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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 **LEAVE OF ABSENCE**

Senator Webber, by leave, moved—That leave of absence be granted to the following senators:

- (a) Senator Conroy from 19 June to 23 June 2006, on account of parliamentary business overseas;
- (b) Senator Lundy for 19 June and 20 June 2006, on account of parliamentary business overseas;
- (c) Senator Bishop for 19 June and 20 June 2006, on account of ill health; and
- (d) Senator Sherry from 19 June to 23 June 2006, for personal reasons.

Question put and passed.

3 **EXCISE LAWS AMENDMENT (FUEL TAX REFORM AND OTHER MEASURES)**

BILL 2006

EXCISE TARIFF AMENDMENT (FUEL TAX REFORM AND OTHER MEASURES)

BILL 2006

CUSTOMS AMENDMENT (FUEL TAX REFORM AND OTHER MEASURES) BILL 2006

CUSTOMS TARIFF AMENDMENT (FUEL TAX REFORM AND OTHER MEASURES)

BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for the Arts and Sport (Senator Kemp)—That these bills be now read a second time.

Debate resumed.

Question put and passed.

Bills read a second time.

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

In the committee

EXCISE LAWS AMENDMENT (FUEL TAX REFORM AND OTHER MEASURES)

BILL 2006—

Bill taken as a whole by leave.

Explanatory memorandum: The Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

Bill debated.

On the motion of Senator Colbeck the following amendments, taken together by leave, were agreed to:

- Schedule 1, item 37, page 8 (line 15), omit “31 March”, substitute “30 September”.
- Schedule 1, item 37, page 8 (line 17), omit “15 April”, substitute “15 October”.
- Schedule 1, item 37, page 8 (line 17), omit “31 March”, substitute “30 September”.
- Schedule 1, item 37, page 8 (line 18), omit “15 March”, substitute “15 September”.
- Schedule 1, item 37, page 8 (line 18), omit “31 March”, substitute “30 September”.
- Schedule 1, item 40, page 9 (line 5), omit “31 March”, substitute “30 September”.
- Schedule 1, item 40, page 9 (line 6), omit “1 March”, substitute “1 September”.
- Schedule 1, item 40, page 9 (line 7), omit “31 March”, substitute “30 September”.
- Schedule 1, item 40, page 9 (line 9), omit “31 March”, substitute “30 September”.
- Schedule 1, item 40, page 9 (line 11), omit “15 April”, substitute “15 October”.
- Schedule 1, item 40, page 9 (line 12), omit “1 April”, substitute “1 October”.
- Schedule 1, item 40, page 9 (line 17), omit “31 March”, substitute “30 September”.
- Schedule 1, item 102, page 27 (line 22), omit “*31 March 2007*”, substitute “*30 September 2006*”.
- Schedule 1, item 102, page 27 (lines 24 and 25), omit “is taken to continue in force under that Part until the end of 31 March 2007”, substitute “ceases to be in force at the end of 30 September 2006”.

Bill, as amended, agreed to.

**EXCISE TARIFF AMENDMENT (FUEL TAX REFORM AND OTHER MEASURES)
BILL 2006—**

Bill taken as a whole by leave.

Senator Murray moved the following requests for amendments together by leave:

That the House of Representatives be requested to make the following amendments:

Schedule 1, item 30, page 6 (lines 12 to 16), omit the item, substitute:

30 The Schedule (definition of *Brandy*)

Repeal the definition.

Schedule 1, item 32, page 6 (lines 19 to 22), omit the item.

Schedule 1, item 35, page 7 (lines 7 to 13), omit the item, substitute:

35 The Schedule (definition of *Other Excisable Beverage*)

Repeal the definition, substitute:

other excisable beverage means any beverage containing more than 1.15% alcohol by volume, but does not include:

- (a) beer; or
- (b) wine.

Schedule 1, item 45, page 8 (line 12) to page 15 (before line 1), omit the item, substitute:

45 The Schedule (table)

Repeal the table, substitute:

Excise duties			
Item	Subitem	Description of goods	Rate of Duty
1		Beer	
	1.1	Beer not exceeding 3% by volume of alcohol packaged in an individual container not exceeding 48 litres	\$31.73 per litre of alcohol calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
	1.2	Beer not exceeding 3% by volume of alcohol packaged in an individual container exceeding 48 litres	\$6.33 per litre of alcohol calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
	1.5	Beer exceeding 3% but not exceeding 3.5% by volume of alcohol packaged in an individual container not exceeding 48 litres	\$36.98 per litre of alcohol calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
	1.6	Beer exceeding 3% but not exceeding 3.5% by volume of alcohol packaged in an individual container exceeding 48 litres	\$19.89 per litre of alcohol calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
	1.10	Beer exceeding 3.5% by volume of alcohol packaged in an individual container not exceeding 48 litres	\$36.98 per litre of alcohol calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
	1.11	Beer exceeding 3.5% by volume of alcohol packaged in an individual container exceeding 48 litres	\$26.03 per litre of alcohol calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15

