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Contents

1	Meeting of Senate	2336
2	Petitions	2336
3	Notices	2336
4	Selection of Bills—Standing Committee—Report No. 6 of 2006	2337
5	Postponement	2339
6	Leave of Absence	2339
7	Postponement	2339
8	Consideration of Legislation	2339
9	Migration Legislation Amendment (Temporary Protection Visas Repeal) Bill 2006	2339
10	Privacy (Extension to Political Acts and Practices) Amendment Bill 2006	2340
11	Death of Mr Charles Haughey	2340
12	Science and Technology—Stem Cell Research	2340
13	Publications—Standing Committee—13th Report	2341
14	Legislation Committees—Additional Information—Budget Estimates 2005-06 and Additional Estimates 2005-06	2342
15	Legal and Constitutional Legislation Committee—Additional Information— Migration Amendment (Designated Unauthorised Arrivals) Bill 2006	2342
16	Rural and Regional Affairs and Transport Legislation Committee— Report—National Animal Welfare Bill 2005	2342
17	Foreign Affairs, Defence and Trade—Joint Standing Committee—Report— Australia's Relationship with the Republic of Korea and Developments on the Korean Peninsula	2343
18	Foreign Affairs, Defence and Trade—Joint Standing Committee—Report— Australia's Response to the Indian Ocean Tsunami	2343
19	Aviation Transport Security Amendment Bill 2006	2343
20	Community Affairs Legislation Committee—Proposed Reference	2343
21	Procedure—Standing Committee—Reference	2345
22	Procedure—Standing Committee—Variation of Powers	2345

23	Law Enforcement Integrity Commissioner Bill 2006	
	Law Enforcement Integrity Commissioner (Consequential Amendments)	
	Bill 2006	
	Law Enforcement (AFP Professional Standards and Related Measures)	
	Bill 2006	2345
24	Do Not Call Register Bill 2006	
	Do Not Call Register (Consequential Amendments) Bill 2006	2346
25	Families, Community Services and Indigenous Affairs and Other	
	Legislation (2006 Budget and Other Measures) Bill 2006	2347
26	Fuel Tax Bill 2006	
	Fuel Tax (Consequential and Transitional Provisions) Bill 2006	2348
27	Questions	2349
28	Environment—South Australia—Pulp Mill Project—Answer to Question	2349
29	Law and Justice—Sexual Assault of Children—Answer to Question	2349
30	Defence—Australian Defence Force—Iraq—Ministerial Statement—	
	Document	2349
31	Economics Legislation Committee—Reference	2349
32	Community Affairs References Committee—Government Response—	
	Services and Treatment Options for Persons with Cancer	2350
33	Rural and Regional Affairs and Transport References Committee—	
	Government Response—Operation of the Wine-making Industry	2350
34	Economics Legislation Committee—Report—Petroleum Resource Rent	
	Tax Assessment Amendment Bill 2006 and Petroleum Resource Rent	
	Tax (Instalment Transfer Interest Charge Imposition) Bill 2006	2350
35	Economics Legislation Committee—Report—Tax Laws Amendment (2006	
	Measures No. 3) Bill 2006	2350
36	Parliamentary Committee Reports—President's Report—Government	
	Responses Outstanding	2350
37	Parliamentary Committee Reports—Government Response—President's	
	Report on Government Responses	2351
38	Parliamentary Committee Reports—President's Report and Government	
	Response—Consideration	2351
39	Auditor-General—Audit Report No. 48 of 2005-06—Document	2351
40	Parliamentarians' Travel Costs—Document	2351
41	Former Parliamentarians' Travel Costs—Document	2351
42	Parliamentarians' Overseas Study Travel Reports—Document	2351
43	Former Governors-General Travel Costs—Document	2351
44	Documents	2351
45	Community Affairs Legislation Committee—Change in Membership	2352
46	Governor-General's Messages—Assent to Laws	2352
47	Fuel Tax Bill 2006	
	Fuel Tax (Consequential and Transitional Provisions) Bill 2006	2352
48	Committees—Changes in Membership	2355
49	Leave of Absence	2355
50	Employment, Workplace Relations and Education Legislation Committee—	
	Additional Information—Budget Estimates 2005-06 and Additional	
	Estimates 2005-06	2356

51	Petroleum Resource Rent Tax Assessment Amendment Bill 2006 Petroleum Resource Rent Tax (Instalment Transfer Interest Charge Imposition) Bill 2006	2356
52	Tax Laws Amendment (2006 Measures No. 3) Bill 2006 New Business Tax System (Untainting Tax) Bill 2006	2356
53	Selection of Bills—Standing Committee—Report No. 6 of 2006— Variation—Withdrawal of Reference.....	2357
54	Order of Business—Rearrangement.....	2357
55	Health Legislation Amendment (Private Health Insurance) Bill 2006.....	2357
56	Hours of Meeting and Routine of Business—Variation	2357
57	Health Legislation Amendment (Private Health Insurance) Bill 2006.....	2358
58	Renewable Energy (Electricity) Amendment Bill 2006	2361
59	Australian Research Council Amendment Bill 2006	2364
60	Law Enforcement Integrity Commissioner Bill 2006 Law Enforcement Integrity Commissioner (Consequential Amendments) Bill 2006 Law Enforcement (AFP Professional Standards and Related Measures) Bill 2006	2368
61	Appropriation (Parliamentary Departments) Bill (No. 1) 2006-2007 Appropriation Bill (No. 1) 2006-2007 Appropriation Bill (No. 2) 2006-2007 Appropriation Bill (No. 5) 2005-2006 Appropriation Bill (No. 6) 2005-2006.....	2371
62	Days of Meeting—Variation	2374
63	Leave of Absence.....	2374
64	Adjournment	2374
65	Attendance.....	2375

1 MEETING OF SENATE

The Senate met at 9.30 am. The President (Senator the Honourable Paul Calvert) took the chair and read prayers.

2 PETITIONS

The following 4 petitions, lodged with the Clerk by the senators indicated, were received:

Senator Sandy Macdonald, from 91 petitioners, requesting that the Senate take action to restrict children's exposure to Internet pornography.

Senator Sandy Macdonald, from 17 petitioners, requesting that the Senate take action to expedite the entry of Christian refugees into Australia.

Senator McLucas, from 27 petitioners, requesting that the Senate reject the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006.

Senator Stott Despoja, from 13 271 petitioners, requesting that the Senate take action to regulate pregnancy counselling services and to ensure that Government funded counsellors provide objective and truthful information about all available pregnancy options.

3 NOTICES

Notices of motion:

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

No. 1—That the Banking (Prudential Standard) Determination No. 1 of 2006, made under paragraphs 11AF(1)(a) and (b) of the *Banking Act 1959*, be disallowed.

No. 2—That the Broadcasting Services (Anti-Terrorism Requirements for Subscription Television Narrowcasting Services) Standard 2006, made under subsection 125(2) of the *Broadcasting Services Act 1992*, be disallowed.

No. 3—That the Determination of Patient Contribution HIB 07/2006, made under subsection 3(1) of the *Health Insurance Act 1973*, be disallowed.

No. 4—That the Determination of Patient Contribution HIB 08/2006, made under subsection 3(1) of the *Health Insurance Act 1973*, be disallowed.

No. 5—That the Determination of Patient Contribution HIB 09/2006, made under subsection 3(1) of the *Health Insurance Act 1973*, be disallowed.

No. 6—That the Determination of Patient Contribution HIB 10/2006, made under subsection 3(1) of the *Health Insurance Act 1973*, be disallowed.

No. 7—That the Determination of Patient Contribution HIB 11/2006, made under subsection 3(1) of the *Health Insurance Act 1973*, be disallowed.

No. 8—That the Determination of Patient Contribution HIB 12/2006, made under subsection 3(1) of the *Health Insurance Act 1973*, be disallowed.

No. 9—That the Insurance (Prudential Standard) Determination No. 4 of 2006, made under subsection 32(1) of the *Insurance Act 1973*, be disallowed.

No. 10—That the Life Insurance (Prudential Standard) Determination No. 1 of 2006, made under paragraph 230A(1)(a) of the *Life Insurance Act 1995*, be disallowed.

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

Senator O'Brien: To move on the next day of sitting—That the following matter be referred to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 9 October 2006:

The price of petrol in Australia, with particular reference to:

- (a) the relationship between the landed price of crude oil, refining costs, the wholesale price and the retail price of petrol;
- (b) regional differences in the retail price of petrol;
- (c) variations in the retail price of petrol at particular times;
- (d) the industry's integrated structure; and
- (e) any other related matters.

