL PRIVATE OWNERSHIP) BILL 2005

TELECOMMUNICATIONS LEGISLATION AMENDMENT (COMPETITION AND CONSUMER ISSUES) 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 these bills be now read a second time—and on the amendment moved by Senator Bob Brown—

Omit all words after “That”, substitute “further consideration of the bills be made an order of the day for 4 October 2005”.

Debate resumed.

At 2 pm: Debate was interrupted.

4 QUESTIONS

Questions without notice were answered.

Distinguished visitors: The President welcomed members of a parliamentary delegation from Sri Lanka led by the Speaker of the Parliament, the Honourable W J M Lokubandara, MP, 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.

5 FAMILY AND COMMUNITY SERVICES—WELFARE CHANGES—ANSWERS TO QUESTIONS

The Leader of the Opposition in the Senate (Senator Evans) moved—That the Senate take note of the answers given by the Special Minister of State (Senator Abetz) and the Minister for Family and Community Services (Senator Patterson) to questions without notice asked by Senators Wong, Sterle and McLucas today relating to welfare changes.

Debate ensued.

Question put and passed.

6 LAW AND JUSTICE—MR SCOTT PARKIN—ANSWER TO QUESTION

Senator Stott Despoja 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 Stott Despoja today relating to the detention of Mr Scott Parkin.

Question put and passed.

7 NOTICES

Notices of motion:

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

(a) notes:

- (i) the report of the House of Representatives Standing Committee on Environment and Heritage, *Sustainable cities*, tabled on 12 September 2005, and
- (ii) the committee's call for the Government to exercise leadership in addressing urgent issues of sustainability, including:
 - (A) increasing funding for public transport,
 - (B) establishing an Australian sustainability charter and an independent Australian sustainability commission,
 - (C) reviewing fringe benefits tax concessions for car use,
 - (D) considering increasing the tariff on four-wheel drive vehicles, while exempting primary producers,
 - (E) coordinating a national report on options for future water use, including greater use of recycled water,
 - (F) encouraging state and territory governments to mandate disclosure of energy efficiency and greenhouse performance of residential properties at point of sale or lease,
 - (G) ensuring that Commonwealth departments improve the energy efficiency of the properties they own or lease,
 - (H) doubling the photovoltaic rebate to encourage the uptake of photovoltaic systems,
 - (I) examining the environmental and economic benefits of decentralised energy delivery and encouraging investment in this area, and
 - (J) developing a set of national environmental objectives for Australia; and

- (b) calls on the Government to adopt the committee's recommendations. (*general business notice of motion no. 258*)

The Chair of the Rural and Regional Affairs and Transport References Committee (Senator Murray): To move on the next day of sitting—That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by the last sitting day in March 2006:

The impact on rural water usage of recent water policy initiatives and the possible role for Commonwealth agencies, with particular reference to:

- (a) the development of water property titles;
- (b) methods of protection for rivers and aquifers;
- (c) farming innovation;
- (d) monitoring drought and predicting farm water demand; and
- (e) the implications for agriculture of predicted changes in patterns of precipitation and temperature.

Senator Siewert: To move on 4 October 2005—That the Senate—

- (a) notes the damage caused to deep sea coral and sponge communities by the increasing prevalence of bottom trawling;
- (b) recognises that unregulated high seas bottom trawling is inconsistent with international law as recognised in the United Nations (UN) Convention on the Law of the Sea;
- (c) acknowledges the collapse of seamount fisheries to the south east of Australia, with severe consequences for target species such as orange roughy as well as many untargeted species;
- (d) commends the Government for taking initial steps toward protecting some deep sea coral and sponge ecosystems under its jurisdiction;
- (e) supports the prohibition of bottom trawling of deep sea coral and sponge ecosystems in Australian waters; and
- (f) supports a UN moratorium on high seas bottom trawling pending the development and implementation of legally-binding regimes to protect deep sea biodiversity from high seas bottom trawling and to conserve and manage bottom fisheries of the high seas consistent with the UN Convention on the Law of the Sea, the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1995), the Food and Agriculture Organization (FAO) Agreement to promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (1993), the Convention on Biological Diversity (1992) and the FAO Code of Conduct for Responsible Fisheries (1995). (*general business notice of motion no. 259*)