Excise duties			
Item	Subitem	Description of goods	Rate of Duty
	1.15	Beer not exceeding 3% by volume of alcohol produced for non-commercial purposes using commercial facilities or equipment	\$2.22 per litre of alcohol calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
	1.16	Beer exceeding 3% by volume of alcohol produced for non-commercial purposes using commercial facilities or equipment	\$2.58 per litre of alcohol calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
2		Other excisable beverages not exceeding 10% by volume of alcohol	
	2.1	Other excisable beverages not exceeding 3% by volume of alcohol packaged in an individual container not exceeding 48 litres	\$31.73 per litre of alcohol calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
	2.5	Other excisable beverages exceeding 3% but not exceeding 3.5% by volume of alcohol packaged in an individual container not exceeding 48 litres	\$36.98 per litre of alcohol calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
	2.21	Other excisable beverages not elsewhere included not exceeding 10% by volume of alcohol	\$36.98 per litre of alcohol
3		Spirits; Other excisable beverages exceeding 10% by volume of alcohol	
	3.1	Other excisable beverages exceeding 10% by volume of alcohol	\$62.64 per litre of alcohol

Excise duties			
Item	Subitem	Description of goods	Rate of Duty
	3.5	Spirit that: (a) a person has an approval, under section 77FD of the <i>Excise Act 1901</i> , to use for fortifying Australian wine or Australian grape must; and (b) is otherwise covered by the approval	Free
	3.6	Spirit that: (a) is for use by a person who is included in a class of persons determined under section 77FE of the <i>Excise Act 1901</i> ; and (b) if a quantity is specified in a determination under that section in relation to the person—does not exceed that quantity; and (c) is for an industrial, manufacturing, scientific, medical, veterinary or educational purpose	Free
	3.7	Spirit that: (a) a person has an approval, under section 77FF of the <i>Excise Act 1901</i> , to use for an industrial, manufacturing, scientific, medical, veterinary or educational purpose; and (b) is otherwise covered by the approval	Free
	3.8	Spirit denatured according to a formula determined under section 77FG of the <i>Excise Act 1901</i> , other than spirit for use as fuel in an internal combustion engine	Free
	3.10	Spirits not elsewhere included	\$62.64 per litre of alcohol

Excise duties			
Item	Subitem	Description of goods	Rate of Duty
5		Tobacco, cigars, cigarettes and snuff	
	5.1	In stick form not exceeding in weight 0.8 grams per stick actual tobacco content	\$0.23259 per stick
	5.5	Other	\$290.74 per kilogram of tobacco content
10		Goods as follows:	
		(a) petroleum condensate and stabilised crude petroleum oil for use otherwise than:	
		(i) in the recovery, production, pipeline transportation or refining of petroleum condensate or stabilised crude petroleum oil; and	
		(ii) as feedstock at a factory specified in a licence granted under Part IV of the Excise Act 1901;	
		(b) topped crude petroleum oil;	
		(c) refined or semi-refined liquid products derived from petroleum, other than such products for use (other than in an internal combustion engine) in refining petroleum condensate or stabilised crude petroleum oil;	
		(d) liquid hydrocarbon products derived through a recycling, manufacturing or other process;	
		(e) denatured ethanol for use as fuel in an internal combustion engine;	
		(f) biodiesel;	

Excise duties			
Item	Subitem	Description of goods	Rate of Duty
		(g) blends of 1 or more of the above goods (with or without other substances), other than blends covered by subsection 77H(1) or (3) of the <i>Excise Act 1901</i> ; but not including the following: (h) goods classified to item 15; (i) waxes, liquefied petroleum gas and bitumen	
	10.1	Petroleum condensate	\$0.38143 per litre
	10.2	Stabilised crude petroleum oil	\$0.38143 per litre
	10.3	Topped crude petroleum oil	\$0.38143 per litre
	10.5	Gasoline (other than for use as fuel in aircraft)	\$0.38143 per litre
	10.6	Gasoline for use as fuel in aircraft	\$0.02854 per litre
	10.7	Blends of gasoline and ethanol	The amount of duty worked out under section 6G
	10.10	Diesel (other than biodiesel)	\$0.38143 per litre
	10.11	Blends of diesel and ethanol	The amount of duty worked out under section 6G
	10.12	Blends of diesel and biodiesel	The amount of duty worked out under section 6G
	10.15	Heating oil	\$0.38143 per litre
	10.16	Kerosene (other than for use as fuel in aircraft)	\$0.38143 per litre
	10.17	Kerosene for use as fuel in aircraft	\$0.02854 per litre
	10.18	Fuel oil	\$0.38143 per litre
	10.20	Denatured ethanol for use as fuel in an internal combustion engine	\$0.38143 per litre
	10.21	Biodiesel	\$0.38143 per litre