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 notices of motion standing in his name as follows:

Business of the Senate notices of motion nos 1 to 3 for 9 sitting days after today for the disallowance of the following instruments:

Airworthiness Directive Part 39 - 105 - AD/750XL/6: Centre Console Wiring Loom, made under subregulation 39(1) of the Civil Aviation Safety Regulations 1998.

Civil Aviation Order 82.1 Amendment Order (No. 2) 2006, made under paragraph 28BA(1)(b) of the *Civil Aviation Act 1988*.

Instrument No. CASA 49/06, made under subregulations 42ZC(6) and 308(1) of the Civil Aviation Regulations 1988.

Business of the Senate notices of motion nos 1, 4, 5 and 6 for 12 sitting days after today for the disallowance of the following instruments:

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*.

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*.

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

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

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

4 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 6 OF 2006

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

SELECTION OF BILLS COMMITTEE

REPORT NO. 6 OF 2006

1. The committee met in private session on Wednesday, 21 June 2006 at 4.18 pm.
2. The committee resolved to recommend—That—
 - (a) the Aboriginal Land Rights (Northern Territory) Amendment Bill 2006 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 1 August 2006;

- (b) the *provisions* of the Intellectual Property Laws Amendment Bill 2006 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 9 August 2006;
 - (c) the Crimes Act Amendment (Forensic Procedures) Bill (No. 1) 2006 be *referred immediately* to the Legal and Constitutional Legislation Committee for inquiry and report by 1 August 2006;
 - (d) the Customs Legislation Amendment (Modernising Import Controls and Other Measures) Bill 2006 be *referred immediately* to the Legal and Constitutional Legislation Committee for inquiry and report by 1 August 2006;
 - (e) the Financial Transaction Reports Amendment Bill 2006 be *referred immediately* to the Legal and Constitutional Legislation Committee for inquiry and report by 1 August 2006;
 - (f) upon their introduction into the House of Representatives, the *provisions* of the Independent Contractors Bill 2006 and Workplace Relations Legislation Amendment (Independent Contractors) Bill 2006 be *referred immediately* to the Employment, Workplace Relations and Education Legislation Committee for inquiry and report by 25 August 2006; and
 - (g) upon its introduction into the House of Representatives, the *provisions* of the Indigenous Education (Targeted Assistance) Amendment Bill 2006 be *referred immediately* to the Employment, Workplace Relations and Education Legislation Committee for inquiry and report by 1 August 2006.
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
- Agriculture, Fisheries and Forestry Legislation Amendment (Export Control and Quarantine) Bill 2006
 - Education Services for Overseas Students Legislation Amendment (2006 Measures No. 1) Bill 2006
 - Migration Legislation Amendment (Appropriate Access to Detention Centres) Bill 2006
 - Migration Legislation Amendment (Migration Zone Excision Repeal) Bill 2006
 - Migration Legislation Amendment (Migration Zone Excision Repeal) (Consequential Provisions) Bill 2006
 - National Health Amendment (Immunisation) Bill 2006
 - Public Works Committee Amendment Bill 2006
 - Same-Sex Marriages Bill 2006
 - Trade Marks Amendment Bill 2006.

The committee recommends accordingly.

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

Bill deferred from meeting of 10 May 2006
Protecting Children from Junk Food Advertising Bill 2006.

Bills deferred from meeting of 21 June 2006

Australian Capital Territory (Self-Government) Amendment (Disallowance
Power of the Commonwealth) Bill 2006
Migration Amendment (Visa Integrity) Bill 2006.

Jeannie Ferris
Chair
21 June 2006.

Senator Ferris moved—That the report be adopted.

Question put and passed.

5 POSTPONEMENT

The following item of business was postponed:

Business of the Senate notice of motion no. 2 standing in the name of Senator Crossin for today, proposing the reference of a matter to the Environment, Communications, Information Technology and the Arts References Committee, postponed till 9 August 2006.

6 LEAVE OF ABSENCE

Senator George Campbell, by leave, moved—That leave of absence be granted to Senator Carr for 22 June and 23 June 2006, on account of parliamentary business overseas.

Question put and passed.

7 POSTPONEMENT

The Leader of the Australian Greens (Senator Bob Brown), by leave, moved—That general business notice of motion no. 469 standing in his name for today, proposing the reference of a matter to the Joint Standing Committee on Treaties, be postponed till 9 August 2006.

Question put and passed.

8 CONSIDERATION OF LEGISLATION

The Minister for Justice and Customs (Senator Ellison), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Law Enforcement Integrity Commissioner Bill 2006
Law Enforcement Integrity Commissioner (Consequential Amendments) Bill 2006
Law Enforcement (AFP Professional Standards and Related Measures) Bill 2006.

Question put and passed.

9 MIGRATION LEGISLATION AMENDMENT (TEMPORARY PROTECTION VISAS REPEAL) BILL 2006

Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 460—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.

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.

**10 PRIVACY (EXTENSION TO POLITICAL ACTS AND PRACTICES) AMENDMENT
BILL 2006**

Senator Stott Despoja, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 298—That the following bill be introduced:

A Bill for an Act to amend the *Privacy Act 1988* to remove the exemption provided by the Act for political acts and practices, and for related purposes.

Question put and passed.

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

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

11 DEATH OF MR CHARLES HAUGHEY

Senator Stephens, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 467—That the Senate—

- (a) notes the death of the former Taoiseach of Ireland, Mr Charles Haughey, on 13 June 2006, having served three terms as Taoiseach between 1979 and 1992;
- (b) acknowledges Mr Haughey's significant contribution to the economic revival of the Republic of Ireland;
- (c) recognises Mr Haughey's commitment to the peace process and to positioning Ireland as an integral member of the European Community; and
- (d) expresses the sympathies of the Australian people to the people of Ireland, the Irish diaspora and Mr Haughey's family.

Statement by leave: Senator Stephens, by leave, made a statement relating to the motion.

Question put and passed.

12 SCIENCE AND TECHNOLOGY—STEM CELL RESEARCH

Senator Stott Despoja, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 466—That the Senate notes:

- (a) that the Harvard Stem Cell Institute (HSCI) researchers at Harvard University – the world's richest university – and the Children's Hospital Boston have been given approval to begin experiments using somatic cell nuclear transfer to create disease-specific stem cell lines in order to develop treatments for diseases such as diabetes; and

- (b) that the HSCI's research will be privately funded because the Government of the United States of America does not allow funding for research on embryonic stem cells created after 2001.

Question put and passed.

13 PUBLICATIONS—STANDING COMMITTEE—13TH REPORT

The Chair of the Standing Committee on Publications (Senator Watson) tabled the following report:

**PUBLICATIONS COMMITTEE
13TH REPORT**

The Publications Committee reports that it has met in conference with the Publications Committee of the House of Representatives.

The Committee, having considered documents presented to the Senate since 31 May 2006, recommends that the following be printed:

Australian Competition and Consumer Commission—Telecommunication reports for 2004-05—Report 1: Telecommunications competitive safeguards; Report 2: Changes in the prices paid for telecommunications services in Australia.

Australian Institute of Health and Welfare—Report—Australia's health 2006—Tenth biennial report.

Australian National University—Report for 2005.

Human Rights and Equal Opportunity Commission—Reports—

No. 32—Report of an inquiry into a complaint made on behalf of federal prisoners detained in New South Wales correctional centres that their human rights were breached by the decision to ban distribution of the magazine 'Framed'.

No. 33—Report of an inquiry into a complaint made by Ms Tracy Gordon of discrimination in employment on the basis of criminal record.

No. 34—Report of an inquiry into a complaint made by Mr Daniel Clark against the Minister for Foreign Affairs and Trade of a breach of his human right to freedom of expression.

No. 35—Report of an inquiry into a complaint by Mr AV of a breach of his human rights while in immigration detention.

Judge Advocate General—Report for 2005.

National Health and Medical Research Council—Report for 2005.

Northern Territory Fisheries Joint Authority—Report for 2004-05.

Security Legislation Amendment (Terrorism) Act 2002—Security Legislation Review Committee—Report on the review of the operation of Security Acts relating to terrorism, June 2006.

Senator John Watson

Chairman

22 June 2006.

Senator Watson moved—That the report be adopted.

Question put and passed.

14 LEGISLATION COMMITTEES—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2005-06 AND ADDITIONAL ESTIMATES 2005-06

Senator Ferris, at the request of the chairs of the respective committees, tabled the following additional information received by committees:

Budget estimates 2005-06—Finance and Public Administration Legislation Committee—Additional information received between 15 September 2005 and 20 June 2006—Finance and Administration portfolio—Department of Human Services.

Budget estimates 2005-06 (Supplementary)—

Finance and Public Administration Legislation Committee—Additional information received between 15 September 2005 and 20 May 2006—Parliamentary departments.