Senator O'Brien: To move on the next day of sitting—That the Senate—

- (a) notes that:
 - (i) based on longstanding bipartisan policy, as announced by the then Prime Minister, Mr Fraser, in May 1997 (Uranium—Australia's Decision, Fraser Government, 24 May 1977), export of uranium from Australia is permitted only to those states which are party to the Nuclear Non-Proliferation Treaty and with which Australia has a bilateral safeguards agreement,

- (ii) Australia has a right to be selective as to the countries to which it is prepared to export uranium on the basis of the need for assurances that exported uranium and its derivates cannot be used in the development of nuclear weapons or in other military programs,
- (iii) Australia has 19 bilateral safeguard agreements which cover 36 countries that are party to the treaty, providing for the continued export of uranium to those countries including existing exports to Japan, South Korea, France, Spain, Sweden, the United Kingdom, Canada, Belgium, Finland and the United States of America,
- (iv) China is a signatory to the treaty, and
- (v) India is not a signatory to the treaty; and therefore

(b) calls on the Government to immediately rule out the export of uranium from Australia to India in order to uphold our international obligations as a signatory to the treaty. (*general business notice of motion no. 260*)

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

- (a) notes that:
 - (i) half of the world's population lives on less than \$US2 a day, and
 - (ii) the Prime Minister (Mr Howard) has flagged increasing Australia's overseas aid contribution by \$1 billion, phased in over 5 years, which will still leave Australia short of the United Nations (UN) recommended level of 0.7 per cent of gross national income;
- (b) calls on the Government at the New York summit on the UN Millennium Development Goals, from 14 September to 16 September 2005, to commit to lifting Australia's overseas aid contribution to the UN recommended level within 3 years; and, in the meantime,
- (c) calls on the Government to double its current overseas aid budget and allocate \$5 billion in the 2006-07 Budget for the purpose. (*general business notice of motion no. 261*)

The Chairman of the Standing Committee on Regulations and Ordinances (Senator Watson): To move 15 sitting days after today—

No. 1—That the Australian Passports Determination 2005, made under section 57 of the *Australian Passports Act 2005*, be disallowed.

No. 2—That the Electoral and Referendum Amendment Regulations 2005 (No. 1), as contained in Select Legislative Instrument 2005 No. 125 and made under the *Commonwealth Electoral Act 1918* and the *Referendum (Machinery Provisions) Act 1984*, be disallowed.

No. 3—That the Foreign Passports Determination 2005, made under section 24 of the *Passports Act 1938*, be disallowed.

No. 4—That the Public Accounts and Audit Committee Regulations 2005, as contained in Select Legislative Instrument 2005 No. 127 and made under the *Public Accounts and Audit Committee Act 1951*, be disallowed.

No. 5—That the Student Assistance Amendment Regulations 2005 (No. 1), as contained in Select Legislative Instrument 2005 No. 123 and made under the *Student Assistance Act 1973*, be disallowed.

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

Notices of motion withdrawn: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Watson), pursuant to notice of intention given on 12 September 2005, withdrew business of the Senate notices of motion nos 1, 3 and 4 standing in his name for 8 sitting days after today for the disallowance of the following instruments:

Export Control (Meat and Meat Products) Amendment Orders 2005 (No. 1), made under regulation 3 of the Export Control (Orders) Regulations 1982.

Modification Declaration No. 1, made under section 177 of the *Retirement Savings Account Act 1997*.

Veterans' Entitlements (Veterans' Children Education Scheme – Scholarships, Statistics, MRCA) Instrument 2004 – Instrument No. R11/2004, made under subsection 117(1) of the *Veterans' Entitlements Act 1986*.

Intention to withdraw: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Watson), 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 notice of motion no. 1 standing in his name for the next day of sitting for the disallowance of the Aviation Transport Security Regulations 2005, as contained in Select Legislative Instrument 2005 No. 18 and made under the *Aviation Transport Security Act 2004* and the *Aviation Transport Security (Consequential Amendments and Transitional Provisions) Act 2004*.

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

8 ROUTINE OF BUSINESS—VARIATION

The Minister for Justice and Customs (Senator Ellison), by leave, moved—That consideration of the business before the Senate today be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senator Carol Brown to make her first speech without any question before the chair.

Question put and passed.

9 POSTPONEMENT

The following item of business was postponed:

General business notice of motion no. 238 standing in the name of the Leader of the Australian Democrats (Senator Allison) for today, relating to ethanol in petrol, postponed till 4 October 2005.