Excise duties			
Item	Subitem	Description of goods	Rate of Duty
	10.25	Liquid aromatic hydrocarbons consisting principally of benzene, toluene or xylene or mixtures of them (other than goods covered by section 77J of the <i>Excise Act 1901</i>)	\$0.38143 per litre
	10.26	Mineral turpentine (other than goods covered by section 77J of the <i>Excise Act 1901</i>)	\$0.38143 per litre
	10.27	White spirit (other than goods covered by section 77J of the <i>Excise Act 1901</i>)	\$0.38143 per litre
	10.28	Petroleum products (other than blends) not elsewhere included (other than goods covered by section 77J of the <i>Excise Act 1901</i>)	\$0.38143 per litre
	10.30	Blends of 1 or more of the above goods (with or without other substances) not elsewhere included that can be used as fuel in an internal combustion engine (other than goods covered by section 77J of the <i>Excise Act 1901</i>)	The amount of duty worked out under section 6G
15		Goods as follows, other than: (a) goods for use as a fuel; and (b) exempt oils and hydraulic fluids	
	15.1	Petroleum-based oils (including lubricant/fluid/oil products) and their synthetic equivalents but not greases	\$0.05449 per litre
	15.2	Petroleum-based oils (including lubricant/fluid/oil products and greases) and their synthetic equivalents, recycled for use as oils (including lubricant/fluid/oil products) but not greases	\$0.05449 per litre
	15.3	Petroleum-based greases and their synthetic equivalents	\$0.05449 per kilogram

Excise duties			
Item	Subitem	Description of goods	Rate of Duty
	15.4	Petroleum-based oils (including lubricant/fluid/oil products and greases) and their synthetic equivalents, recycled for use as greases	\$0.05449 per kilogram
20		Stabilised crude petroleum oil, other than: (a) stabilised crude petroleum oil produced from a Resource Rent Tax area; and (b) exempt offshore oil	
	20.1	As prescribed by by-law	Free
	20.2	Delayed-entry oil	The delayed-entry oil rate that applies to the oil
	20.3	Pre-threshold onshore oil	Free
	20.5	New oil	Free, or, if higher, the amount of duty worked out under section 6C
	20.6	Intermediate oil	Free, or, if higher, the amount of duty worked out under section 6D
	20.7	Other	Free, or, if higher, the amount of duty worked out under section 6B
21		Condensate produced in a State or Territory or inside the outer limits of the territorial sea of Australia other than condensate produced from a prescribed source	Free

Debate ensued.

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

Bill agreed to.

CUSTOMS AMENDMENT (FUEL TAX REFORM AND OTHER MEASURES) BILL 2006—

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

**CUSTOMS TARIFF AMENDMENT (FUEL TAX REFORM AND OTHER MEASURES)
BILL 2006—**

Bill taken as a whole by leave.

Senator Murray moved the following requests for amendments together by leave:

That the House of Representatives be requested to make the following amendments:

Schedule 2, item 4, page 6 (line 14) to page 8 (before line 1), omit the item, substitute:

4 Subsection 19(1) (table)

Repeal the table, substitute:

Table of related Customs subheadings and excise items	
Column 1	Column 2
Customs subheading	Excise item
2203.00.31	2
2203.00.39	3.1
2203.00.61	1.1
2203.00.62	1.5
2203.00.69	1.10
2203.00.71	1.2
2203.00.72	1.6
2203.00.79	1.11
2204.10.23	2
2204.10.29	3.1
2204.10.83	2
2204.10.89	3.1
2204.21.30	2
2204.21.90	3.1
2201.29.30	2
2204.29.90	3.1
2205.10.30	2
2205.10.90	3.1
2205.90.30	2
2205.90.90	3.1
2206.00.52	2
2206.00.59	3.1
2206.00.62	2
2206.00.69	3.1
2206.00.74	1.1

Table of related Customs subheadings and excise items	
Column 1	Column 2
Customs subheading	Excise item
2206.00.75	1.5
2206.00.78	1.10
2206.00.82	1.2
2206.00.83	1.6
2206.00.89	1.11
2206.00.92	2
2206.00.99	3.1
2207.10.00	3.10
2208.20.10	3.1
2208.20.90	3.1
2208.30.00	3.1
2208.40.00	3.1
2208.50.00	3.1
2208.60.00	3.1
2208.70.00	3.1
2208.90.21	2.1
2208.90.22	2.5
2208.90.23	2.21
2208.90.90	3.1
2401.10.00	5.5
2401.20.00	5.5
2401.30.00	5.5
2402.10.20	5.1
2402.10.80	5.5
2402.20.20	5.1
2402.20.80	5.5
2403.10.30	5.1
2403.10.70	5.5
2403.91.00	5.5
2403.99.80	5.5

Schedule 2, page 10 (after line 15), after item 12, insert:

12A Schedule 3 (subheading 2208.20.10, the rate of duty in column 3)

Repeal the rate of duty, substitute:

5% and \$62.64/L of alcohol

\$62.64/L of alcohol
 NZ/PG/FI/
 DC/LDC/SG
 3% and \$62.64/L of alcohol
 DCS

12B Schedule 3 (subheading 2208.90.20)

Repeal the subheading, substitute:

2208.90.20 ---Other, packaged in an individual container not exceeding 48 L:

2208.90.21 ----Having an alcoholic strength by volume exceeding 1.15% vol but not exceeding 3.0% vol

5% and \$31.73/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
 NZ: \$31.73/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
 PG: \$31.73/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
 FI: \$31.73/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
 DC:\$31.73/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
 DCS: 3% and \$31.73/L of alcohol, calculated on that alcohol content by which the percentage by volume

of alcohol of the goods exceeds 1.15

LDC: \$31.73/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15

SG: \$31.73/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15

2208.90.22 ----Having an alcoholic strength by volume exceeding 3.0% vol but not exceeding 3.5% vol 5% and \$36.98/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15

NZ: \$36.98/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15

PG: \$36.98/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15

FI: \$36.98/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15

DC: \$36.98/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15

DCS: 3% and \$36.98/L

		of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
		LDC: \$36.98/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
		SG: \$36.98/L of alcohol, calculated on that alcohol content by which the percentage by volume of alcohol of the goods exceeds 1.15
2208.90.23	----Having an alcoholic strength by volume exceeding 1.15% vol but not exceeding 10% vol	5% and \$36.98/L of alcohol NZ: \$36.98/L of alcohol PG: \$36.98/L of alcohol FI: \$36.98/L of alcohol DC: \$36.98/L of alcohol DCS: 3% and \$36.98/L of alcohol LDC: \$36.98/L of alcohol SG: \$36.98/L of alcohol

Question—That the requests be agreed to—put and negatived.
Bill agreed to.

The Excise Laws Amendment (Fuel Tax Reform and Other Measures) Bill 2006 to be reported with amendments, the Customs Amendment (Fuel Tax Reform and Other Measures) Bill 2006 to be reported without amendment, and the Excise Tariff Amendment (Fuel Tax Reform and Other Measures) Bill 2006 and the Customs Tariff Amendment (Fuel Tax Reform and Other Measures) Bill 2006 to be reported without requests for amendments.

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

On the motion of Senator Colbeck the report from the committee was adopted and the bills read a third time.

4 ELECTORAL AND REFERENDUM AMENDMENT (ELECTORAL INTEGRITY AND OTHER MEASURES) BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for the Arts and Sport (Senator Kemp)—That this bill be now read a second time—*and on the amendment moved by Senator Carr:*

At the end of the motion, add “but the Senate is of the view that this bill should be withdrawn until undemocratic provisions that:

- (a) reduce the period of time Australians have to enrol to vote and update their details on the electoral roll;
- (b) introduce new proof of identity requirements;
- (c) increase the disclosure thresholds to \$10 000; and
- (d) increase the tax-deductibility of political donations,

are removed”.

Debate resumed.

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

5 QUESTIONS

Questions without notice were answered.

6 ANSWERS TO QUESTIONS

Senator Ludwig moved—That the Senate take note of answers given by ministers to questions without notice asked by Opposition senators today.

Debate ensued.

Question put and passed.

7 EDUCATION—SCHOOL CHAPLAINS—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 Affairs (Senator Vanstone) to a question without notice asked by Senator Allison today relating to school chaplains.

Question put and passed.

8 PETITIONS

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

The President and Senators Evans and Ronaldson, from 50, 21 and 5 petitioners, respectively, requesting that the Senate reject the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006.

The President, from 1 petitioner, requesting that the Senate take action to ensure that enough medical professionals are trained to maintain the quality care provided by hospitals and other health services.

Senator Ronaldson, from 96 petitioners, requesting that the Senate call on the Government to support the International Coalition to Investigate the Persecution of Falun Gong and to demand that the Chinese Communist Party release all detained Falun Gong practitioners immediately.

9 NOTICES

Notices of motion:

The Chair of the Community Affairs Legislation Committee (Senator Humphries): To move on the next day of sitting—That the Community Affairs Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 22 June 2006, from 3.30 pm, to take evidence for the committee's inquiry into the Transparent Advertising and Notification of Pregnancy Counselling Services Bill 2005. (*general business notice of motion no. 457*)

The Chair of the Community Affairs References Committee (Senator Moore): To move on the next day of sitting—That the Community Affairs References Committee be authorised to hold a public meeting during the sitting of the Senate on Friday, 23 June 2006, from 9 am, to take evidence for the committee's inquiry into gynaecological cancer in Australia. (*general business notice of motion no. 458*)

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

(a) notes that:

- (i) 20 June 2006 is World Refugee Day and the day's theme is 'keeping the flame of hope alive',
- (ii) there are more than 19 million refugees and 5.5 million internally displaced people in the world looking for protection,
- (iii) many countries assist hundreds of thousands of refugees who have no choice but to flee persecution,
- (iv) the Government has changed its policy, breaching the Refugee Convention, in response to the arrival of 43 refugees, and
- (v) the Government's new policy will mean many asylum seekers who arrive by boat are exiled to Nauru or Manus Island; and

(b) calls on the Government to:

- (i) drop its policy of appeasing Indonesia and ensure Australia's refugee laws conform fully with the Refugee Convention, and
- (ii) increase Australia's intake of refugees and offer asylum seekers real hope. (*general business notice of motion no. 459*)