Rural and Regional Affairs and Transport Legislation Committee—Additional information received between 9 May and 20 June 2006—Transport and Regional Services portfolio.

Additional estimates 2005-06—

Economics Legislation Committee—Additional information received between—

9 and 16 May 2006—Industry, Tourism and Resources portfolio.

9 May and 19 June 2006—Treasury portfolio.

Rural and Regional Affairs and Transport Legislation Committee—Additional information received between—

27 March and 19 May 2006—Transport and Regional Services portfolio.

27 March and 23 May 2006—Agriculture, Fisheries and Forestry portfolio.

15 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—MIGRATION AMENDMENT (DESIGNATED UNAUTHORISED ARRIVALS) BILL 2006

Senator Ferris, at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), tabled the following document:

Legal and Constitutional Legislation Committee—Report—Provisions of the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006—Additional information.

16 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—REPORT—NATIONAL ANIMAL WELFARE BILL 2005

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

Rural and Regional Affairs and Transport Legislation Committee—National Animal Welfare Bill 2005—Report, dated June 2006, and submissions [205].

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

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

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

**17 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—
REPORT—AUSTRALIA’S RELATIONSHIP WITH THE REPUBLIC OF KOREA AND
DEVELOPMENTS ON THE KOREAN PENINSULA**

The Chair of the Joint Standing Committee on Foreign Affairs, Defence and Trade (Senator Ferguson) tabled the following report:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Australia’s relationship with the Republic of Korea; and developments on the Korean peninsula—Report, dated June 2006.

Senator Ferguson moved—That the Senate take note of the report.

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

**18 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—
REPORT—AUSTRALIA’S RESPONSE TO THE INDIAN OCEAN TSUNAMI**

Senator Payne, on behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, tabled the following report:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Australia’s response to the Indian Ocean tsunami—Report, dated June 2006.

Senator Payne moved—That the Senate take note of the report.

Debate ensued.

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

19 AVIATION TRANSPORT SECURITY AMENDMENT BILL 2006

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

Message no. 360, dated 21 June 2006—A Bill for an Act to amend the *Aviation Transport Security Act 2004*, and for related purposes.

Senator Scullion, at the request of the Minister for Justice and Customs (Senator Ellison), 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 Scullion moved—That this bill be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the first day in the next period of sittings.

20 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—PROPOSED REFERENCE

Senator Siewert, pursuant to notice, moved business of the Senate notice of motion no. 1—

- (1) That the Senate notes that the Community Affairs Legislation Committee report, *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*, tabled in the Senate on 28 November 2005, recommended:

... the Department of Employment and Workplace Relations reassess which of the guidelines under the package are to be disallowable by the Parliament; that is, that it ensure key aspects of the guidelines be determined by disallowable instruments. This will ensure consistency in application as well as appropriate Parliamentary scrutiny. In particular, the Committee recommends that guidelines dealing with what constitutes unsuitable paid employment, special family circumstances, suitable and unsuitable activities for participation, and compliance issues are based on disallowable instruments.

- (2) That the following matter be referred to the Community Affairs Legislation Committee for inquiry and report by 14 September 2006:

The extent and effectiveness of the following regulations made under the *Social Security Act 1991* in giving effect to the recommendation of the Community Affairs Legislation Committee's report:

- (a) Social Security (Activity Agreement Requirements) (DEST) Determination 2006 [F2006L00390];
- (b) Social Security (Activity Agreement Requirements) (DEWR) Determination 2006 [F2006L00338];
- (c) Social Security (Activity Agreement Requirements) (FaCSIA) Determination 2006 [F2006L00348];
- (d) Social Security (Prospective Determinations for Parenting Payment Recipients) (DEWR) Guidelines 2006 [F2006L00336];
- (e) Social Security (Reasonable Excuse) (DEST) Determination 2006 [F2006L00397];
- (f) Social Security (Reasonable Excuse) (DEWR) Determination 2006 [F2006L00340];
- (g) Social Security (Reasonable Excuse) (FaCSIA) Determination 2006 [F2006L00350];
- (h) Social Security (Special Circumstances relating to a Person's Family) (DEWR) Determination 2006 [F2006L00339];
- (i) Social Security (Special Circumstances relating to a Person's Family) (FaCSIA) Determination 2006 [F2006L00349];
- (j) Social Security (Unsuitable Work) (DEWR) Determination 2006 [F2006L00341]; and
- (k) Social Security (Unsuitable Work) (FaCSIA) Determination 2006 [F2006L00347].

Debate ensued.

Question put.

The Senate divided—

AYES, 32

Senators—

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

NOES, 34

Senators—

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

Question negatived.

21 PROCEDURE—STANDING COMMITTEE—REFERENCE

Order of the day read for the adjourned debate on the motion of the Leader of the Opposition in the Senate (Senator Evans)—That the proposals to alter the structure of the Senate committee system, announced by the Leader of the Government on 20 June 2006, be referred to the Procedure Committee for inquiry and report by 17 August 2006.

—*And on the amendment moved by the Minister for Justice and Customs (Senator Ellison):*

Omit “17 August”, substitute “10 August”.

Debate resumed.

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

Main question, as amended, put and passed.

22 PROCEDURE—STANDING COMMITTEE—VARIATION OF POWERS

The Chair of the Procedure Committee (Senator Hogg), by leave, moved—That the Procedure Committee be authorised to move from place to place for the purposes of its inquiry into proposals to alter the structure of the Senate committee system.

Question put and passed.

23 LAW ENFORCEMENT INTEGRITY COMMISSIONER BILL 2006

LAW ENFORCEMENT INTEGRITY COMMISSIONER (CONSEQUENTIAL AMENDMENTS) BILL 2006

LAW ENFORCEMENT (AFP PROFESSIONAL STANDARDS AND RELATED MEASURES) BILL 2006

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

Message no. 361, dated 22 June 2006—A Bill for an Act to provide for the appointment of the Integrity Commissioner, to set out the functions and powers of the Integrity Commissioner, and for related purposes.

Message no. 362, dated 22 June 2006—A Bill for an Act to amend laws in connection with the *Law Enforcement Integrity Commissioner Act 2006*, and for related purposes.

Message no. 363, dated 22 June 2006—A Bill for an Act to amend the *Australian Federal Police Act 1979*, and for related purposes.

The Minister for the Environment and Heritage (Senator Ian Campbell) 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 Ian Campbell moved—That these bills be now read a second time.

Explanatory memoranda: Senator Ian Campbell tabled revised explanatory memoranda [3] relating to the bills.

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

24 **DO NOT CALL REGISTER BILL 2006**

DO NOT CALL REGISTER (CONSEQUENTIAL AMENDMENTS) BILL 2006

Order of the day read for the consideration of the bills in committee of the whole.

In the committee

DO NOT CALL REGISTER BILL 2006—

Bill taken as a whole by leave.

Explanatory memorandum: The Minister for the Environment and Heritage (Senator Ian Campbell) tabled a supplementary explanatory memorandum relating to the government amendment to be moved to the bill.

Senator Wong moved the following amendments together by leave:

Clause 4, page 7 (after line 21), after the definition of *services*, insert:

small business means a business which employs fewer than 20 people.

Clause 14, page 15 (line 26), at the end of the clause, add:

; and (d) it is used or maintained exclusively or primarily by a small business.

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

On the motion of Senator Ian Campbell the following amendment was agreed to:

Clause 39, page 31 (line 13), omit subclause (2), substitute:

(2) A nomination, or a withdrawal of a nomination, must be in writing.

Question—That the bill, as amended, be agreed to—divided in respect of Schedule 1, clause 3.

Schedule 1, clause 3 debated and agreed to. The Leader of the Family First Party (Senator Fielding) and all Australian Democrats senators, by leave, recorded their votes for the noes.

Bill, as amended, agreed to.

DO NOT CALL REGISTER (CONSEQUENTIAL AMENDMENTS) BILL 2006—

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

The Do Not Call Register Bill 2006 to be reported with an amendment and the Do Not Call Register (Consequential Amendments) Bill 2006 to be reported without amendment.

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

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

25 FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION (2006 BUDGET 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.

Debate resumed.

Question put and passed.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

The Leader of the Australian Democrats (Senator Allison) moved the following amendments together by leave:

Schedule 8, item 9, page 62 (after line 19), at the end of section 114D, add:

- (3) In making an appointment in accordance with subsection (1), the Minister is to have regard to the merit selection processes described in section 114DA.

