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

2 GOVERNMENT DOCUMENTS
The following government documents were tabled:

Aboriginal and Torres Strait Islander Commission—Report for the period 1 July 2004 to 23 March 2005. [Final report]
Aboriginal and Torres Strait Islander Services—Report for 2004-05. [Final report]
Customs Act 1901—Customs (Prohibited Exports) Regulations 1958—Permissions granted under regulation 7 for the period 1 January to 30 June 2006.
Treaties—
Bilateral—Text, together with national interest analysis and annexures—

3 ABORIGINAL AND TORRES STRAIT ISLANDER HERITAGE PROTECTION AMENDMENT BILL 2005 [2006]
Order of the day read for the adjourned debate on the motion of the Minister for Fisheries, Forestry and Conservation (Senator Abetz)—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, debated.
Senator Siewert moved the following amendment:

1 Page 2 (after line 11), after clause 3, insert:

4 Public and independent review of the repeal of Part IIA of the Aboriginal and Torres Strait Islander Heritage Protection Act 1984

(1) The Minister must cause a review of the operation and effectiveness of the amendments made by Schedule 2 of this Act.
(2) The review must be undertaken immediately after the second anniversary of the commencement of the amendments.
(3) The review is to be undertaken by a committee consisting of:
   (a) a person with expertise in Indigenous heritage; and
   (b) an Aboriginal or Torres Strait Islander community representative; and
   (c) an expert in Indigenous cultural knowledge systems; and
   (d) a person with relevant legal experience in heritage and/or Indigenous cultural property issues.
(4) The review must provide for public submissions and public hearings as part of the review.
(5) The Minister must cause a copy of the report of the review to be tabled in each House of the Parliament within 5 sitting days of that House after its receipt by the Minister.

Debate ensued.
Question—That the amendment be agreed to—put and negatived.
Bill further debated.
Senator Siewert moved the following amendment:

Schedule 3, page 6 (after line 22), at the end of the Schedule, add:

Legislative Instruments Act 2003

8 Section 54 (before table item 1)

Insert:

1A Instruments made under section 10 or section 12 of the Aboriginal and Torres Strait Islander Heritage Protection Act 1984.

Debate ensued.
Question—That the amendment be agreed to—put.
The committee divided—

AYES, 33

Senators—

Allison  Forshaw  McLucas  Siewert
Bartlett  Hogg  Milne  Stephens
Bishop  Hurley  Moore  Sterle
Brown, Bob  Hutchins  Murray  Webber (Teller)
Brown, Carol  Kirk  Nettle  Wong
Carr  Ludwig  O’Brien  Worley
Conroy  Lundy  Polley  —
Crossin  Marshall  Ray  —
Faulkner  McEwen  Sherry  —

NOES, 35

Senators—

Abetz  Eggleston (Teller)  Kemp  Patterson
Adams  Ellison  Lightfoot  Payne
Barnett  Ferguson  Macdonald, Ian  Ronaldson
Bernardi  Ferris  Macdonald, Sandy  Santoro
Brandis  Fierravanti-Wells  Mason  Troeth
Campbell, Ian  Fifield  McGauran  Trood
Chapman  Humphries  Minchin  Vanstone
Colebatch  Johnston  Nash  Watson
Coonan  Joyce  Parry  —

Question negatived.
Bill agreed to.
Bill to be reported without amendment.

The Acting Deputy President (Senator Marshall) resumed the chair and the Chair of Committees (Senator Hogg) reported accordingly.
On the motion of the Minister for the Arts and Sport (Senator Kemp) the report from the committee was adopted.
Senator Kemp moved—That this bill be now read a third time.
Debate ensued.
At 2 pm: Debate was interrupted while Senator Siewert was speaking.

4 QUESTIONS

Questions without notice were answered.