Senator Bartlett: To move on 21 June 2006—That the following bill be introduced: A Bill for an Act to amend the Migration Regulations 1994 to remove the category of Temporary Protection Visas, and for related purposes. ***Migration Legislation Amendment (Temporary Protection Visas Repeal) Bill 2006***. (*general business notice of motion no. 460*)

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

(a) notes:

- (i) the inherent nuclear weapons proliferation risk associated with uranium enrichment,

- (ii) that in 2004 President Bush proposed to cap the group of enriching states and that the United Nations' Secretary-General Kofi Annan's High-Level Panel on Threats, Challenges and Change called for the creation of incentives for states to forego the development of uranium enrichment and reprocessing capacity,
- (iii) that in 2005 the International Atomic Energy Agency Director, Dr Mohamed ElBaradei proposed a 5-year moratorium on constructing uranium enrichment and nuclear reprocessing facilities, and
- (iv) that a domestic enrichment plant would provide Australia with the capacity to produce fissile material in the form of highly-enriched uranium, a development that may destabilise the Asia Pacific region; and

(b) therefore opposes the development of any uranium enrichment facilities on Australian soil. (*general business notice of motion no. 461*)

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

No. 1—That the Australian Prudential Regulation Authority Instrument Fixing Charges No. 1 of 2006, made under paragraph 51(1)(a) of the *Australian Prudential Regulation Authority Act 1998*, be disallowed.

No. 2—That the Aviation Transport Security Amendment Regulations 2006 (No. 1), as contained in Select Legislative Instrument 2006 No. 40 and made under the *Aviation Transport Security Act 2004*, be disallowed.

No. 3—That the Fisheries Levy (Torres Strait Prawn Fishery) Amendment Regulations 2006 (No. 1), as contained in Select Legislative Instrument 2006 No. 3 and made under the *Fisheries Levy Act 1984*, be disallowed.

No. 4—That the Income Tax (Effective Life of Depreciating Assets) Amendment Determination 2006 (No. 1), made under subsection 40-100(1) of the *Income Tax Assessment Act 1997*, be disallowed.

No. 5—That the Insurance (Prudential Standard) Determination No. 2 of 2006, made under subsection 32(1) of the *Insurance Act 1973*, be disallowed.

No. 6—That the Insurance (Prudential Standard) Determination No. 3 of 2006, made under subsection 32(1) of the *Insurance Act 1973*, be disallowed.

No. 7—That the Migration Amendment Regulations 2006 (No. 1), as contained in Select Legislative Instrument 2006 No. 10 and made under the *Migration Act 1958*, be disallowed.

No. 8—That the Occupational Health and Safety (Commonwealth Employment) (National Standards) Amendment Regulations 2006 (No. 2), as contained in Select Legislative Instrument 2006 No. 9 and made under the *Occupational Health and Safety (Commonwealth Employment) Act 1991*, be disallowed.

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

Intention to withdraw: Senator McGauran, at the request of the Chairman of the Standing Committee on Regulations and Ordinances (Senator Watson) and pursuant to standing order 78, gave notice of Senator Watson's 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 the name of Senator Watson for 4 sitting days after today for the disallowance of the Broadcasting Services (International Broadcasting) Guidelines 2005, made under section 121FP of the *Broadcasting Services Act 1992*.

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

10 ECONOMICS LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING

Senator McGauran, by leave and at the request of the Chair of the Economics Legislation Committee (Senator Brandis), moved—That the Economics Legislation Committee be authorised to hold a public meeting during the sitting of the Senate today, from 4.30 pm, to take evidence for the committee's inquiries into the provisions of the Petroleum Resource Rent Tax Assessment Amendment Bill 2006 and a related bill, and the provisions of the Tax Laws Amendment (2006 Measures No. 3) Bill 2006. Question put and passed.

11 POSTPONEMENT

The following item of business was postponed:

Business of the Senate notice of motion no. 1 standing in the name of the Chair of the Finance and Public Administration References Committee (Senator Forshaw) for today, proposing the reference of a matter to the Finance and Public Administration References Committee, postponed till 20 June 2006.

12 LAW AND JUSTICE—HIGH SEAS BOTTOM TRAWLING—FISHING PRACTICES

Senator Siewert amended general business notice of motion no. 451 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) 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;
- (b) notes the Australian Government's initiatives in developing long-term governance arrangements to address destructive fishing practices such as illegal, unregulated and unreported fishing and high sea bottom trawling;
- (c) calls on the Government to report on its actions to inform a review of progress and future recommendations to address the destructive impacts on deep sea ecosystems, as requested by the UN, and which was to have been provided by 1 May 2006;
- (d) notes that:
 - (i) these governance measures will take time to develop and implement and the need, therefore, for interim short-term measures, such as a global moratorium on high seas bottom trawling, and
 - (ii) the UN General Assembly will consider a proposal for a global moratorium on high seas bottom trawling in October or November 2006; and
- (e) calls on the Government to support interim measures to address the destructive impacts of bottom trawling on deep sea ecosystems while long-term governance measures are put in place.