Schedule 8, item 9, page 62 (after line 19), after section 114D, insert:

114DA Procedures for merit selection of Director

- (1) The Minister must, within 9 months of the commencement of this section, determine a code of practice for selecting and appointing the Director that must include the following general principles:
 - (a) merit, including but not limited to appropriate subject, research and management experience; and
 - (b) appointment on the recommendation of an independent selection panel established by the Minister; and
 - (c) probity; and

- (d) openness and transparency, including where the Minister appoints a person not nominated by the selection panel, the requirement for a statement to be tabled in both Houses of Parliament setting out:
 - (i) the reason for not accepting the recommendation made in accordance with paragraph (b); and
 - (ii) the reasons for the Minister's decision.
- (2) The Minister must cause to be tabled in both Houses of the Parliament a copy of the code of practice within 15 sitting days after determining the code in accordance with subsection (1).
- (3) The Minister must cause to be tabled in both Houses of the Parliament any amendment to the code of practice within 15 sitting days after the amendment is made.

114DB Audit of procedures

- (1) The operation of section 114DA must be audited by the Public Service Commissioner each financial year.
- (2) The result of an audit conducted in accordance with this section is to be included in the annual report of the Public Service Commissioner.
- (3) An audit conducted pursuant to subsection (1) must examine the code of practice as determined and any appointments made in accordance with the code of practice.

Debate ensued.

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

Bill further debated and agreed to.

Bill to be reported without amendment.

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

On the motion of the Minister for Ageing (Senator Santoro) the report from the committee was adopted and the bill read a third time.

26 FUEL TAX BILL 2006

FUEL TAX (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for Fisheries, Forestry and Conservation (Senator Abetz)—That these bills be now read a second time.

Debate resumed.

Senator Stephens moved the following amendment in respect of the Fuel Tax Bill 2006:

At the end of the motion, add “and the Senate calls on the Government to review, in 2009, the proposal to introduce excise on biofuels in 2011, and consider whether or not there is a case for delaying the introduction of excise, depending on the progress made:

- (a) by the industry in securing new investment in biofuel production in Australia;

- (b) by the biofuels industry and the petrol retail industry in increasing market penetration of biofuels; and
- (c) towards achieving the 350 million litre target in 2010”.

Debate ensued.

At 2 pm: Debate was interrupted.

27 QUESTIONS

Questions without notice were answered.

28 ENVIRONMENT—SOUTH AUSTRALIA—PULP MILL PROJECT—ANSWER TO QUESTION

Senator O’Brien moved—That the Senate take note of the answer given by the Minister for the Environment and Heritage (Senator Ian Campbell) to a question without notice asked by Senator Lundy today relating to a pulp mill project in South Australia.

Debate ensued.

Question put and passed.

29 LAW AND JUSTICE—SEXUAL ASSAULT OF CHILDREN—ANSWER TO QUESTION

Senator Murray moved—That the Senate take note of the answer given by the Minister for Finance and Administration (Senator Minchin) to a question without notice asked by Senator Murray today relating to the sexual assault of children.

Question put and passed.

30 DEFENCE—AUSTRALIAN DEFENCE FORCE—IRAQ—MINISTERIAL STATEMENT—DOCUMENT

The Minister for Immigration and Multicultural Affairs (Senator Vanstone) tabled the following document:

Defence—Australian Defence Force commitment to southern Iraq—Ministerial statement by the Prime Minister (Mr Howard), dated 22 June 2006.

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

Debate ensued.

Debate adjourned till the next day of sitting, the Leader of the Australian Greens (Senator Bob Brown) in continuation.

31 ECONOMICS LEGISLATION COMMITTEE—REFERENCE

Senator O’Brien, by leave, moved—That the following matter be referred to the Economics Legislation Committee for inquiry and report by 9 October 2006:

The price of petrol in Australia, with particular reference to:

- (a) the relationship between the landed price of crude oil, refining costs, the wholesale price and the retail price of petrol;
- (b) regional differences in the retail price of petrol;
- (c) variations in the retail price of petrol at particular times;
- (d) the industry’s integrated structure; and
- (e) any other related matters.

Question put and passed.

Notice of motion withdrawn: Senator O'Brien withdrew the business of the Senate notice of motion he gave earlier today (*see entry no. 3*) proposing the reference of a matter to the Rural and Regional Affairs and Transport Legislation Committee.

**32 COMMUNITY AFFAIRS REFERENCES COMMITTEE—GOVERNMENT RESPONSE—
SERVICES AND TREATMENT OPTIONS FOR PERSONS WITH CANCER**

The Minister for Immigration and Multicultural Affairs (Senator Vanstone) tabled the following document:

Community Affairs References Committee—Report—The cancer journey: Informing choice—The delivery of services and treatment options for persons with cancer—Government response, dated May 2006.

**33 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—
GOVERNMENT RESPONSE—OPERATION OF THE WINE-MAKING INDUSTRY**

The Minister for Immigration and Multicultural Affairs (Senator Vanstone) tabled the following document:

Rural and Regional Affairs and Transport References Committee—Report—The operation of the wine-making industry—Government response.

**34 ECONOMICS LEGISLATION COMMITTEE—REPORT—PETROLEUM RESOURCE RENT
TAX ASSESSMENT AMENDMENT BILL 2006 AND PETROLEUM RESOURCE RENT TAX
(INSTALMENT TRANSFER INTEREST CHARGE IMPOSITION) BILL 2006**

The Deputy President (Senator Hogg) tabled the following report and documents received on 21 June 2006:

Economics Legislation Committee—Provisions of the Petroleum Resource Rent Tax Assessment Amendment Bill 2006 and the Petroleum Resource Rent Tax (Instalment Transfer Interest Charge Imposition) Bill 2006—Report, dated June 2006, Hansard record of proceedings and submission.

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

**35 ECONOMICS LEGISLATION COMMITTEE—REPORT—TAX LAWS AMENDMENT
(2006 MEASURES NO. 3) BILL 2006**

The Deputy President (Senator Hogg) tabled the following report and documents received on 21 June 2006:

Economics Legislation Committee—Provisions of the Tax Laws Amendment (2006 Measures No. 3) Bill 2006—Report, dated June 2006, Hansard record of proceedings, additional information and submissions [3].

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

**36 PARLIAMENTARY COMMITTEE REPORTS—PRESIDENT'S REPORT—GOVERNMENT
RESPONSES OUTSTANDING**

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

President's report to the Senate on government responses outstanding to parliamentary committee reports as at 22 June 2006.

**37 PARLIAMENTARY COMMITTEE REPORTS—GOVERNMENT RESPONSE—
PRESIDENT’S REPORT ON GOVERNMENT RESPONSES**

The Minister for Immigration and Multicultural Affairs (Senator Vanstone) tabled the following document:

Government responses to the schedule of government responses outstanding to parliamentary committee reports tabled by the President of the Senate on 8 December 2005, dated 22 June 2006.

**38 PARLIAMENTARY COMMITTEE REPORTS—PRESIDENT’S REPORT AND
GOVERNMENT RESPONSE—CONSIDERATION**

Senator Bartlett, by leave, moved—That the Senate take note of the documents tabled earlier today (*see entries nos 36 and 37*).

Question put and passed.

39 AUDITOR-GENERAL—AUDIT REPORT NO. 48 OF 2005-06—DOCUMENT

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

Auditor-General—Audit report no. 48 of 2005-06—Financial statement audit—Interim phase of the audit of financial statements of general government sector entities for the year ending 30 June 2006.

40 PARLIAMENTARIANS’ TRAVEL COSTS—DOCUMENT

The Minister for Ageing (Senator Santoro) tabled the following document:

Parliamentarians’ travel paid by the Department of Finance and Administration—1 July to 31 December 2005, dated June 2006.

41 FORMER PARLIAMENTARIANS’ TRAVEL COSTS—DOCUMENT

The Minister for Ageing (Senator Santoro) tabled the following document:

Former parliamentarians’ travel paid by the Department of Finance and Administration—1 July to 31 December 2005, dated June 2006.

42 PARLIAMENTARIANS’ OVERSEAS STUDY TRAVEL REPORTS—DOCUMENT

The Minister for Ageing (Senator Santoro) tabled the following document:

Parliamentarians’ overseas study travel reports—1 July to 31 December 2005, dated June 2006.

43 FORMER GOVERNORS-GENERAL TRAVEL COSTS—DOCUMENT

The Minister for Ageing (Senator Santoro) tabled the following document:

Expenditure on travel by former Governors-General paid by the Department of Prime Minister and Cabinet—1 July to 31 December 2005, and January 2004 to December 2005.

44 DOCUMENTS

The following documents were tabled by the Clerk:

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

Corporations Act—ASIC Class Order [CO 06/476] [F2006L01862]*.

