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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 DAYS AND HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION

Order of the day read for the adjourned debate on the motion of the Special Minister of State (Senator Abetz)—That—

- (1) On Thursday, 1 December and 8 December 2005:
 - (a) the hours of meeting shall be 9.30 am to 6.30 pm and 7.30 pm to 11.40 pm;
 - (b) the routine of business from 7.30 pm shall be government business only;
 - (c) divisions may take place after 4.30 pm; and
 - (d) the question for the adjournment of the Senate shall be proposed at 11 pm.
- (2) The Senate shall sit on Friday, 2 December and 9 December 2005 and that:
 - (a) the hours of meeting shall be 9.30 am to 3.30 pm;
 - (b) the routine of business shall be:
 - (i) notices of motion, and
 - (ii) government business only; and
 - (c) the Senate shall adjourn without any question being put.

Debate resumed.

Question put and passed.

3 WORKPLACE RELATIONS AMENDMENT (WORK CHOICES) BILL 2005

Order of the day read for the adjourned debate on the motion of the Special Minister of State (Senator Abetz)—That this bill be now read a second time.

Debate resumed.

At 2 pm: Debate was interrupted while Senator Siewert was speaking.

4 QUESTIONS

Questions without notice were answered.

5 QUESTION TIME—STATEMENT BY PRESIDENT

The President made a statement relating to the content of a question without notice asked by Senator Troeth during question time today.

6 FAMILY AND COMMUNITY SERVICES—WELFARE—INDUSTRIAL RELATIONS—PROPOSED CHANGES—ANSWERS TO QUESTION

Senator Lundy moved—That the Senate take note of the answers given by the Special Minister of State (Senator Abetz) to questions without notice asked today relating to proposed changes to welfare legislation and to industrial relations.

Debate ensued.

Question put and passed.

7 ENVIRONMENT—NUCLEAR ENERGY—ANSWER TO QUESTION

The Leader of the Australian Democrats (Senator Allison) moved—That the Senate take note of the answer given by the Minister for Immigration and Multicultural and Indigenous Affairs (Senator Vanstone) to a question without notice asked by Senator Allison today relating to nuclear energy.

Question put and passed.

8 PETITION

The following petition, lodged with the Clerk by Senator McLucas, was received:

From 607 petitioners, requesting that the Senate take action to ensure that the proposed changes to industrial relations will not adversely affect Australian employees.

9 NOTICES

Notices of motion:

Senator Humphries: To move on the next day of sitting—That the Joint Committee of Public Accounts and Audit be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 30 November 2005, from 11.30 am to 1 pm, to take evidence for the committee's inquiry into aviation security in Australia. (*general business notice of motion no. 327*)

The Chair of the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Account (Senator Scullion): To move on the next day of sitting—That the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Account be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 29 November 2005, from 5 pm to 7 pm, to take evidence for the committee's inquiry into native title representative bodies. (*general business notice of motion no. 328*)

Senator Bartlett: To move on 7 December 2005—That the Senate—

(a) notes that:

- (i) 8 December 2005 is the 30th anniversary of the first official broadcast of community radio station 4ZZZ-FM from studios at the University of Queensland,
- (ii) 4ZZZ was the first FM stereo radio station in Queensland, the first public broadcaster in Australia with journalists accredited by the (then) Australian Journalists Association, and the first mass-audience format public broadcaster in Australia, and
- (iii) 4ZZZ provided and continues to provide an important means of exposure for many Brisbane musicians, and an important independent local outlet for information and news;

(b) congratulates all those involved in establishing and maintaining this pioneering community-based radio station, now broadcasting from studios in Fortitude Valley in Brisbane; and

(c) expresses support for the ongoing development of community broadcasting in Australia as an important component in ensuring the community has access to a diverse and adequate range of information and entertainment. (*general business notice of motion no. 329*)

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

- (a) notes the initiative of the People's International Peace Summit in London in November 2005, calling for the creation of Departments of Peace in governments throughout the world in response to the increase in violence of all kinds worldwide, the urgent need to find responsible solutions, expanding on past and present peace-building successes; and
- (b) urges the Government to consider establishing a Department of Peace within the Australian Government, the basic functions of which would be to:
 - (i) foster a culture of peace,
 - (ii) research, articulate and help bring about non-violent solutions to conflicts at all levels, and
 - (iii) provide resources for training in peace-building and conflict transformation to people everywhere. (*general business notice of motion no. 330*)

Senator Siewert: To move on the next day of sitting—That the Building and Construction Industry Improvement Regulations 2005, as contained in Select Legislative Instrument 2005 No. 204 and made under the *Building and Construction Industry Improvement Act 2005*, be disallowed.

Senator Bartlett: To move on 1 December 2005—That Schedule 7 of the Migration Amendment Regulations 2005 (No. 8), as contained in Select Legislative Instrument 2005 No. 221 and made under the *Migration Act 1958*, be disallowed.

The Minister for Justice and Customs (Senator Ellison): To move on the next day of sitting—That the Anti-Terrorism Bill (No. 2) 2005 and the Telecommunications (Interception) Amendment (Stored Communications and Other Measures) Bill 2005 may be taken together for their remaining stages.