Question put.

The Senate divided—

AYES, 31

Senators—

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

NOES, 34

Senators—

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

Question negatived.

13 MIGRATION LEGISLATION AMENDMENT (APPROPRIATE ACCESS TO DETENTION CENTRES) BILL 2006

Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 440—That the following bill be introduced:

A Bill for an Act to amend the *Migration Act 1958* to prevent unreasonable impediments to entry to detention centres, and for related purposes.

Question put and passed.

Senator Bartlett 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 Bartlett moved—That this bill be now read a second time.

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

14 AUSTRALIAN CAPITAL TERRITORY (SELF-GOVERNMENT) AMENDMENT (DISALLOWANCE POWER OF THE COMMONWEALTH) BILL 2006

The Leader of the Australian Greens (Senator Bob Brown), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 456—That the following bill be introduced:

A Bill for an Act to abolish the power of the Commonwealth executive government to disallow any Act of the Legislative Assembly of the Australian Capital Territory, and for related purposes.

Question put and passed.

Senator Bob Brown 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 Bob Brown moved—That this bill be now read a second time.

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

15 POSTPONEMENT

Senator Siewert, by leave and at the request of Senator Nettle, moved—That general business notice of motion no. 453 standing in the name of Senator Nettle for today, relating to West Papua, be postponed till the next day of sitting.

Question put and passed.

16 FOREIGN AFFAIRS—BURMA—AUNG SAN SUU KYI

Senator Bartlett, at the request of Senator Stott Despoja and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 455—That the Senate—

(a) notes:

- (i) that 19 June 2006 is Daw Aung San Suu Kyi's 61st birthday,
- (ii) that Daw Aung San Suu Kyi has spent more than 10 years in detention and that on 27 May 2006 her house arrest was extended by the Burmese military junta for another year, and on her 61st birthday she is no closer to freedom,
- (iii) the continued suffering of the Burmese people at the hands of the Burmese military regime, and
- (iv) that so long as Daw Aung San Suu Kyi's house arrest continues, Burma's development toward democracy will remain critically constrained; and

(b) urges the Government to maintain pressure on the regime.

Question put and passed.

17 URGENCY MOTION—INDIGENOUS AUSTRALIANS

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 all political parties and all levels of government to make the long-term commitment of working constructively together with Indigenous Australians and communities to address the completely unsatisfactory health and housing situations faced by many Indigenous people.

The proposal was supported by 4 senators.

Senator Bartlett moved the motion.

Debate ensued.

Question put and passed.

18 SUPERANNUATION AND FINANCIAL SERVICES—SELECT COMMITTEE—**GOVERNMENT RESPONSE—EARLY ACCESS TO SUPERANNUATION BENEFITS**

The Acting Deputy President (Senator Troeth) tabled the following document received on 16 June 2006:

Superannuation and Financial Services—Select Committee—Report—Early access to superannuation benefits—Government response.

19 INTER-PARLIAMENTARY UNION—114TH ASSEMBLY—DOCUMENT

Senator Marshall, by leave, tabled the following document:

Inter-Parliamentary Union—114th Assembly, Nairobi, Kenya, 5 to 12 May 2006 and a bilateral visit to the Republic of South Africa, 28 April to 4 May 2006—Report by the Australian parliamentary delegation, dated June 2006.

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

Question put and passed.

20 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 (Commonwealth-State Financial Arrangements) Act—Determination of the Final Per Capita Relativities for 2005-2006 [F2006L01807]*.

ACIS Administration Act—Select Legislative Instrument 2006 No. 134—ACIS Administration Amendment Regulations 2006 (No. 1) [F2006L01811]*.

Appropriation Act (No. 1) 2005-2006—Advances to the Finance Minister—Directions Nos—

15 of 2005-2006 [F2006L01800]*.

16 of 2005-2006 [F2006L01815]*.

Australian Prudential Regulation Authority Act—Australian Prudential Regulation Authority Instrument Fixing Charges No. 3 of 2006—Provision of statistical information about financial sector entities to the Reserve Bank of Australia and the Australian Bureau of Statistics during the 2005-06 financial year [F2006L01837]*.

Civil Aviation Act—

Civil Aviation Regulations—Instruments Nos—

CASA 182/06—Direction – carriage of cabin attendant in hot air balloon [F2006L01766]*.

CASA 183/06—Direction – carriage of cabin attendant in hot air balloon [F2006L01767]*.

CASA EX22/06—Exemption – training and checking, and flight check system, approvals [F2006L01733]*.

Civil Aviation Safety Regulations—Airworthiness Directives—Part 105—

AD/AS 355/87 Amdt 1—Untimely Firing of Squibs [F2006L01839]*.

AD/ECUREUIL/111 Amdt 1—Untimely Firing of Squibs [F2006L01838]*.

Class Rulings CR 2006/51 and CR 2006/53-CR 2006/56.

Corporations Act—ASIC Class Order [CO 06/469] [F2006L01813]*.