5 SENATOR RAY—TERM OF SERVICE—STATEMENT BY PRESIDENT

The President made a statement relating to Senator Ray and his term of service of 25 years as a senator for the state of Victoria.
6 ENVIRONMENT—VICTORIA—BALD HILLS—PROPOSED WIND FARM—ANSWERS TO QUESTIONS
The Leader of the Opposition in the Senate (Senator Evans) moved—That the Senate take note of the answers given by the Minister for the Environment and Heritage (Senator Ian Campbell) to questions without notice asked by Opposition senators today relating to the proposed wind farm at Bald Hills, Victoria.
Debate ensued.
Question put and passed.

7 TRANSPORT—PETROL PRICES—ANSWER TO QUESTION
Senator Milne 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 Milne today relating to petrol prices.
Question put and passed.

8 DEATH OF FORMER SENATOR THE HONOURABLE DR REGINALD JOHN DAVID TURNBULL
The President informed the Senate of the death, on 17 July 2006, of the Honourable Dr Reginald John David Turnbull, a senator for the state of Tasmania from 1962 to 1974.
The Leader of the Government in the Senate (Senator Minchin), by leave, moved—That the Senate records its deep regret at the death, on 17 July 2006, of the Honourable Dr Reginald John David (Spot) Turnbull, former senator for Tasmania, and places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his family in their bereavement.
The motion was supported and all senators present stood in silence—
Question passed.

9 PETITIONS
The following 6 petitions, lodged with the Clerk by the senators indicated, were received:

The President and Senator Marshall, from 306 and 42 petitioners, respectively, requesting that the Senate reject the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006.
The President, from 145 petitioners, requesting that the Senate legislate to require that all Internet service providers offer a ‘clean feed’ Internet service to all households, schools and public libraries that blocks access to websites containing child pornography, acts of extreme violence and X-rated material.
Senator Bartlett, from 14 petitioners, requesting that the Senate support the Defence Amendment (Parliamentary approval for Australian involvement in overseas conflicts) Bill 2003 [2004].
Senator Bartlett, from 133 petitioners, requesting that the Senate take action to retain the position of Staff Elected Director of the Australian Broadcasting Corporation Board, and to appoint other board members based upon merit.
Senator Kemp, from 279 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.

10 NOTICES

Notices of motion:

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

(a) congratulates the following winners of the Australian Book Industry Awards, held in Sydney on 26 July 2006, on their literary achievement:

(i) Australian Publisher of the Year 2006: Allen & Unwin,
(ii) Australian Independent Bookseller of the Year 2006: Riverbend Books,
(iii) Australian Chain Bookseller of the Year 2006: Readings Carlton,
(iv) Australian Book of the Year 2006: The Secret River by Kate Grenville,
(v) The Pixie O’Harris Award: Julie Watts,
(vi) Australian Illustrated Book of the Year 2006: Italian Joy by Carla Coulson,
(vii) Australian Biography of the Year 2006: Far From A Still Life: Margaret Olley by Meg Stewart,
(viii) Australian General Non-Fiction Book of the Year 2006: The Weather Makers: The History and Future Impact of Climate Change by Tim Flannery,
(ix) Australian Book of the Year for Younger Children (age range 0 to 8 years) 2006: Little Fur: The Legend of Little Fur Book 1 by Isobelle Carmody,
(x) Australian Book of the Year for Older Children (age range 8 to 14 years) 2006: Does my Head Look Big in This? by Randa Abdel-Fattah,
(xi) Australian Literary Fiction Book of the Year 2006: The Secret River by Kate Grenville,
(xii) Australian General Fiction Book of the Year 2006: The Broken Shore by Peter Temple,
(xiii) Australian Newcomer of the Year (debut writer) 2006: A Man’s Got to Have a Hobby by William McInnes,
(xiv) Australian Export & Rights Development Award 2006: Allen & Unwin,
(xv) Australian Marketing Campaign of the Year 2006: The CSIRO Total Wellbeing Diet by Dr Manny Noakes with Dr Peter Clifton,
(xvi) Australian Distributor of the Year 2006: Alliance Distribution Services, and
(xvii) Australian Small Publisher of the Year 2006: Scribe Publications; and