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

- (a) notes:
 - (i) the admission by the Pentagon that forces of the United States of America (US) used white phosphorus weapons in the 2004 assault on the Iraqi city of Fallujah,
 - (ii) that the recent Arab League sponsored Iraqi National Accord Conference held in Egypt demanded the 'withdrawal of foreign forces in accordance with a timetable', and
 - (iii) that US Democrat Representative Mr John Murtha, reflecting US public opinion, has described the Iraq occupation as 'a flawed policy wrapped in illusion' and has called for the 'immediate redeployment of US troops'; and
- (b) calls on the Government to withdraw Australian troops from Iraq. (*general business notice of motion no. 331*)

Senator Bob Brown: To move on the next day of sitting—That the Senate expresses its abhorrence of the death penalty. (*general business notice of motion no. 332*)

Notices of motion withdrawn: Senator Eggleston, at the request of the Chairman of the Standing Committee on Regulations and Ordinances (Senator Watson) and pursuant to notice of intention given on 10 November 2005, withdrew notices of motion standing in the name of Senator Watson as follows:

Business of the Senate notices of motion nos 1, 2 and 3 for today for the disallowance of the following instruments:

Australian Passports Determination 2005, made under section 57 of the *Australian Passports Act 2005* and section 8 of the *Australian Passports (Application Fees) Act 2005*.

Foreign Passports Determination 2005, made under section 24 of the *Passports Act 1938*.

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*.

Business of the Senate notices of motion nos 1 and 2 for 7 sitting days after today for the disallowance of the following instruments:

Health Insurance (Obstetric Item 15999) Determination HS/02/2005, made under subsection 3C(1) of the *Health Insurance Act 1973*.

Variation to Licence Area Plan for Scottsdale Radio – No. 1 of 2005, made under subsection 26(2) of the *Broadcasting Services Act 1992*.

10 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Eggleston, by leave and at the request of the Chair of the Employment, Workplace Relations and Education Legislation Committee (Senator Troeth), moved—That the time for the presentation of the report of the Employment, Workplace Relations and Education Legislation Committee on the Commonwealth Radioactive Waste Management Bill 2005 and a related bill be extended to 29 November 2005.

Question put and passed.

11 POSTPONEMENTS

The following items of business were postponed:

General business notice of motion no. 298 standing in the name of Senator Stott Despoja for today, proposing the introduction of the Privacy (Equality of Application) Amendment Bill 2005, postponed till 5 December 2005.

General business notice of motion no. 318 standing in the name of Senator Siewert for today, relating to the Japanese whaling program, postponed till 30 November 2005.

12 FOREIGN AFFAIRS—NUCLEAR NON-PROLIFERATION TREATY

The Leader of the Australian Democrats (Senator Allison), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 315—That the Senate—

(a) notes and welcomes:

(i) the L28 resolution, ‘Renewed determination towards the total elimination of nuclear weapons’, sponsored by Australia, Bangladesh, Chile, Italy, Japan, Nepal, Nicaragua, Spain, Switzerland and Ukraine and passed by the United Nations (UN) General Assembly First Committee with unprecedented support with only India and the United States of America (US) voting against it, and

(ii) the L26 resolution on the Comprehensive Nuclear-Test-Ban Treaty (CTBT) sponsored by Andorra, Australia, the Czech Republic, Finland, Mexico, New Zealand and South Africa and was passed with only the US voting against it;

- (b) notes that resolution L28:
- (i) calls for the nuclear weapon states to further reduce the operational status of nuclear weapons systems in ways that promote international stability and security,
 - (ii) encourages further steps leading to nuclear disarmament, to which all states party to the Nuclear Non-Proliferation Treaty (NPT) are committed under Article VI, including deeper reductions in all types of nuclear weapons, and emphasises the importance of applying irreversibility and verifiability, as well as increased transparency in a way that promotes international stability and undiminished security for all, in the process of working towards the elimination of nuclear weapons,
 - (iii) encourages the Russian Federation and the US to implement fully the Treaty on Strategic Offensive Reductions and to undertake nuclear arms reductions beyond those provided for by the treaty, while welcoming the progress made by nuclear weapon states, including the Russian Federation and the US on nuclear arms reductions,
 - (iv) urges all states that have not yet done so to sign and ratify the CTBT at the earliest opportunity with a view to its early entry into force, and stresses the importance of maintaining existing moratoriums on nuclear weapon test explosions, pending the entry into force of the CTBT,
 - (v) calls on states not party to the NPT to accede to it as non-nuclear weapon states without delay and without conditions and, pending their accession, to refrain from acts that would defeat the objective and purpose of the NPT, and to take practical steps in support of the treaty,
 - (vi) emphasises the importance of the immediate commencement of negotiations on a fissile material cut-off treaty (FMCT) and its early conclusion, and calls on all nuclear weapon states and states not party to the NPT to declare moratoriums on the production of fissile material for any nuclear weapons, pending the entry into force of the FMCT,
 - (vii) calls on all states to redouble their efforts to prevent and curb the proliferation of nuclear and other weapons of mass destruction (WMD) and their means of delivery, and
 - (viii) stresses the importance of further efforts for non-proliferation, including the universalisation of International Atomic Energy Agency comprehensive safeguards and the Additional Protocol on strengthened safeguards, and the full implementation of UN Security Council resolution 1540; and
- (c) reaffirms the importance of:
- (i) the continued development of the CTBT verification regime, including the international monitoring system,
 - (ii) all states party to the NPT complying with their obligations under all the articles of the treaty, and stresses the importance of an effective treaty review process and the universality of the NPT,
 - (iii) the early entry into force of the CTBT and of all efforts made by Australia to further that aim,
 - (iv) the nuclear disarmament and non-proliferation goals and the balanced approach to nuclear disarmament and non-proliferation contained in the final document of the 2000 NPT Review conference and the L28 resolution, and