Corporations (Fees) Act—Select Legislative Instrument 2006 No. 135—Corporations (Fees) Amendment Regulations 2006 (No. 1) [F2006L01817]*.

Crimes Act—Select Legislative Instrument 2006 No. 127—Crimes Amendment Regulations 2006 (No. 1) [F2006L01816]*.

Customs Act—Tariff Concession Orders—

0605329 [F2006L01826]*.

0605445 [F2006L01827]*.

0605450 [F2006L01851]*.

0605451 [F2006L01828]*.

0605452 [F2006L01850]*.

0605457 [F2006L01848]*.

0605478 [F2006L01830]*.

0605479 [F2006L01831]*.

0605852 [F2006L01849]*.

Environment Protection and Biodiversity Conservation Act—Select Legislative Instrument 2006 No. 131—Environment Protection and Biodiversity Conservation Amendment Regulations 2006 (No. 1) [F2006L01832]*.

Family Law Act—

Jurisdiction of Courts of Summary Jurisdiction (Children) Proclamation 2006 [F2006L01798]*.

Jurisdiction of Courts of Summary Jurisdiction (Matrimonial Causes) Proclamation 2006 [F2006L01799]*.

Select Legislative Instrument 2006 No. 128—Family Law Amendment Regulations 2006 (No. 1) [F2006L01760]*.

Federal Magistrates Act—Select Legislative Instrument 2006 No. 129—Federal Magistrates Amendment Regulations 2006 (No. 2) [F2006L01763]*.

Financial Management and Accountability Act—Net Appropriation Agreements for—

Australian Fair Pay Commission Secretariat [F2006L01804]*.

Insolvency and Trustee Service Australia [F2006L01814]*.

Office of National Assessments [F2006L01802]*.

Great Barrier Reef Marine Park Act—Select Legislative Instrument 2006 No. 132—Great Barrier Reef Marine Park Amendment Regulations 2006 (No. 1) [F2006L01809]*.

Health Insurance Act—Declaration of Quality Assurance Activity—QAA No. 1/2006 [F2006L01790]*.

Marriage Act—Select Legislative Instrument 2006 No. 130—Marriage Amendment Regulations 2006 (No. 1) [F2006L01764]*.

Miscellaneous Taxation Rulings—Notices of Withdrawal—MT 2002-MT 2004, MT 2006-MT 2009, MT 2011, MT 2012, MT 2017 and MT 2036.

Murray-Darling Basin Act—Murray-Darling Basin Agreement—Schedule H (Application of Agreement to Australian Capital Territory).

Payment Systems (Regulation) Act—Declarations Nos—

1 of 2006 regarding Purchased Payment Facilities [F2006L01748]*.

2 of 2006 regarding Purchased Payment Facilities [F2006L01768]*.

Product Rulings—

Addenda—PR 2006/24 and PR 2006/25.

PR 2006/109 and PR 2006/110.

Remuneration Tribunal Act—Determination 2006/09: Principal Executive Office (PEO) Classification Structure and Terms and Conditions [F2006L01795]*.

Superannuation Guarantee (Administration) Act—Written guidelines for the reduction of an increase in an employer's individual superannuation guarantee shortfall, dated 9 June 2006 [F2006L01821]*.

Taxation Determination—Notice of Withdrawal—TD 95/29.

Telecommunications (Carrier Licence Charges) Act—

Telecommunications (Annual Carrier Licence Charge) Determination 2006 [F2006L01803]*.

Telecommunications (Costs Attributable to Telecommunications Functions and Powers) Determination 2006 [F2006L01808]*.

Telecommunications (Recovery of ITU Budget Contribution) Determination 2006 [F2006L01805]*.

Veterans' Entitlements Act—Instrument No. 2006/R20—Veterans' Entitlements (Child-Related Payments) Determination 2006 [F2006L01793]*.

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

Family Law Amendment (Shared Parental Responsibility) Act 2006—Schedules 1 and 2—1 July 2006 [F2006L01775]*.

Jurisdiction of Courts (Family Law) Act 2006—Part 1 of Schedule 1—1 July 2006 [F2006L01796]*.

* Explanatory statement tabled with legislative instrument.

21 DO NOT CALL REGISTER BILL 2006

DO NOT CALL REGISTER (CONSEQUENTIAL AMENDMENTS) BILL 2006

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

Message no. 349, dated 15 June 2006—A Bill for an Act to establish a Do Not Call Register, and for other purposes.

Message no. 350, dated 15 June 2006—A Bill for an Act to deal with consequential matters relating to the enactment of the *Do Not Call Register Act 2006*, and for other purposes.

The Minister for Fisheries, Forestry and Conservation (Senator Abetz) 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 Abetz moved—That these bills be now read a second time.

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

22 ADMINISTRATOR'S MESSAGES—ASSENT TO LAWS

Messages from Her Excellency the Administrator of the Commonwealth of Australia were reported, informing the Senate that she had assented to the following laws:

14 June 2006—Message No. 16—*Royal Commissions Amendment Act 2006* (Act No. 52, 2006).

15 June 2006—Message No. 17—*Child Support Legislation Amendment (Reform of the Child Support Scheme—Initial Measures) Act 2006* (Act No. 53, 2006).