(b) acknowledges Mr John Marsden, who was awarded the Lloyd O’Neil Award for Services to the Australian Book Industry. (general business notice of motion no. 470)

Senator Stott Despoja: To move on the next day of sitting—That the Senate notes that 9 August 2006 marks the international day of action for justice for the Japanese ‘Comfort Women’ who, 61 years after the conclusion of World War II, are still yet to receive an apology or any official acknowledgment of the grave human rights abuses that were suffered at the hands of the Japanese military. (general business notice of motion no. 471)
Senators Stott Despoja, Humphries, Nettle and Payne: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) 11 July 2006 was the 15th anniversary of the entry into force of the United Nations’ Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty,

(ii) 57 countries have signed and ratified the Second Optional Protocol, including Australia, and

(iii) while Australia has ratified the Second Optional Protocol, this Parliament has not yet adopted the Protocol into domestic law;

(b) reaffirms its opposition to capital punishment; and

(c) on a bipartisan level, calls for the Australian Government, the Federal Parliament and the parliaments of the states and territories to work together to adopt the Second Optional Protocol into domestic law with binding force over the Commonwealth, the states and the territories. (general business notice of motion no. 472)

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

(a) notes that:

(i) on 7 September 2001, the United Nations (UN) General Assembly declared that the International Day of Peace should be observed annually on the fixed date of 21 September, as a day of global ceasefire and non-violence, and

(ii) UN Secretary General Kofi Annan has repeatedly urged member states of the UN to support the observance of a global ceasefire on the day, arguing that a global ceasefire would:

(A) provide a pause for reflection by the international community on the threats and challenges faced,

(B) offer mediators a building block towards a wider truce, as has been seen in nations such as Ghana and Zambia,

(C) encourage those involved in violent conflict to reconsider the wisdom of further violence,

(D) provide relief workers with a safe interlude for the provision of vital services and the supply of essential goods,

(E) allow freedom of movement and information, which is particularly beneficial to refugees and internally-displaced persons, and

(F) relieve those embroiled in violent conflict from the daily burden of fear for one’s own safety and the safety of others;

(b) supports the Australian organisations that intend to hold vigils, concerts and walks on 21 September 2006, in Melbourne, Sydney, Adelaide, Darwin and Brisbane;

(c) calls on the Government to actively support the observance of a ceasefire in Afghanistan, East Timor, Iraq and the Solomon Islands on 21 September 2006 by ensuring that Australia’s armed forces:

(i) do not engage in hostilities for the duration of 21 September, unless provoked to do so in self-defence,

(ii) promote the observance of a global ceasefire for the duration of 21 September, and
(iii) promote the practice of non-violence for the duration of 21 September;

and

(d) requests that the Government encourage other nation states to follow its lead.

(general business notice of motion no. 473)

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

(a) notes that:

(i) *The Secret River* by author Ms Kate Grenville, has been awarded the Australian Literary Fiction Book of the Year 2006 and overall Australian Book of the Year 2006 in the Australian Book Industry Awards and the Commonwealth Writers Prize, and

(ii) *Far From a Still Life: Margaret Olley* by author Ms Meg Stewart, has been awarded Australian Biography of the Year 2006; and

(b) congratulates Ms Grenville and Ms Stewart for their outstanding contributions to Australian literature. (general business notice of motion no. 474)

The Minister for the Arts and Sport (Senator Kemp) and Senator Lundy: To move on the next day of sitting—That the Senate—

(a) congratulates the Australian Socceroos on their historic performance at the 2006 World Cup in Germany;

(b) also congratulates the outstanding results achieved by the Matildas recently on their qualification for the 2007 World Cup in China;

(c) congratulates the Football Federation of Australia for undertaking a comprehensive reform agenda in the sport of football, including the implementation of the recommendations of the Crawford report;

(d) acknowledges the important contribution of the Australian Sports Commission to the reform program and supports its development of young football players, particularly through the Australian Institute of Sport football program; and

(e) notes the commitment held by many Australians to football and supports the Commonwealth in its endeavours to support football in Australia.