10 FAMILY AND COMMUNITY SERVICES—CARERS

Senator McLucas, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 255—That the Senate—

(a) notes:

- (i) that there are 2.5 million carers in Australia who look after family members or friends with a disability, a mental illness, a chronic condition or who are frail aged,
- (ii) the contribution carers make is not only to the people they care for, but also to the community and to the economy more broadly,
- (iii) that it is estimated that carers save the Australian economy approximately \$20 billion annually through unpaid work, and

- (iv) that on 13 September 2005, Australian carers are conducting a national day of action, the ‘Walk a Mile in our Shoes’ campaign, to raise awareness of issues of concern that affect carers and those they care for and to request an inquiry into disability and mental health support services and a review of the Commonwealth-State/Territory Disability Agreement, which they believe has failed to meet even the most urgent needs of disabled citizens; and
- (b) calls on the Government to:
 - (i) provide greater recognition for carers in government policy,
 - (ii) provide greater support in the workplace to manage competing priorities of paid and unpaid work, and
 - (iii) consider the special and varied needs of carers when implementing policies across a range of portfolio areas that ultimately affect carers’ participation in community life.

Question put.

The Senate divided—

AYES, 34

Senators—

Bartlett	Fielding	McEwen	Siewert
Bishop	Forshaw	McLucas	Stephens
Brown, Bob	Hogg	Milne	Sterle
Brown, Carol	Hurley	Moore	Stott Despoja
Campbell, G (Teller)	Hutchins	Murray	Webber
Carr	Kirk	Nettle	Wong
Conroy	Ludwig	O’Brien	Wortley
Crossin	Lundy	Polley	
Evans	Marshall	Sherry	

NOES, 37

Senators—

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

Question negatived.

11 ENVIRONMENT—NATIONAL BILBY DAY

Senator Trood, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 256—That the Senate notes:

- (a) the plight of the endangered Australian native marsupial, the bilby;
- (b) that the first official National Bilby Day was commemorated on 11 September 2005 in Charleville, Queensland;

- (c) that before European settlement, bilbies covered approximately 70 per cent of the Australian mainland but they can now be found only in a small area in south west Queensland and isolated areas in the Northern Territory and Western Australia;
- (d) that the decline of bilbies is due to the loss of habitat through land use change, overgrazing, hunting and predation from introduced species, such as foxes and feral cats; and
- (e) that the Save the Bilby Fund has been raising awareness of the plight of the marsupial for many years and has established a 25 square kilometre wildlife enclosure near Charleville to try and protect the species.

Question put and passed.

12 FOREIGN AFFAIRS—NUCLEAR NON-PROLIFERATION TREATY

Motion determined as not formal: Senator Milne requested that general business notice of motion no. 252 standing in her name for today, relating to the Nuclear Non-Proliferation Treaty, be taken as formal.

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

Proposed suspension of standing orders: Senator Milne, at the request of Senator Bob Brown and pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent Senator Bob Brown 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. 252.

Debate ensued.

Question put.

The Senate divided—

AYES, 7

Senators—

Bartlett Brown, Bob	Milne Murray	Nettle Siewert (Teller)	Stott Despoja
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NOES, 50

Senators—

Adams	Ferguson	Marshall	Santoro
Barnett	Ferris (Teller)	Mason	Scullion
Bishop	Fierravanti-Wells	McEwen	Sherry
Brandis	Fifield	McGauran	Stephens
Brown, Carol	Forshaw	McLucas	Sterle
Campbell, George	Hogg	Minchin	Troeth
Carr	Humphries	Moore	Trood
Chapman	Hurley	Nash	Watson
Colbeck	Hutchins	O'Brien	Webber
Crossin	Johnston	Parry	Wong
Eggleston	Kirk	Payne	Wortley
Evans	Ludwig	Polley	
Faulkner	Lundy	Ronaldson	

Question negated.

13 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING

Senator George Campbell, at the request of the Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Hutchins) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 253—That the Foreign Affairs, Defence and Trade References Committee be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 13 September 2005, from 4 pm, to take evidence for the committee's inquiry into Australia's relationship with China.

Question put and passed.

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

Senator George Campbell, at the request of the Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Hutchins) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 254—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade References Committee on Australia's relationship with China be extended to 10 November 2005.

Question put and passed.