**23 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS
LEGISLATION COMMITTEE—REPORT—DO NOT CALL REGISTER BILLS**

Pursuant to order, the Chair of the Environment, Communications, Information Technology and the Arts Legislation Committee (Senator Eggleston) tabled the following report and documents:

Environment, Communications, Information Technology and the Arts Legislation Committee—Provisions of the Do Not Call Register Bill 2006 and the Do Not Call Register (Consequential Amendments) Bill 2006—Report, dated June 2006 and submissions [33].

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

24 ELECTORAL AND REFERENDUM AMENDMENT (ELECTORAL INTEGRITY AND OTHER MEASURES) BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for the Arts and Sport (Senator Kemp)—That this bill be now read a second time—*and on the amendment moved by Senator Carr (see entry no. 4).*

Debate resumed.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 31

Senators—

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

NOES, 34

Senators—

Abetz	Eggleston	Joyce	Ronaldson
Adams	Ellison	Lightfoot	Santoro
Barnett	Ferguson	Macdonald, Sandy	Scullion
Bernardi	Feris (Teller)	Mason	Troeth
Boswell	Fierravanti-Wells	McGauran	Trood
Brandis	Fifield	Nash	Vanstone
Calvert	Heffernan	Parry	Watson
Chapman	Humphries	Patterson	
Colbeck	Johnston	Payne	

Question negatived.

Main question put.

The Senate divided—

AYES, 34

Senators—

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

NOES, 32

Senators—

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

Question agreed to.

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 14.

Schedule 1, item 14 debated.

Question—That Schedule 1, item 14 stand as printed—put.

The committee divided—

AYES, 33

Senators—

Abetz	Eggleston	Lightfoot	Santoro
Adams	Ellison	Macdonald, Ian	Scullion
Barnett	Ferguson	Mason	Troeth
Bernardi	Ferris	McGauran	Trood
Boswell	Fierravanti-Wells	Nash (Teller)	Vanstone
Brandis	Fifield	Parry	Watson
Calvert	Heffernan	Patterson	
Chapman	Johnston	Payne	
Colbeck	Joyce	Ronaldson	

NOES, 31

Senators—

Bartlett	Forshaw	McLucas	Siewert
Brown, Bob	Hogg	Milne	Stephens
Brown, Carol	Hurley	Moore	Sterle
Campbell, George	Hutchins	Murray	Stott Despoja
Carr	Kirk (Teller)	Nettle	Webber
Crossin	Ludwig	O'Brien	Wong
Faulkner	Marshall	Polley	Wortley
Fielding	McEwen	Ray	

Item agreed to.

Senator Murray moved the following amendment:

Schedule 1, item 15, page 7 (lines 16 to 22), omit subsection 93(8AA), substitute:

- (8AA) A person who is serving a sentence of imprisonment for an offence against the law of the Commonwealth or of a State or Territory is entitled to vote at any State election or House of Representatives election, unless:
- (a) the person is of unsound mind; or
 - (b) the person has been convicted of treason; or
 - (c) the person has had his or her right to vote removed by the decision of a judge as part of a sentence.

Debate ensued.

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

Question—That the bill be agreed to—divided in respect of Schedule 1, item 36.

Schedule 1, item 36 debated and agreed to.

Question—That the bill be agreed to—divided in respect of Schedule 1, items 53 and 54.

Schedule 1, items 53 and 54 debated.

Question—That Schedule 1, items 53 and 54 stand as printed—put.

The committee divided—

AYES, 51

Senators—

Abetz	Faulkner	Kirk	Patterson
Adams	Ferguson	Lightfoot	Payne
Barnett	Ferris (Teller)	Ludwig	Polley
Bernardi	Fielding	Macdonald, Sandy	Ray
Boswell	Fierravanti-Wells	Marshall	Ronaldson
Brown, Carol	Fifield	Mason	Scullion
Calvert	Forshaw	McEwen	Sterle
Carr	Heffernan	McGauran	Troeth
Colbeck	Hogg	McLucas	Trood
Crossin	Hurley	Moore	Watson
Eggleston	Hutchins	Nash	Webber
Ellison	Johnston	O'Brien	Wortley
Evans	Joyce	Parry	

NOES, 7

Senators—

Bartlett
Brown, Bob

Milne
Murray

Nettle
Siewert (Teller)

Stott Despoja

Items agreed to.

Question—That the bill be agreed to—divided in respect of Schedule 1, item 79.
Schedule 1, item 79 debated.

At 9.50 pm: The President resumed the chair and the Temporary Chair of Committees (Senator Ferguson) reported progress.

25 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 10.24 pm till Tuesday, 20 June 2006 at 12.30 pm.

26 ATTENDANCE

Present, all senators except Senators Bishop*, Ian Campbell*, Conroy*, Kemp*, Lundy* and Sherry* (* on leave).

HARRY EVANS
Clerk of the Senate