- (v) international efforts to prevent the acquisition and the use by terrorists of nuclear or other WMD, and radioactive materials and sources, including strengthened international protection of WMD-usable materials and relevant equipment, facilities and technology.

Question put and passed.

13 ENVIRONMENT—CLIMATE CHANGE—KYOTO PROTOCOL

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 310—That the Senate—

- (a) notes the ‘call to action’ endorsed by the Assembly of Movements of the World Social Forum for an international demonstration on climate change on Saturday, 3 December 2005; and
- (b) endorses the demand that Australia ratify the Kyoto Protocol immediately, and that the entire world community move as rapidly as possible to a stronger emissions reductions treaty that will be both equitable and effective in stabilising greenhouse gases and preventing climate change.

Question put.

The Senate divided—

AYES, 33

Senators—

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

NOES, 37

Senators—

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

Question negatived.

14 POSTPONEMENT

Senator Murray, by leave, moved—That general business notice of motion no. 317 standing in his name for today, relating to Australia’s time zones and daylight saving, be postponed till 29 November 2005.

Question put and passed.

15 FOREIGN AFFAIRS—FREE TRADE AREA OF THE AMERICAS

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 316—That the Senate—

(a) notes:

- (i) the recent widespread protest and opposition across Latin America to the President of the United States of America (US), George W Bush and his proposed Free Trade Area of the Americas,
- (ii) the concern of Latin Americans that such an agreement would reinforce economic inequality in the region and political domination by the US, and
- (iii) the failure of American leaders to agree to further negotiations on the agreement; and

(b) commends the Argentinean people and Latin American leaders for their campaign to defend their culture and economies from the threat of a Free Trade Area of the Americas.

Question put and negatived. All Australian Greens senators, by leave, recorded their votes for the ayes.

16 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION LEGISLATION COMMITTEE—REPORT—WORKPLACE RELATIONS AMENDMENT (WORK CHOICES) BILL 2005

The Deputy President (Senator Hogg) tabled the following report and documents received on 22 November 2005:

Employment, Workplace Relations and Education Legislation Committee—Provisions of the Workplace Relations Amendment (Work Choices) Bill 2005—Report, dated November 2005, Hansard record of proceedings, documents presented to the committee, additional information and submissions [202].

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

17 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—GOVERNMENT RESPONSE—DUTIES OF AUSTRALIAN PERSONNEL IN IRAQ

The Deputy President (Senator Hogg) tabled the following document received on 16 November 2005:

Foreign Affairs, Defence and Trade References Committee—Report—Duties of Australian personnel in Iraq—Government response, dated November 2005.

18 GOVERNMENT DOCUMENTS

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

Administrative Appeals Tribunal—Report for 2004-05. [*Received 16 November 2005*]

Australian Sports Commission—Report for 2004-05. [*Received 16 November 2005*]

Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2004-05. [*Received 23 November 2005*]

Department of Defence—Report for 2004-05. [*Received 11 November 2005*]

Indigenous Business Australia—Report for 2004-05. [*Received 15 November 2005*]

Private Health Insurance Ombudsman—Report for 2004-05. [*Received 16 November 2005*]

19 AUDITOR-GENERAL—AUDIT REPORTS NOS 15 AND 16 OF 2005-06—DOCUMENTS

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

Auditor-General—Audit reports for 2005-06—

No. 15—Performance audit—Administration of the R&D Start Program: Department of Industry, Tourism and Resources: Industry Research and Development Board. [*Received 15 November 2005*]

No. 16—Performance audit—Management and processing of leave. [*Received 17 November 2005*]

20 FOREIGN AFFAIRS—MR NGUYEN TUONG VAN—DOCUMENT

The Deputy President (Senator Hogg) tabled the following document:

Foreign Affairs—Mr Nguyen Tuong Van—Letter to the President of the Senate from the High Commissioner of the Republic of Singapore (His Excellency Joseph KH Koh) responding to the resolution of the Senate of 8 November 2005, dated 16 November 2005.

The Minister for Justice and Customs (Senator Ellison), by leave, moved—That the Senate take note of the document.

Debate ensued.

Time expired: The debate reached the limit of 30 minutes.

Leave was granted for the time for the debate to be extended.

Debate continued.

Question put and passed.

21 ENVIRONMENT—MURRAY RIVER—DOCUMENT

The Deputy President (Senator Hogg) tabled the following document:

Environment—Murray River—Letter to the President of the Senate from the Premier of South Australia (Mr M Rann) responding to the resolution of the Senate of 11 October 2005.