15 FAMILY AND COMMUNITY SERVICES—CARERS

Senator Siewert amended general business notice of motion no. 257 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes the 'Walk a Mile in our Shoes' gathering on the lawns of Parliament House, Canberra, on 13 September 2005 to demonstrate support for the family carers of Australia;
- (b) acknowledges the work that Australia's 1.6 million unpaid family carers do to look after the frail, the sick and the aged, and those with dependent disabilities;
- (c) recognises that:
 - (i) in many cases, this work is done at great personal cost to carers' physical and mental health, marriages, other family members' welfare, and employment and retirement, and
 - (ii) were it not for this voluntary family care, the wider community would be faced with substantial additional costs;
- (d) acknowledges the increased burden on these carers caused by shortfalls in availability of support services to those needing care; and
- (e) calls on the Government to work with the state and territory governments to address the unmet need for support services, particularly to ensure states and territories fulfil their responsibilities under the Commonwealth-State/Territory Disability Agreement.

Question put and passed.

16 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—FAMILY AND COMMUNITY SERVICES—WELFARE CHANGES

The Acting Deputy President (Senator Marshall) informed the Senate that Senator Wong had proposed that the following matter of public importance be submitted to the Senate for discussion:

The Howard Government's incompetent welfare changes that leave people worse off and with less incentive to work.

The proposal was supported by four senators and the matter was discussed.

After 5 pm—

17 FIRST SPEECH

Pursuant to order (*see entry no. 8*), Senator Carol Brown made her first speech.

18 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—MARITIME TRANSPORT SECURITY AMENDMENT ACT 2005

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

Rural and Regional Affairs and Transport Legislation Committee—Report—Regulatory framework under the *Maritime Transport Security Amendment Act 2005*—Additional information.

19 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ADDITIONAL ESTIMATES 2004-05 AND BUDGET ESTIMATES 2005-06

Senator McGauran, at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Heffernan), tabled additional information received by the committee (Additional estimates 2004-05; Budget estimates 2005-06).

20 DOCUMENTS

The following documents were tabled by the Clerk:

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

Aged Care Act—Extra Service Amendment Principles 2005 (No. 1) [F2005L02492]*.

Australian Capital Territory (Planning and Land Management) Act—National Capital Plan—Amendment 42 – York Park Master Plan [F2005L02596]*.

Civil Aviation Act—Civil Aviation Regulations—Instrument No. CASA EX43/05—Exemption – from take-off minima inside Australian territory [F2005L02540]*.

Customs Act—Tariff Concession Orders—

0504564 [F2005L02553]*.

0504565 [F2005L02554]*.

0507073 [F2005L02558]*.

0507311 [F2005L02579]*.

0507314 [F2005L02592]*.
 0507396 [F2005L02581]*.
 0507513 [F2005L02582]*.
 0507518 [F2005L02583]*.
 0507660 [F2005L02584]*.

Environment Protection and Biodiversity Conservation Act—
 Adoption of State Plans as Recovery Plans, dated 18 August 2005 [F2005L02519]*.
 National Recovery Plan for the Norfolk Island Scarlet Robin and the Norfolk Island Golden Whistler [F2005L02516]*.
 Family Law Act—Family Law (Superannuation) Regulations—Family Law (Superannuation) (Methods and Factors for Valuing Particular Superannuation Interests) Amendment Approval 2005 (No. 5) [F2005L02589]*.

Financial Management and Accountability Act—

Financial Management and Accountability Determinations—
 2005/24 – Recovery of Compensation for Health Care and Other Services Special Account Establishment 2005 [F2005L02599]*.
 2005/25 – Other Trust Moneys – Medicare Australia Special Account Establishment 2005 [F2005L02597]*.

Net Appropriation Agreements for—

Australian National Audit Office [F2005L02502]*.
 Biosecurity Australia [F2005L02449]*.
 Bureau of Meteorology [F2005L02459]*.
 Department of Communications, Information Technology and the Arts [F2005L02489]*.
 Department of Defence [F2005L02455]*.
 Department of Employment and Workplace Relations [F2005L02454]*.
 Department of Foreign Affairs and Trade [F2005L02483]*.
 Department of Foreign Affairs and Trade [F2005L02504]*.
 Department of the Environment and Heritage [F2005L02452]*.
 Equal Opportunity for Women in the Workplace Agency [F2005L02451]*.
 Office of National Assessments [F2005L02500]*.

Financial Sector (Collection of Data) Act—Financial Sector (Collection of Data) Determination No. 105 of 2005—Reporting Standard GRS 170.1 (2005) [F2005L02556]*.

Insurance Act—Insurance (Prudential Standards) Determination No. 1 of 2005—Variation of Prudential Standard GPS 110 [F2005L02555]*.