Hearing Services Administration Act—Hearing Services Amendment Rules of Conduct 2006 (No. 1) [F2006L01861]*.

Medical Indemnity Act—Medical Indemnity (Run-off Cover Claims and Administration) Protocol 2006 [F2006L01892]*.

National Health Act—Determination No. PB 25 of 2006 [F2006L01880]*.

Navigation Act—Marine Order No. 7 of 2006—Construction – Subdivision and stability, machinery and electrical installations [F2006L01882]*.

Safety, Rehabilitation and Compensation Act—Safety, Rehabilitation and Compensation (Definition of Employee) Notice 2006 (2) [F2006L01819]*.

* Explanatory statement tabled with legislative instrument.

45 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—CHANGE IN MEMBERSHIP

The Acting Deputy President (Senator Chapman) informed the Senate that the President had received a letter requesting a change in the membership of a committee.

The Minister for Ageing (Senator Santoro), by leave, moved—That Senator Crossin replace Senator Polley on the Community Affairs Legislation Committee for the committee's inquiry into the Aboriginal Land Rights (Northern Territory) Amendment Bill 2006.

Question put and passed.

46 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:

19 June 2006—Message No. 18—

ASIO Legislation Amendment Act 2006 (Act No. 54, 2006)

Tax Laws Amendment (Personal Tax Reduction and Improved Depreciation Arrangements) Act 2006 (Act No. 55, 2006).

21 June 2006—Message No. 19—

Australian Trade Commission Legislation Amendment Act 2006 (Act No. 56, 2006)

Export Market Development Grants Legislation Amendment Act 2006 (Act No. 57, 2006).

47 FUEL TAX BILL 2006

FUEL TAX (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for Fisheries, Forestry and Conservation (Senator Abetz)—That these bills be now read a second time—and on the amendment moved by Senator Stephens in respect of the *Fuel Tax Bill 2006* (see entry no. 26).

Debate resumed.

Document: Senator Eggleston, at the request of the Chair of the Economics Legislation Committee (Senator Brandis), tabled the following document:

Economics Legislation Committee—Report—Provisions of the Fuel Tax Bill 2006 and the Fuel Tax (Consequential and Transitional Provisions) Bill 2006—Additional information.

Debate continued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 32

Senators—

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

NOES, 33

Senators—

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

Question negatived.

Main question put and passed.

Bills read a second time.

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

In the committee

FUEL TAX BILL 2006—

Bill taken as a whole by leave.

The Leader of the Australian Democrats (Senator Allison) moved the following amendments together by leave:

Clause 43-5, page 16 (lines 31 and 32), omit paragraph (3)(b).

Clause 43-5, page 17 (lines 1 to 3), omit paragraphs (3)(c) and (d), substitute:

- (c) for a taxable fuel other than biodiesel used off-road, a grant under the *Energy Grants (Cleaner Fuels) Scheme Act 2004*;
- (d) for biodiesel used off-road, fifty percent of any grant under the *Energy Grants (Cleaner Fuels) Scheme Act 2004*;
- (e) a benefit under the *Product Stewardship (Oil) Act 2000*.

Clause 110-5, page 51 (after line 16), after the definition of *Australia*, insert:

biodiesel used off-road means biodiesel that would have been entitled to an off-road credit in respect of the fuel, assuming:

- (a) that you disregarded subsection 51(2) and sections 52 and 55A of the *Energy Grants (Credits) Scheme Act 2003*; and
- (b) that references in Part 4 of that Act to:
 - (i) “purchase or import into Australia” were instead references to “acquire or manufacture in, or import into, Australia”; and
 - (ii) “off-road diesel fuel” were instead a reference to “off-road biodiesel fuel”.

Debate ensued.

Document: Senator Allison, by leave, tabled the following document:

Fuel Tax Bill 2006—Copy of table showing the effect of the government bill and an amendment by the Australian Democrats on biodiesel compared to diesel.

Debate continued.

Question—That the amendments be agreed to—put and negatived. Senator Joyce, by leave, recorded his vote for the ayes.

Bill agreed to.

FUEL TAX (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2006—

Bill taken as a whole by leave.

Senator Stephens moved the following amendments together by leave:

Schedule 3, item 12A, page 19 (lines 8 to 11), omit paragraphs (1)(a) and (b).

Schedule 3, heading to Part 4A, page 19 (lines 2 and 3), omit “**arising between 1 July 2006 and 30 June 2008**”.

Schedule 3, item 12A, page 19 (lines 4 and 5), omit “**between 1 July 2006 and 30 June 2008**”.

Debate ensued.

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

Bill further debated and agreed to.

Bills to be reported without amendments.

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

On the motion of the Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) the report from the committee was adopted.

Senator Colbeck moved—That these bills be now read a third time.

Debate ensued.

Question put and passed.

Bills read a third time.

48 COMMITTEES—CHANGES IN MEMBERSHIP

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

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

Community Affairs Legislation Committee—

Appointed—Substitute member: Senator Siewert to replace Senator Nettle for the committee's inquiry into the Aboriginal Land Rights (Northern Territory) Amendment Bill 2006

Community Affairs References Committee—

Appointed—Participating member: Senator Fierravanti-Wells

Economics Legislation Committee—

Appointed—

Participating member: Senator Nash

Substitute member: Senator O'Brien to replace Senator Webber for the committee's inquiry into petrol pricing in Australia

Employment, Workplace Relations and Education Legislation Committee—

Appointed—Substitute member: Senator Bernardi to replace Senator Barnett for the committee's inquiry into the provisions of the Independent Contractors Bill 2006 and the Workplace Relations Legislation Amendment (Independent Contractors) Bill 2006 from 2 August to 4 August 2006

Procedure—Standing Committee—

Senator Ellison discharged, and Senator Coonan appointed, on 22 June 2006

Senator Coonan discharged, and Senator Ellison reappointed, on 11 August 2006.

Question put and passed.

49 LEAVE OF ABSENCE

Senator Eggleston, by leave, moved—That leave of absence be granted to Senator Ronaldson for 22 June and 23 June 2006 for family matters, and to Senator Trood for 22 June and 23 June 2006, on account of parliamentary business overseas.

Question put and passed.

**50 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION LEGISLATION
COMMITTEE—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2005-06 AND
ADDITIONAL ESTIMATES 2005-06**

Senator Eggleston, at the request of the Chair of the Employment, Workplace Relations and Education Legislation Committee (Senator Troeth), tabled the following additional information received by the committee:

Budget estimates 2005-06 (Supplementary)—Additional information received between 31 March and 22 June 2006—

Education, Science and Training.

Employment and Workplace Relations.

Additional estimates 2005-06—Additional information received between 12 May and 22 June 2006—

Education, Science and Training.

Employment and Workplace Relations.

**51 PETROLEUM RESOURCE RENT TAX ASSESSMENT AMENDMENT BILL 2006
PETROLEUM RESOURCE RENT TAX (INSTALMENT TRANSFER INTEREST CHARGE
IMPOSITION) 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.

No amendments to the bills were circulated and no senator required that they be considered in committee.

On the motion of the Minister for Communications, Information Technology and the Arts (Senator Coonan) the bills were read a third time.

**52 TAX LAWS AMENDMENT (2006 MEASURES NO. 3) BILL 2006
NEW BUSINESS TAX SYSTEM (UNTAINTING TAX) 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.

No amendments to the bills were circulated and no senator required that they be considered in committee.

On the motion of the Minister for Communications, Information Technology and the Arts (Senator Coonan) the bills were read a third time.

53 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 6 OF 2006—**VARIATION—WITHDRAWAL OF REFERENCE**

Senator Eggleston, by leave, moved—That the order of the Senate agreed to earlier today adopting the 6th report of the Selection of Bills Committee (*see entry no. 4*) be varied to provide that the provisions of the Indigenous Education (Targeted Assistance) Amendment Bill 2006 not be referred to the Employment, Workplace Relations and Education Legislation Committee.

Question put and passed.

54 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Communications, Information Technology and the Arts (Senator Coonan) moved—That intervening business be postponed till after consideration of government business order of the day no. 8 (Health Legislation Amendment (Private Health Insurance) Bill 2006).

Question put and passed.

55 HEALTH LEGISLATION AMENDMENT (PRIVATE HEALTH INSURANCE) 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.

Debate resumed.

Senator McLucas moved the following amendment:

At the end of the motion, add “but the Senate is of the view that the Minister for Health and Ageing stands condemned for failing to:

- (a) address the concerns of members of Medibank Private and proceeding with the sale of Medibank Private even though the majority of Australians are opposed to the sale; and
- (b) address critical structural weaknesses in the health sector such as workforce shortages and the rising costs of health”.