22 PARLIAMENTARY ZONE—CAPITAL WORKS PROPOSALS—DOCUMENTS

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Colbeck) tabled the following documents:

Parliament Act—Parliamentary Zone—Proposals, together with supporting documentation, relating to—

Construction of two kiosk concession buildings and associated minor paving and service supply works at Commonwealth Place.

Reconciliation Place stage 3—Reconciliation artworks.

Notice of motion: Senator Colbeck, by leave, gave a notice of motion as follows: To move on 1 December 2005—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposals by the National Capital Authority for capital works within the Parliamentary Zone, being the construction of kiosks, and the installation of artworks at Reconciliation Place.

**23 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—
BUDGET ESTIMATES 2005-06**

Senator Johnston, at the request of the Chair of the Community Affairs Legislation Committee (Senator Humphries), tabled additional information received by the committee (Budget estimates 2005-06—vol. 4—Health and Ageing portfolio).

24 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—405TH REPORT

Senator Johnston, on behalf of the Joint Committee of Public Accounts and Audit, tabled the following report:

Public Accounts and Audit—Joint Statutory Committee—405th report—Annual report 2004-05, dated November 2005.

Senator Johnston, by leave, moved—That the Senate take note of the report.

Question put and passed.

25 DOCUMENTS

The following documents were tabled by the Clerk:

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

A New Tax System (Goods and Services Tax) Act—GST-free Supply (Health Goods) Determination 2005 [F2005L03536]*.

Aged Care Act—

Approval of Care Recipients Amendment Principles 2005 (No. 2) [F2005L03477]*.

Flexible Care Subsidy Amendment Principles 2005 (No. 2) [F2005L03481]*.

Air Services Act—Air Services Regulations—Instruments Nos—

AERU-05-41—Flight Information Regions [F2005L03633]*.

AERU-05-42—Class A Airspace [F2005L03636]*.

AERU-05-43—Class C Airspace [F2005L03637]*.

AERU-05-44—Class C Control Zones [F2005L03638]*.

AERU-05-45—Class D Airspace [F2005L03639]*.

AERU-05-46—Class D Control Zones [F2005L03640]*.

AERU-05-47—Class E Airspace [F2005L03641]*.

AERU-05-48—Class G Airspace [F2005L03642]*.

AERU-05-49—General Aviation Aerodrome Procedures (GAAP) Control Zones [F2005L03643]*.

AERU-05-53—Controlled Aerodromes [F2005L03644]*.

AERU-05-55—Controlled Aerodromes and Airspace [F2005L03705]*.

Appropriation Act (No. 1) 2005-2006—Advance to the Finance Minister—Determination No. 1 of 2005-2006 [F2005L03479].*

Australian Bureau of Statistics Act—Proposals Nos—

11 of 2005—Business Characteristics Survey.

12 of 2005—Time Use Survey.

Australian Hearing Services Act—Declared Hearing Services Amendment Determination 2005 (No. 1) [F2005L03685]*.

Australian Prudential Regulation Authority Act—Non-Confidentiality Determination No. 11 of 2005—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 (2005) [F2005L03614]*.

Australian Wine and Brandy Corporation Act—Select Legislative Instrument 2005 No. 245—Australian Wine and Brandy Corporation Amendment Regulations 2005 (No. 2) [F2005L03397]*.

Banking Act—

Banking (Prudential Standards) Determination No. 3 of 2005—Prudential Requirements for Providers of Purchased Payment Facilities [F2005L03624]*.

Consent to use restricted expressions—Class consent – providers of purchased payment facilities [F2005L03623]*.

Determination of restricted expressions—‘Purchased payment facility provider’ and ‘PPF provider’ [F2005L03622]*.

Broadcasting Services Act—Licence Area Plan for Oatlands Radio, dated November 2005 [F2005L03635]*.

Civil Aviation Act—

Civil Aviation Regulations—Instruments Nos—

CASA 429/05—Permission and direction – helicopter special operations [F2005L03514]*.

CASA 435/05—Instructions – GLS approach procedures [F2005L03531]*.

CASA 436/05—Permission and direction – helicopter special operations [F2005L03517]*.

CASA 443/05—Designation of non-controlled aerodromes [F2005L03694]*.

CASA 445/05—Approval under subregulation 207(2) [F2005L03484]*.

CASA EX51/05—Exemption, permit, permission and directions – bungy jumping [F2005L03525]*.

Civil Aviation Safety Regulations—Airworthiness Directives—Part—
105—

AD/A320/150—Flight Manual Amendment – Fuel Leak Procedure [F2005L03538]*.

AD/A320/185—Centre Tank Fuel Pump Control [F2005L03539]*.

AD/A320/186—Pilot and Co-pilot Powered Seats [F2005L03540]*.

AD/A330/55—Pilot and Co-pilot Powered Seats [F2005L03541]*.

AD/B727/151 Amdt 1—Engine Forward Support Fitting [F2005L03543]*.

AD/B727/198—Lower Lobe Frames of Body Section 43 [F2005L03544]*.

AD/B727/199—AFM Amendment – Fuel Pump Circuit Breaker [F2005L03620]*.

AD/B737/10 Amdt 2—Aft Lower Cargo Doorway Frame [F2005L03545]*.

AD/B737/252—Leading Edge Slat Track Fittings [F2005L03546]*.