Judiciary Act—High Court of Australia—Rule of Court, as of 30 August 2005 [F2005L02536]. [*Explanatory statement not tabled*]

Sydney Airport Curfew Act—Dispensation Report 7/05.

* Explanatory statement tabled with legislative instrument.

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

The following document was tabled pursuant to the order of the Senate of 30 May 1996, as amended:

Indexed lists of departmental and agency files for the period 1 January to 30 June 2005—Statement of compliance—Human Services portfolio agencies.

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

Employment, Workplace Relations and Education References Committee—

Appointed—Participating member: Senator Crossin

Finance and Public Administration Legislation Committee—

Discharged—Senator Stephens

Appointed—

Senator Carol Brown

Participating member: Senator Stephens

Finance and Public Administration References Committee—

Discharged—Senator Stephens

Appointed—

Senator Carol Brown

Participating member: Senator Stephens

Foreign Affairs, Defence and Trade Legislation Committee—

Discharged—Senator Joyce

Appointed—

Senator Johnston

Participating members: Senators Carol Brown and Joyce

Foreign Affairs, Defence and Trade References Committee—

Appointed—Participating member: Senator Carol Brown

Regulations and Ordinances—Standing Committee—

Discharged—Senator Sterle

Appointed—Senator Carol Brown.

Question put and passed.

23 TELECOMMUNICATIONS LEGISLATION AMENDMENT (FUTURE PROOFING AND OTHER MEASURES) BILL 2005

TELECOMMUNICATIONS (CARRIER LICENCE CHARGES) AMENDMENT (INDUSTRY PLANS AND CONSUMER CODES) BILL 2005

APPROPRIATION (REGIONAL TELECOMMUNICATIONS SERVICES) BILL 2005-2006

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

Message no. 216, dated 13 September 2005—A Bill for an Act to amend the law relating to telecommunications, and for other purposes.

Message no. 217, dated 13 September 2005—A Bill for an Act to amend the *Telecommunications (Carrier Licence Charges) Act 1997*, and for other purposes.

Message no. 218, dated 13 September 2005—A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for the ordinary annual services of the Government in relation to regional telecommunications services, and for related purposes.

The Minister for Immigration and Multicultural and Indigenous Affairs (Senator Vanstone) 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 Vanstone moved—That these bills be now read a second time.

Explanatory memorandum: Senator Vanstone tabled a revised explanatory memorandum relating to the Telecommunications Legislation Amendment (Future Proofing and Other Measures) Bill 2005.

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

Consideration of legislation: Pursuant to the order of the Senate of 12 September 2005 (see entry no. 26, 12 September 2005), these bills and the Telstra (Transition to Full Private Ownership) Bill 2005 and the Telecommunications Legislation Amendment (Competition and Consumer Issues) Bill 2005 were taken together for their remaining stages.

24 JOINT COMMITTEES—CHANGES IN MEMBERSHIP

A message from the House of Representatives was reported informing the Senate of changes in the membership of various joint committees, as follows:

Message no. 215, dated 12 September 2005—

Parliamentary Joint Committee on the Australian Crime Commission,
Mr Hayes in place of Mr Byrne

Joint Committee of Public Accounts and Audit, Mr Emerson in place of
Ms A E Burke.

25 TELSTRA (TRANSITION TO FULL PRIVATE OWNERSHIP) BILL 2005

TELECOMMUNICATIONS LEGISLATION AMENDMENT (COMPETITION AND CONSUMER ISSUES) BILL 2005

TELECOMMUNICATIONS LEGISLATION AMENDMENT (FUTURE PROOFING AND OTHER MEASURES) BILL 2005

TELECOMMUNICATIONS (CARRIER LICENCE CHARGES) AMENDMENT (INDUSTRY PLANS AND CONSUMER CODES) BILL 2005

APPROPRIATION (REGIONAL TELECOMMUNICATIONS SERVICES) BILL 2005-2006

Order of the day read for the adjourned debate on the motions of the Minister for Communications, Information Technology and the Arts (Senator Coonan) and the Minister for Immigration and Multicultural and Indigenous Affairs (Senator Vanstone)—That these bills be now read a second time—and on the amendment moved by Senator Bob Brown (see entry no. 3).

Debate resumed.

At 11 pm: Debate was interrupted.

26 ADJOURNMENT

The President proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 11.37 pm till Wednesday, 14 September 2005 at 9.30 am.

27 ATTENDANCE

Present, all senators except Senators Allison* and Ray* (* on leave).

HARRY EVANS
Clerk of the Senate