Debate ensued.

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

Main question put and passed.

Bill read a second time.

On the motion of the Minister for Justice and Customs (Senator Ellison) consideration of the bill in committee of the whole was made an order of the day for a later hour.

56 HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION

The Minister for Justice and Customs (Senator Ellison), by leave, moved—That the question for the adjournment of the Senate not be proposed till after the Senate has finally considered the following bills:

Health Legislation Amendment (Private Health Insurance) Bill 2006

Renewable Energy (Electricity) Amendment Bill 2006

Australian Research Council Amendment Bill 2006

Law Enforcement Integrity Commissioner Bill 2006, Law Enforcement Integrity Commissioner (Consequential Amendments) Bill 2006 and Law Enforcement (AFP Professional Standards and Related Measures) Bill 2006

Appropriation (Parliamentary Departments) Bill (No. 1) 2006-2007, Appropriation Bill (No. 1) 2006-2007, Appropriation Bill (No. 2) 2006-2007, Appropriation Bill (No. 5) 2005-2006 and Appropriation Bill (No. 6) 2005-2006.

Question put and passed.

57 HEALTH LEGISLATION AMENDMENT (PRIVATE HEALTH INSURANCE) BILL 2006

Order of the day read for the consideration of the bill in committee of the whole.

In the committee

Bill taken as a whole by leave.

Senator Nettle moved the following amendments together by leave:

Clause 2, page 1 (after line 8), at the end of the clause, add:

(2) Items 3 and 4 of Schedule 2 commence on 2 April 2007.

Schedule 2, page 27 (after line 10), at the end of the bill, add:

3 The whole of the Act

Repeal the Act.

Schedule 2, page 27 (after line 10), at the end of the bill, add:

Taxation Laws Amendment (Private Health Insurance) Act 1998

4 The whole of the Act

Repeal the Act.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 7

Senators—

Allison
Bartlett

Brown, Bob
Milne

Nettle
Siewert (Teller)

Stott Despoja

NOES, 47

Senators—

Abetz
Adams
Barnett
Bernardi
Boswell
Brandis
Brown, Carol
Chapman
Colbeck
Crossin
Evans
Faulkner

Ferris
Fielding
Fierravanti-Wells
Fifield
Forshaw
Heffernan
Hogg
Hurley
Johnston
Joyce
Kirk
Ludwig

Lundy
Macdonald, Ian
Marshall
Mason
McEwen
McGauran
McLucas
Moore
Nash
O'Brien
Parry
Patterson

Payne
Polley
Santoro
Scullion
Stephens
Sterle
Troeth
Watson
Webber (Teller)
Wong
Wortley

Question negatived.

Senator McLucas moved the following amendments together by leave:

Schedule 1, page 6 (after line 7), after item 11, insert:

11A After paragraph 82ZRC(ba)

Insert:

(bb) to refer matters to the Australian Competition and Consumer Commission or to other bodies for inquiry;

Schedule 1, page 16 (after line 16), after item 70, insert:

70A Division 4 of Part VIC (heading)

Repeal the heading, substitute:

Division 4—Health Insurance Commission may conduct investigations, refer matters to ACCC or other bodies

Schedule 1, page 21 (after line 32), after item 82, insert:

82A After section 82ZTBB

Insert:

82ZTBC Health Insurance Ombudsman may refer matters to Australian Competition and Consumer Commission

The Health Insurance Ombudsman may on his or her own initiative refer by notice in writing a specified matter or specified matters concerning charges by health care providers to the Australian Competition and Consumer Commission for inquiry and report.

Schedule 1, page 21 (after line 32), after item 82, insert:

82B After section 82ZTBB

Insert:

82ZTBD Minister may refer matters to Australian Competition and Consumer Commission

The Minister may refer by notice in writing a specified matter or specified matters concerning charges by health care providers to the Australian Competition and Consumer Commission for inquiry and report.

Schedule 1, page 21 (after line 32), after item 82, insert:

82C After section 82ZTBB

Insert:

82ZTBE Health Insurance Ombudsman may refer matter to other body

If, in the Health Insurance Ombudsman's opinion, it is more appropriate for a specified matter or specified matters concerning charges by health care providers to be referred to a body other than the Australian Competition and Consumer Commission, the Health Insurance Ombudsman may refer by notice in writing, that specified matter or those specified matters to that other body for inquiry and report.

Schedule 1, page 21 (after line 32), after item 82, insert:

82D After section 82ZTBB

Insert:

82ZTBF Minister may refer matters to other body

If, in the Minister's opinion, it is more appropriate for a specified matter or specified matters concerning charges by health care providers to be referred to a body other than the Australian Competition and Consumer Commission, the Minister may refer by notice in writing that specified matter or those specified matters to that other body for inquiry and report.

Schedule 1, page 21 (after line 32), after item 82, insert:

82E After section 82ZTBB

Insert:

82ZTBG Inquiries by other bodies

- (1) If a specified matter is, or specified matters are, referred to another body under section 82ZTBE or 82ZTBF, the other body must, if it agrees to hold the inquiry, appoint by instrument in writing a person to preside at the inquiry.
- (2) If the other body is a group of two or more individuals, the Minister must by instrument in writing appoint one of those individuals to preside at the inquiry.
- (3) The Minister must, as soon as practicable after confirmation that the other body will hold the inquiry, cause a statement to be tabled in each House of the Parliament specifying that the body will hold the inquiry, and giving the reasons the body, rather than the Australian Competition and Consumer Commission, has been requested to hold the inquiry.

Page 27 (after line 10), at the end of the bill, add:

Schedule 3—Amendment of the Trade Practices Act 1974

1 After subsection 95C(1)

Insert:

- (1A) This Part also applies to an inquiry concerning a specified matter or specified matters referred to the Commission under section 82ZTBC or 82ZTBD of the *Health Insurance Act 1953*.

2 At the end of section 95E

Add “and to protect consumers by holding inquiries referred to it under section 82ZTBC or 82ZTBD of the *Health Insurance Act 1953*”.

3 After subsection 95G(3)

Insert:

- (3A) The Commission must hold such inquiries as are referred to it under section 82ZTBC or 82ZTBD of the *Health Insurance Act 1953*.

Debate ensued.

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

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of the Minister for Ageing (Senator Santoro) the report from the committee was adopted and the bill read a third time.

58 RENEWABLE ENERGY (ELECTRICITY) AMENDMENT BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for Justice and Customs (Senator Ellison)—That this bill be now read a second time.

Debate resumed.

Senator McLucas moved the following amendment:

At the end of the motion, add “but the Senate condemns the Howard Government’s complacency over climate change and calls on the Government to:

- (a) join the established global framework for action against climate change and ratify the Kyoto Protocol;
- (b) establish a national emissions trading scheme so Australians can minimise the cost of adjusting to a carbon constrained economy and enjoy the economic opportunities arising from the global carbon trading market under the Kyoto Protocol;
- (c) ratify the Kyoto Protocol and therefore allow Australian companies to benefit from the Kyoto Protocol’s Clean Development Mechanism and Joint Implementation provisions which encourage and reward renewable energy projects;
- (d) work towards a long-term target of 60 per cent cuts to Australia’s year 2000 levels of greenhouse gas emissions by 2050;
- (e) increase Australia’s investment in proven renewable energy technologies by substantially increasing the Mandatory Renewable Energy Target;
- (f) support greater incentives for the research and development of renewable energy; and
- (g) support measures to improve energy efficiency, such as making an effective five star building code the national standard for new homes, and developing partnerships with energy utilities so that they do not just sell electricity and gas but also help people use less energy and cut their bills”.

Debate ensued.

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

Main question put and passed.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

Senator Milne moved the following amendment:

Schedule 1, page 27 (after line 6), after item 89, insert:

89A Section 40

Repeal the table, substitute:

Required GWh of renewable source energy	
Year	GWh
2001	300
2002	1100
2003	1800
2004	2600
2005	3400
2006	4500
2007	5600
2008	6800
2009	8100
2010	9500
2011 to 2020 increased by 1050GWh per annum	20000

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 8

Senators—

Allison
Bartlett

Brown, Bob
Milne

Murray
Nettle

Siewert (Teller)
Stott Despoja

NOES, 48

Senators—

Abetz
Adams
Barnett
Bernardi
Boswell
Brandis
Brown, Carol
Campbell, George
Chapman
Colbeck
Crossin
Eggleston (Teller)

Ellison
Evans
Faulkner
Ferris
Fierravanti-Wells
Fifield
Forshaw
Heffernan
Hogg
Hurley
Johnston
Joyce

Kirk
Lightfoot
Ludwig
Lundy
Marshall
Mason
McEwen
McGauran
McLucas
Moore
Nash
O'Brien

Parry
Patterson
Payne
Polley
Scullion
Stephens
Sterle
Troeth
Watson
Webber
Wong
Wortley

Question negatived.