AD/B737/253—Main Landing Gear Components [F2005L03550]*.

AD/B737/254—In-Flight Entertainment System – FAA STC ST00516AT [F2005L03551]*.

AD/B737/255—Oxygen Masks AFM Amendment [F2005L03552]*.

AD/B737/256—Hydraulic System “B” Abex Pump Motor [F2005L03553]*.
AD/B737/257—Bendix Main Wheel [F2005L03554]*.
AD/B737/258—Forward Engine Mount Support Fitting [F2005L03555]*.
AD/B737/259—Fail-Safe Straps of the Nose Cowl Engine Inlet Attach Ring [F2005L03556]*.
AD/B737/260—Wing Front and Rear Spars Upper and Lower Chords [F2005L03561]*.
AD/B737/261—Main Deck Floor Beams [F2005L03564]*.
AD/B737/262—Wing Outboard Flap Inboard Flap Track [F2005L03567]*.
AD/B737/263—Krueger Flap Actuator Support Fittings [F2005L03568]*.
AD/B737/264—Horizontal Stabiliser Centre Section Front Spar [F2005L03570]*.
AD/B737/265—Emergency Floor Path Lighting System [F2005L03571]*.
AD/B737/266—Upper and Lower Skins of the Fuselage Lap Joint [F2005L03572]*.
AD/B737/267—Aft Engine Mount Secondary Support [F2005L03573]*.
AD/B737/268—Floor Beams and Pressure Web Transverse Beams above the Main Wheel Well [F2005L03574]*.
AD/B737/269—Engine Mount Cone Bolt Nuts [F2005L03575]*.
AD/B767/59 Amdt 1—Spoiler Rub Strip [F2005L03576]*.
AD/B767/138 Amdt 3—Nacelle Strut Midspar Fitting [F2005L03577]*.
AD/B767/167 Amdt 3—Centre/Auxiliary Fuel Tank Override/Jettison Fuel Pumps [F2005L03578]*.
AD/B767/201 Amdt 1—Body Station 955 Fail-Safe Straps [F2005L03579]*.
AD/BAe 146/118—Left Control Cable Duct at Frame 12 and Toilet Bulkhead Structure [F2005L03580]*.
AD/BEA 121/8 Amdt 4—Rudder Control Torque Tubes [F2005L03581]*.
AD/CESSNA 400/113—Avionics Bus Circuit Breaker Switch [F2005L03582]*.
AD/DHC-8/100 Amdt 2—Fluorescent Lighting System [F2005L03586]*.
AD/DHC-8/104—Elevator Trim and Gust Lock Chain Failure [F2005L03587]*.
AD/DO 328/1—Fuel Tank Safety Requirements [F2005L03588]*.
AD/DO 328/2—Alternator Power Cables [F2005L03589]*.
AD/DO 328/3—RVSM Operations [F2005L03600]*.
AD/DO 328/4—De-icing/Anti-icing Fluids [F2005L03695]*.
AD/EMB-120/33 Amdt 1—Aileron and Elevator Rotary Variable Inductive Transducer Bellcrank Assemblies [F2005L03590]*.
AD/F100/73—Wing-to-Fuselage Fairings [F2005L03591]*.
AD/F406/15—Aileron Bearing Corrosion [F2005L03592]*.
AD/GENERAL/63 Amdt 1—Flammability Requirements – Aircraft Seat Cushions [F2005L03593]*.

- AD/GENERAL/65 Amdt 4—Hand Held Portable Fire Extinguishers [F2005L03594]*.
- AD/PA-28/97—AN894-6-4 Bushing Screw Thread Expanders [F2005L03595]*.
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- AD/AL 250/88—Third-stage Turbine Wheel Seal Joint [F2005L03542]*.
- AD/CF6/59 Amdt 1—HP Compressor Rotor Stage 11-14 Spool Shaft [F2005L03583]*.
- AD/CON/84 Amdt 2—Starter Adapter Assembly [F2005L03584]*.
- AD/CT7/12—Stage 2 Turbine Aft Cooling Plate [F2005L03585]*.
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- AD/PHZL/23 Amdt 5—Blade shank – Inspection and Modification [F2005L03596]*.
- AD/PROP/6—“Fastprop” Propeller De-Icers [F2005L03597]*.
- Select Legislative Instrument 2005 No. 258—Civil Aviation Safety Amendment Regulations 2005 (No. 1) [F2005L03421]*.
- Class Rulings CR 2005/94-CR 2005/104.
- Classification (Publications, Films and Computer Games) Act—Select Legislative Instrument 2005 No. 264—Classification (Publications, Films and Computer Games) Regulations 2005 [F2005L03681]*.
- Commonwealth Authorities and Companies Act—Notices under paragraphs—
- 45(1)(a) and (c)—Participation in formation and membership of CRC CARE Pty Ltd.
- 45(1)(e)—Variation in membership of—
- Film Australia Limited.
- Film Finance Corporation Australia Limited.
- Corporations Act—ASIC Class Orders—
- [CO 05/736] [F2005L03615]*.
- [CO 05/737] [F2005L03616]*.
- [CO 05/738] [F2005L03618]*.
- [CO 05/739] [F2005L03617]*.
- [CO 05/740] [F2005L03619]*.
- Customs Act—
- CEO Determination No. 2 of 2005 [F2005L03527]*.
- CEO Instruments of Approval Nos—
- 109 of 2005 [F2005L03625]*.
- 110 of 2005 [F2005L03626]*.
- 111 of 2005 [F2005L03627]*.
- 112 of 2005 [F2005L03628]*.
- Select Legislative Instruments 2005 Nos—
- 248—Customs Amendment Regulations 2005 (No. 7) [F2005L03288]*.
- 249—Customs (Prohibited Imports) Amendment Regulations 2005 (No. 4) [F2005L03255]*.
- 250—Customs (Prohibited Imports) Amendment Regulations 2005 (No. 5) [F2005L03395]*.
- 265—Customs Amendment Regulations 2005 (No. 8) [F2005L03528]*.
- Tariff Concession Orders—
- 0506269 [F2005L03557]*.

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0508304 [F2005L03558]*.
0508318 [F2005L03502]*.
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0510513 [F2005L03504]*.
0510518 [F2005L03505]*.
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0510722 [F2005L03490]*.
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0511532 [F2005L03662]*.
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0512078 [F2005L03667]*.

Customs Legislation Amendment (Application of International Trade Modernisation and Other Measures) Act—CEO Specification No. 3 of 2005 [F2005L03629]*.

Defence Act—Determinations under section—

58B—Defence Determinations—

2005/45—Member without dependants' choice accommodation – Darwin trial.

2005/46—Attendance allowance.

2005/47—Hardship allowance – amendment.

- 2005/48—Overseas living and hardship allowances – amendment.
- 2005/49—Overseas conditions of service – post indexes.
- 58H—Defence Force Remuneration Tribunal Determination No. 12 of 2005—Specialist Salary Structure – Legal Officers – Amendment.
- Defence Force (Home Loans Assistance) Act—Declaration of Warlike Service—(Operation PALATE), dated 31 October 2005 [F2005L03520]*.
- (Operation PALATE II), dated 31 October 2005 [F2005L03516]*.
- Environment Protection and Biodiversity Conservation Act—Amendments of lists of—
 - Exempt native specimens, dated—
 - 28 October 2005 [F2005L03689]*.
 - 7 November 2005 [F2005L03692]*.
 - 16 November 2005 [F2005L03688]*.
 - Threatened ecological communities, dated 15 November 2005 [F2005L03606]*.
 - Threatened species, dated 26 October 2005 [F2005L03547]*.
- Select Legislative Instrument 2005 No. 251—Environment Protection and Biodiversity Conservation Amendment Regulations 2005 (No. 2) [F2005L03473]*.
- Excise Bulletins—Notices of Withdrawal—
 - EB 2000/2.
 - EB 2001/1.
- Export Control Act—Export Control (Orders) Regulations—Export Control (Fees) Amendment Orders 2005 (No. 3) [F2005L03518]*.
- Federal Magistrates Act—Select Legislative Instrument 2005 No. 263—Federal Magistrates Court Amendment Rules 2005 (No. 1) [F2005L03610]*.
- Financial Sector (Collection of Data) Act—Financial Sector (Collection of Data) Determination No. 106 of 2005—Reporting Standard GRS 170.1 (2005) [F2005L03603]*.
- Fisheries Management Act—Southern Squid Jig Fishery Management Plan 2005—Directions Nos—
 - SSJFDIR 1—Bycatch limits [F2005L03358]*.
 - SSJFDIR 2—Prohibition on shark finning [F2005L03364]*.
- Food Standards Australia New Zealand Act—Australia New Zealand Food Standards Code—
 - Amendment No. 82 – 2005 [F2005L03463]*.
 - Amendment No. 83 – 2005 [F2005L03673]*.
- Great Barrier Reef Marine Park Act—
 - Cairns Area Plan of Management Amendment 2005 (No. 1) [F2005L03457]*.
 - Select Legislative Instrument 2005 No. 252—Great Barrier Reef Marine Park Amendment Regulations 2005 (No. 2) [F2005L03455]*.
 - Whitsundays Plan of Management Amendment 2005 (No. 1) [F2005L03456]*.
- Hazardous Waste (Regulation of Exports and Imports) Act—Select Legislative Instrument 2005 No. 253—Hazardous Waste (Regulation of Exports and Imports) Amendment Regulations 2005 (No. 2) [F2005L03452]*.
- Income Tax Assessment Act 1936*—Select Legislative Instrument 2005 No. 262—Income Tax Amendment Regulations 2005 (No. 7) [F2005L03450]*.

Industrial Chemicals (Notification and Assessment) Act—Select Legislative Instrument 2005 No. 257—Industrial Chemicals (Notification and Assessment) Amendment Regulations 2005 (No. 2) [F2005L03470]*.

Insurance Act—Insurance (Exemption) Determination No. 2 of 2005—Audit requirements relating to certain yearly statutory accounts under GRS 170.1 [F2005L03602]*.

Lands Acquisition Act—Statements describing property acquired by agreement for specified public purposes under sections—

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Legislative Instruments Act—Select Legislative Instrument 2005 No. 266—Legislative Instruments Amendment Regulations 2005 (No. 4) [F2005L03682]*.