The Leader of the Australian Democrats (Senator Allison) moved the following amendment:

Schedule 1, page 27 (after line 6), after item 89, insert:

89A Section 40

Repeal the table, substitute:

Required GWh of renewable source energy	
Year	GWh
2001	300
2002	1100
2003	1800
2004	2600
2005	3400
2006	4500
2007	5600
2008	8100
2009	9500
2010	11,000
2011	12,500
2012	14,000
2013	16,000
2014	18,000
2015	20,000
2016	22,000
2017	24,000
2018	26,000
2019	28,000
2020	30,000

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

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of the Minister for Fisheries, Forestry and Conservation (Senator Abetz) the report from the committee was adopted and the bill read a third time.

59 AUSTRALIAN RESEARCH COUNCIL AMENDMENT 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.

Debate resumed.

Question put and passed.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

Question—That the bill be agreed to—divided in respect of Schedule 1, items 1 to 14, 19, 23 to 37, 39 to 41, 44, 45, 47 and 48.

Schedule 1, items 1 to 14, 19, 23 to 37, 39 to 41, 44, 45, 47 and 48 debated.

The Senate continued to sit till midnight—

FRIDAY, 23 JUNE 2006 AM

Debate continued.

Question—That Schedule 1, items 1 to 14, 19, 23 to 37, 39 to 41, 44, 45, 47 and 48 stand as printed—put.

The committee divided—

AYES, 33

Senators—

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

NOES, 29

Senators—

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

Items agreed to.

Senator Stephens moved the following amendments together by leave:

Schedule 1, page 8 (after line 11), after item 12, insert:

12A Subsection 42(2)

Repeal the subsection, substitute:

- (2) The plan must be in writing and must not be given to the Minister unless it has been approved by the Board.

Schedule 2, page 17 (after line 16), at the end of the Schedule, add:

3 At the end of section 50

Add:

- (5) The Minister must ask for and consider the advice of the Board before making a determination.

Schedule 2, page 17 (after line 16), at the end of the Schedule, add:

4 After subsection 51(3)

Insert:

- (3A) The Minister must cause a copy of the determination under paragraph (2)(b) to be laid before each House of Parliament no later than 1 October for the year.

Schedule 2, page 17 (after line 16), at the end of the Schedule, add:

5 After subsection 52(2)

Insert:

- (2A) A recommendation must not be made unless it has been subject to peer or expert review by the ARC.

Schedule 2, page 17 (after line 16), at the end of the Schedule, add:

6 At the end of section 52

Add:

- (5) Where the Minister does not approve a proposal or makes any changes to a proposal, the Minister must table in each House of the Parliament:
 - (a) the specific area and topic of the proposal; and
 - (b) a statement of reasons for not approving or for amending the proposal.

Schedule 2, page 17 (after line 16), at the end of the Schedule, add:

7 At the end of section 52

Add:

- (6) Material tabled under subsection (5) must not breach the privacy of any person who has submitted the proposal.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 29

Senators—

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

NOES, 33

Senators—

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

Question negatived.

Senator Stott Despoja moved the following amendment:

Schedule 1, item 5, page 6 (after line 11), after paragraph 33B(c), insert:

(ca) to initiate inquiries on his or her own volition for the purpose of fulfilling the ARC's statutory functions;

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 29

Senators—

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

NOES, 33

Senators—

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

Question negatived.

Senator Stott Despoja moved the following amendment:

Schedule 1, item 3, page 4 (after line 16), after Part 2, insert:

Part 3—The College of Experts

7 Establishment of the College of Experts

The ARC College of Experts is established by this section.

8 Functions of the College of Experts

The functions of the ARC College of Experts are to:

- (a) assess and rank ARC grant applications submitted under the National Competitive Grants Program according to research excellence;
- (b) make funding recommendations to the ARC CEO;
- (c) provide strategic advice to the ARC on emerging and cross-disciplinary developments.

9 Membership and appointment of the College of Experts

- (1) The College of Experts is to consist of not less than 75 members.
- (2) The ARC must appoint members with demonstrated expertise in their field that are experts of international standing drawn from:
 - (a) the Australian research community; and
 - (b) the higher education sector; and
 - (c) the industry and public sector research organisations.

10 Terms and conditions of appointment of members of the College of Experts

- (1) A member of the College of Experts is appointed for a period of three years.
- (2) A member of the College of Experts may resign by giving the CEO a written resignation.
- (3) The Minister may only terminate the appointment of a member of the College of Experts following an independent inquiry on the ground of misbehaviour or of physical or mental incapacity.
- (4) For the purposes of subsection (3), *misbehaviour* includes but is not limited to academic fraud, conflict of interest, bribery or corruption, bankruptcy, excessive absence from duty or being convicted in Australia of an offence punishable by imprisonment for 12 months or longer.

Debate ensued.

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

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of the Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) the report from the committee was adopted and the bill read a third time.

60 **LAW ENFORCEMENT INTEGRITY COMMISSIONER BILL 2006****LAW ENFORCEMENT INTEGRITY COMMISSIONER (CONSEQUENTIAL AMENDMENTS) BILL 2006****LAW ENFORCEMENT (AFP PROFESSIONAL STANDARDS AND RELATED MEASURES) BILL 2006**

Order of the day read for the adjourned debate on the motion of the Minister for the Environment and Heritage (Senator Ian Campbell)—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

LAW ENFORCEMENT INTEGRITY COMMISSIONER BILL 2006—

Bill taken as a whole by leave.

Senator Ludwig moved the following amendment:

Clause 5, page 8 (lines 19 to 22), omit paragraph (d) of the definition of *law enforcement agency*.

Debate ensued.

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

Senator Ludwig moved the following amendment:

Clause 5, page 8 (after line 18), after paragraph (c) of the definition of *law enforcement agency*, insert:

- (ca) the Australian Customs Service; or
- (cb) the Australian Transaction Reports and Analysis Centre (AUSTRAC); or
- (cc) the Department of Immigration and Multicultural Affairs; or

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

Senator Ludwig moved the following amendment:

Clause 93, page 103 (after line 30), at the end of the clause, add:

False or misleading statements

- (6) A person commits an offence if the person makes an oral or written statement to a hearing that the person knows to be false or misleading in a material particular.

Penalty: Imprisonment for 2 years.

Debate ensued.

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

Senator Ludwig moved the following amendments together by leave:

Heading to Part 14, page 208 (lines 3 and 4), omit “**Australian Commission for Law Enforcement Integrity**”, substitute “**Australian Crime Commission**”.

Clause 212, page 208 (lines 8 to 10), omit all words after “means”, substitute “the Parliamentary Joint Committee on the Australian Crime Commission established under Part III of the *Australian Crime Commission Act 2002*.”.

Clauses 213 and 214, page 208 (line 12) to page 209 (line 22), omit the clauses.

Debate ensued.

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

Senator Stott Despoja moved the following amendments together by leave:

Clause 175, page 182 (after line 15), after subclause (2), insert:

- (3) In making an appointment in accordance with subsections (1) and (2), the Governor-General is to have regard to the merit selection processes described in section 175A.

Page 183 (after line 10), after clause 175, insert:

175A Procedures for merit selection of Integrity Commissioner

- (1) The Minister must, within 9 months of the commencement of this section, determine a code of practice for selecting and appointing the Integrity Commissioner that must include the following general principles:
 - (a) merit, including but not limited to appropriate subject, research and management experience; and
 - (b) appointment on the recommendation of an independent selection panel established by the Minister; and
 - (c) probity; and
 - (d) openness and transparency, including where the Minister recommends the appointment of a person not nominated by the selection panel, the requirement for a statement to be tabled in both houses of Parliament setting out:
 - (i) the reason for not accepting the recommendation made in accordance with paragraph (b); and
 - (ii) the reasons for the Minister’s decision.
- (2) The Minister must cause to be tabled in each House of the Parliament a copy of the code of practice within 15 sitting days of that House after determining the code in accordance with subsection (1).
- (3) The Minister must cause to be tabled in each House of the Parliament any amendment to the code of practice within 15 sitting days of that House after the amendment is made.

175B Audit of procedures

- (1) The operation of section 175A must be audited by the Public Service Commissioner each financial year.
- (2) The result of an audit conducted in accordance with this section is to be included in the annual report of the Public Service Commissioner.
- (3) An audit conducted pursuant to subsection (1) must examine the code of practice as determined and any appointments made in accordance with the code of practice.