Military Rehabilitation and Compensation Act—Military Rehabilitation and Compensation (Warlike Service) Determination 2005 [F2005L03530]*.

Motor Vehicle Standards Act—Vehicle Standard (Australian Design Rule 83/00 – External Noise) 2005 [F2005L03523]*.

National Health Act—

Condition of registration under section 73B, dated 3 November 2005 [F2005L03613]*.

Determination HIB 23/2005 [F2005L03621]*.

Determination under paragraph 98B(1)(a), dated 17 November 2005 [F2005L03648]*.

Navigation Act—Marine Order No. 7 of 2005—Carriage of dangerous goods [F2005L03607]*.

Nuclear Non-Proliferation (Safeguards) Act—Select Legislative Instrument 2005 No. 270—Nuclear Non-Proliferation (Safeguards) Amendment Regulations 2005 (No. 1) [F2005L03693]*.

Ozone Protection and Synthetic Greenhouse Gas Management Act—Select Legislative Instrument 2005 No. 254—Ozone Protection and Synthetic Greenhouse Gas Management Amendment Regulations 2005 (No. 3) [F2005L03476]*.

Primary Industries (Excise) Levies Act—Select Legislative Instrument 2005 No. 246—Primary Industries (Excise) Levies Amendment Regulations 2005 (No. 4) [F2005L03465]*.

Primary Industries Levies and Charges Collection Act—Select Legislative Instrument 2005 No. 247—Primary Industries Levies and Charges Collection Amendment Regulations 2005 (No. 2) [F2005L03466]*.

Product Rulings—

Addenda—

PR 2003/2, PR 2003/11, PR 2003/22 and PR 2003/24.

PR 2004/1, PR 2004/2, PR 2004/44, PR 2004/55, PR 2004/59, PR 2004/62, PR 2004/82 and PR 2004/83.

PR 2005/10, PR 2005/11, PR 2005/17, PR 2005/18, PR 2005/30 and PR 2005/31.

Quarantine Act—

Quarantine Amendment Proclamation 2005 (No. 3) [F2005L03363]*.

- Quarantine Service Fees Amendment Determination 2005 (No. 1) [F2005L03519]*.
- Radiocommunications Act—Radiocommunications Amendment Standard 2005 (No. 1) [F2005L03647]*.
- Remuneration Tribunal Act—
Determination 2005/17: Parliamentary Office Holders – Additional Salary [F2005L03434]*.
Select Legislative Instrument 2005 No. 269—Remuneration Tribunal (Members' Fees and Allowances) Regulations 2005 [F2005L03687]*.
- Renewable Energy (Electricity) Act—Select Legislative Instruments 2005 Nos—
255—Renewable Energy (Electricity) Amendment Regulations 2005 (No. 3) [F2005L03467]*.
256—Renewable Energy (Electricity) Amendment Regulations 2005 (No. 4) [F2005L03271]*.
- Retirement Savings Accounts Act—Select Legislative Instrument 2005 No. 260—
Retirement Savings Accounts Amendment Regulations 2005 (No. 3) [F2005L03449]*.
- Social Security (Administration) Act—Social Security (Public Interest Certificate Guidelines) Determination 2005 (DEWR) [F2005L03511]*.
- Statutory Declarations Act—Select Legislative Instrument 2005 No. 267—
Statutory Declarations Amendment Regulations 2005 (No. 1) [F2005L03677]*.
- Superannuation Guarantee Determination SGD 2005/2.
- Superannuation Industry (Supervision) Act—Select Legislative Instrument 2005 No. 261—
Superannuation Industry (Supervision) Amendment Regulations 2005 (No. 5) [F2005L03446]*.
- Sydney Airport Curfew Act—
Dispensation Report 11/05 [2 dispensations].
Notice specifying jet aircraft permitted to take-off or land during a curfew period, dated 8 November 2005 [F2005L03601]*.
- Taxation Administration Act—PAYG withholding – Tax tables [F2005L03696]*.
- Taxation Determination TD 2005/47.
- Telecommunications Act—
Telecommunications Numbering Plan Variation 2005 (No. 4) [F2005L03651]*.
Telecommunications (Types of Cabling Work) Amendment Declaration 2005 (No. 1) [F2005L03649]*.
- Veterans' Entitlements Act—
Determination of Non-warlike Service (Operation HUSKY), dated 10 October 2005 [F2005L03534]*.
Determination of Warlike Service (Operation PALATE), dated 31 October 2005 [F2005L03487]*
Statements of Principles concerning—
Cervical spondylosis No. 33 of 2005 [F2005L03471]*.
Cervical spondylosis No. 34 of 2005 [F2005L03472]*.
Lumbar spondylosis No. 37 of 2005 [F2005L03478]*.
Lumbar spondylosis No. 38 of 2005 [F2005L03480]*.
Osteoarthritis No. 31 of 2005 [F2005L03464]*.
Osteoarthritis No. 32 of 2005 [F2005L03469]*.

Solvent related chronic encephalopathy No. 39 of 2005 [F2005L03482]*.
 Solvent related chronic encephalopathy No. 40 of 2005 [F2005L03483]*.
 Thoracic spondylosis No. 35 of 2005 [F2005L03474]*.
 Thoracic spondylosis No. 36 of 2005 [F2005L03475]*.