Debate ensued.

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

Bill agreed to.

**LAW ENFORCEMENT INTEGRITY COMMISSIONER (CONSEQUENTIAL AMENDMENTS)
BILL 2006—**

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

**LAW ENFORCEMENT (AFP PROFESSIONAL STANDARDS AND RELATED MEASURES)
BILL 2006—**

Bill taken as a whole by leave.

Senator Ludwig moved the following amendments together by leave:

Schedule 1, item 28, page 35 (after line 10), after section 40TV, insert:

40TVA Review of category 1 or category 2 conduct report

- (1) If the investigator is satisfied, on reasonable grounds, that the AFP appointee has engaged in category 1 or category 2 conduct, the Commissioner must provide a copy of the written report to the AFP appointee.
- (2) The AFP appointee may request that the Commissioner conduct a review of the report or the recommendations.
- (3) If the AFP appointee requests a review under subsection (2), the Commissioner must appoint a person (the *reviewing officer*) with appropriate qualifications or experience to conduct the review. The Commissioner must not appoint the investigator to conduct the review.
- (4) The reviewing officer must provide to the Commissioner and the AFP appointee a report containing:
 - (a) the reviewing officer's view as to whether the investigator's findings are based on reasonable grounds; and
 - (b) the reviewing officer's view as to whether the investigation was conducted appropriately.
- (5) If the AFP appointee requests a review under subsection (2), the Commissioner must not take action under paragraph 40TV(b) until the reviewing officer has provided his or her report to the Commissioner.

Schedule 1, item 28, page 35 (after line 10), after section 40TV, insert:

40TVB Review of category 3 conduct

- (1) If the investigator is satisfied, on reasonable grounds, that the AFP appointee has engaged in category 3 conduct, the Commissioner must provide a copy of the report to the AFP appointee.
- (2) The AFP appointee may apply to the Administrative Appeals Tribunal for a review of the investigator's findings.
- (3) This section does not apply to an AFP appointee who has been the subject of completed termination action.

Debate ensued.

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

Bill agreed to.

Bills to be reported without amendments.

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

On the motion of the Minister for Justice and Customs (Senator Ellison) the report from the committee was adopted and the bills read a third time.

61 APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL (NO. 1) 2006-2007

APPROPRIATION BILL (NO. 1) 2006-2007

APPROPRIATION BILL (NO. 2) 2006-2007

APPROPRIATION BILL (NO. 5) 2005-2006

APPROPRIATION BILL (NO. 6) 2005-2006

Order of the day read for the adjourned debate on the motion of the Minister for Justice and Customs (Senator Ellison)—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 Appropriation Bill (No. 1) 2006-2007 and Appropriation Bill (No. 2) 2006-2007, to which requests for amendments and amendments were circulated in the Senate.

In the committee

APPROPRIATION BILL (NO. 1) 2006-2007—

Bill taken as a whole by leave.

Senator Murray, also on behalf of Senator Stephens, moved the following requests for amendments together by leave:

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

Clause 11, page 8 (after line 9), at the end of the clause, add:

- (4) A copy of a determination made under subsection (1) together with a statement of reasons for the determination must be tabled in each House of the Parliament within 3 sitting days of that House after being made.
- (5) The statement of reasons required by subsection (4) must include details of the purpose, objects and expected outcomes of the expenditure.

Clause 12, page 8 (after line 30), at the end of the clause, add:

- (5) A copy of a determination made under subsection (2) together with a statement of reasons for the determination must be tabled in each House of the Parliament within 3 sitting days of that House after being made.

- (6) The statement of reasons required by subsection (5) must include details of the purpose, objects and expected outcomes of the expenditure.

Debate ensued.

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

Senator Murray, also on behalf of the Leader of the Opposition in the Senate (Senator Evans), moved the following request for an amendment:

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

Page 10 (after line 8), after clause 14, insert:

14A Advertising and public information projects

- (1) No amount appropriated by this Act is to be expended for any advertising or public information project where the cost of the project is estimated to be \$100,000 or more, unless:
 - (a) a statement in accordance with subsection (2) has been provided to the Auditor-General; and
 - (b) the Auditor-General has issued a certificate certifying that the project conforms with the Audit and JCPAA guidelines.
- (2) A statement under subsection (1) must indicate:
 - (a) the purpose and nature of the project;
 - (b) the intended recipients of the information to be communicated by the project;
 - (c) who is to authorise the project;
 - (d) the manner in which the project is to be carried out;
 - (e) who is to carry out the project;
 - (f) whether the project is to be carried out under a contract;
 - (g) whether such contract is to be let by tender;
 - (h) the estimated cost of the project; and
 - (i) the details of the type of media to be used for the project.
- (3) A statement and certificate under subsection (1) must be:
 - (a) published in the *Gazette*; and
 - (b) laid before each House of the Parliament within six sitting days of that House after the certificate is issued.
- (4) In this section, *Audit and JCPAA guidelines* means the guidelines set out in Report No. 12 of 1998-99 of the Auditor-General, entitled *Taxation Reform: community education and information programme*, and Report No. 377 of the Joint Committee of Public Accounts and Audit, entitled *Guidelines for Government Advertising*, respectively.

Debate ensued.

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

Bill agreed to.

APPROPRIATION BILL (NO. 2) 2006-2007—

Bill taken as a whole by leave.

Senator Murray, also on behalf of Senator Stephens, moved the following amendments together by leave:

Clause 12, page 9 (after line 12), at the end of the clause, add:

- (4) A copy of a determination made under subsection (1) together with a statement of reasons for the determination must be tabled in each House of the Parliament within 3 sitting days of that House after being made.
- (5) The statement of reasons required by subsection (4) must include details of the purpose, objects and expected outcomes of the expenditure.

Clause 13, page 10 (after line 3), at the end of the clause, add:

- (5) A copy of a determination made under subsection (2) together with a statement of reasons for the determination must be tabled in each House of the Parliament within 3 sitting days of that House after being made.
- (6) The statement of reasons required by subsection (5) must include details of the purpose, objects and expected outcomes of the expenditure.

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

Senator Murray, also on behalf of Senator Evans, moved the following amendment:

Page 12 (after line 5), after clause 15, insert:

15A Advertising and public information projects

- (1) No amount appropriated by this Act is to be expended for any advertising or public information project where the cost of the project is estimated to be \$100,000 or more, unless:
 - (a) a statement in accordance with subsection (2) has been provided to the Auditor-General; and
 - (b) the Auditor-General has issued a certificate certifying that the project conforms with the Audit and JCPAA guidelines.
- (2) A statement under subsection (1) must indicate:
 - (a) the purpose and nature of the project;
 - (b) the intended recipients of the information to be communicated by the project;
 - (c) who is to authorise the project;
 - (d) the manner in which the project is to be carried out;
 - (e) who is to carry out the project;
 - (f) whether the project is to be carried out under a contract;
 - (g) whether such contract is to be let by tender;
 - (h) the estimated cost of the project; and
 - (i) the details of the type of media to be used for the project.
- (3) A statement and certificate under subsection (1) must be:
 - (a) published in the *Gazette*; and
 - (b) laid before each House of the Parliament within six sitting days of that House after the certificate is issued.

- (4) In this section, *Audit and JCPAA guidelines* means the guidelines set out in Report No. 12 of 1998-99 of the Auditor-General, entitled *Taxation Reform: community education and information programme*, and Report No. 377 of the Joint Committee of Public Accounts and Audit, entitled *Guidelines for Government Advertising*, respectively.

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

Bill agreed to.

Appropriation Bill (No. 1) 2006-2007 to be reported without requests for amendments and Appropriation Bill (No. 2) 2006-2007 to be reported without amendment.

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

On the motion of the Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) the report from the committee was adopted and Appropriation (Parliamentary Departments) Bill (No. 1) 2006-2007, Appropriation Bill (No. 1) 2006-2007, Appropriation Bill (No. 2) 2006-2007, Appropriation Bill (No. 5) 2005-2006 and Appropriation Bill (No. 6) 2005-2006 read a third time.

62 DAYS OF MEETING—VARIATION

The Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck), by leave, moved—That the Senate not meet on Friday, 23 June 2006.

Question put and passed.

63 LEAVE OF ABSENCE

The Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) moved—That leave of absence be granted to every member of the Senate from the termination of the sitting today to the day on which the Senate next meets.

Question put and passed.

64 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 1.32 am till Tuesday, 8 August 2006 at 12.30 pm.

65 ATTENDANCE

Present, all senators except Senators Bishop*, Carr*, Conroy*, Kemp*, Ronaldson*, Sherry* and Trood* (* on leave).

HARRY EVANS
Clerk of the Senate