Governor-General's Proclamations—Commencement of Provisions of Acts

Border Protection Legislation Amendment (Deterrence of Illegal Foreign Fishing) Act 2005—Part 2, and Division 1 of Part 3, of Schedule 1—30 November 2005 [F2005L03632].*

Migration Litigation Reform Act 2005—Schedule 1—1 December 2005 [F2005L03684].*

Primary Industries (Excise) Levies Amendment (Rice) Act 2005—Schedule 1—1 January 2006 [F2005L03468].*

* Explanatory statement tabled with legislative instrument.

26 COMMITTEES—CHANGES IN MEMBERSHIP

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

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Colbeck), by leave, moved—That senators be discharged from and appointed to committees as follows:

Foreign Affairs, Defence and Trade—Joint Standing Committee—

Discharged—Senator George Campbell

Appointed—Senator Crossin

Privileges—Standing Committee—

Discharged—

Senator Hutchins

Senator Evans from 11 December 2005

Appointed—Senator Evans.

Question put and passed.

27 TAX LAWS AMENDMENT (SUPERANNUATION CONTRIBUTIONS SPLITTING)

BILL 2005

THERAPEUTIC GOODS AMENDMENT BILL 2005

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

Message no. 248, dated 10 November 2005—A Bill for an Act in respect of taxation measures relating to superannuation, and for related purposes.

Message no. 249, dated 28 November 2005—A Bill for an Act to amend the *Therapeutic Goods Act 1989*, and for related purposes.

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Colbeck) 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 Colbeck moved—That these bills be now read a second time.

Explanatory memorandum: Senator Colbeck tabled a revised explanatory memorandum relating to the Therapeutic Goods Amendment Bill 2005.

On the motion of Senator Colbeck the debate was adjourned till the next day of sitting.
Consideration of legislation: Senator Colbeck moved—That the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

28 LAW AND JUSTICE LEGISLATION AMENDMENT (VIDEO LINK EVIDENCE AND OTHER MEASURES) BILL 2005

A message from the House of Representatives was reported agreeing to the amendments made by the Senate to the following bill:

Message no. 247, dated 10 November 2005—Law and Justice Legislation Amendment (Video Link Evidence and Other Measures) Bill 2005.

29 GOVERNOR-GENERAL'S MESSAGES—ASSENT TO LAWS

Messages from His Excellency the Governor-General were reported, informing the Senate that he had assented to the following laws:

15 November 2005—Message—

No. 44—

Consular Privileges and Immunities Amendment Act 2005 (Act No. 132, 2005)

Acts Interpretation Amendment (Legislative Instruments) Act 2005 (Act No. 133, 2005).

No. 45—

Australian Workplace Safety Standards Act 2005 (Act No. 134, 2005)

National Occupational Health and Safety Commission (Repeal, Consequential and Transitional Provisions) Act 2005 (Act No. 135, 2005)

Law and Justice Legislation Amendment (Video Link Evidence and Other Measures) Act 2005 (Act No. 136, 2005)

Migration Litigation Reform Act 2005 (Act No. 137, 2005).

18 November 2005—Message No. 46—

Corporations Amendment Act (No. 1) 2005 (Act No. 138, 2005)

Higher Education Legislation Amendment (Workplace Relations Requirements) Act 2005 (Act No. 139, 2005)

National Health Amendment (Immunisation Program) Act 2005 (Act No. 140, 2005).

30 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—ANTI-TERRORISM BILL (NO. 2) 2005

Pursuant to order, 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 Anti-Terrorism Bill (No. 2) 2005—Report, dated November 2005, Hansard record of proceedings [3 vols], documents presented to the committee and submissions [294].

Report ordered to be printed on the motion of Senator Payne.
Senator Payne, by leave, moved—That the Senate take note of the report.
Debate ensued.
Question put and passed.

**31 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—REPORT—EMPLOYMENT AND
WORKPLACE RELATIONS LEGISLATION AMENDMENT (WELFARE TO WORK AND
OTHER MEASURES) BILL 2005 AND FAMILY AND COMMUNITY SERVICES
LEGISLATION AMENDMENT (WELFARE TO WORK) BILL 2005**

Pursuant to order, the Chair of the Community Affairs Legislation Committee (Senator Humphries) tabled the following report and documents:

Community Affairs Legislation Committee—Provisions of the Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Bill 2005 and the Family and Community Services Legislation Amendment (Welfare to Work) Bill 2005—Report, dated November 2005, Hansard record of proceedings [3 vols] and submissions [62].

Report ordered to be printed on the motion of Senator Humphries.
Senator Humphries, by leave, moved—That the Senate take note of the report.
Debate ensued.
Question put and passed.

32 WORKPLACE RELATIONS AMENDMENT (WORK CHOICES) BILL 2005

Order of the day read for the adjourned debate on the motion of the Special Minister of State (Senator Abetz)—That this bill be now read a second time.

Debate resumed.

At 9.50 pm: Debate was interrupted.

33 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 10.22 pm till Tuesday, 29 November 2005 at 12.30 pm.

34 ATTENDANCE

Present, all senators except Senators Ferris*, Hutchins, Ray* and Watson (* on leave).

HARRY EVANS
Clerk of the Senate