The Minister for the Environment and Heritage (Senator Ian Campbell): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend legislation relating to environment and heritage, and for related purposes. *Environment and Heritage Legislation Amendment (Antarctic Seals and Other Measures) Bill 2006.*

The Chair of the Economics Legislation Committee (Senator Brandis): To move on the next day of sitting—That the time for the presentation of the report of the Economics Legislation Committee on the provisions of the Intellectual Property Laws Amendment Bill 2006 be extended to 16 August 2006. (general business notice of motion no. 475)

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

(a) notes that:

(i) 8 August 2006 is the 18th anniversary of the Burmese military regime’s murderous suppression of the pro-democracy movement,

(ii) while the pro-democracy uprising failed, international pressure placed on Rangoon led to the landmark 1990 parliamentary election,
(iii) the lack of organised, sustained international pressure on Rangoon allowed the military junta to ignore the parliamentary election results, which saw a landslide victory for the pro-democracy National League for Democracy led by Daw Aung San Suu Kyi and this situation renewed military oppression in Burma which has lasted to this day,

(iv) military repression in Burma has led to more than 500,000 documented Burmese political and economic refugees living in India, China and Thailand, while undocumented Burmese refugees living in Thailand are estimated to be in the millions,

(v) thousands of people have died and continue to die under the rule of the Burmese military, and

(vi) Daw Aung San Suu Kyi and many hundreds of other political prisoners remain in detention within Burma; and

(b) calls on the Government to:

(i) urge the United Nations Security Council to pass a strong binding resolution addressing the urgent need for democratic reform and greater protection of human rights in Burma, and

(ii) make representations to the Japanese, Chinese and Russian governments urging them to abandon any support they may have for the Burmese junta. (general business notice of motion no. 476)

Senator Stott Despoja: To move on the next day of sitting—That the Senate notes that:

(a) on 7 August 2006, Australian David Hicks commemorated his 31st birthday, his fifth in detention at Guantanamo Bay, where he has been held for four and a half years;

(b) the United States Supreme Court ruling in *Hamden v Rumsfeld* held that military commissions are ‘[i]nconsistent with the Constitution and laws of the United States’ and thus ‘illegal’;


(d) this report highlights how the Government of the United States of America (US) has deliberately and systematically disregarded domestic American and international laws regarding human rights and civil liberties as the report makes the case that the US Government is in clear violation of the ICCPR, one of the fundamental protections against government-instigated oppression; and

(e) the findings of this report suggest that the US Government is intentionally worsening the situation of the remaining Guantanamo detainees, including Mr Hicks. (general business notice of motion no. 477)

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

(a) notes the horrible loss of life and injury that is occurring in Lebanon and Israel; and

(b) calls on the Government to call for an immediate ceasefire from all parties. (general business notice of motion no. 478)

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

(a) notes that the report by the Edmund Rice Centre into returned Afghan asylum seekers found that:
(i) as many as nine men returned from Nauru may have been killed, and three children of people sent back from Nauru are confirmed as killed, and

(ii) that many asylum seekers, who were told by officials of the Department of Immigration and Multicultural Affairs that Afghanistan was safe, have faced renewed persecution and the dangers of on-going war upon return and that many of these people have been forced to flee again; and

(b) calls on the Government to:

(i) stop attacking the authors of the report, and

(ii) investigate the claims made in the report. (general business notice of motion no. 479)

Contingent notice of motion:

The Leader of the Opposition in the Senate (Senator Evans) and Senators Bartlett and Siewert: To move (contingent on the Aboriginal Land Rights (Northern Territory) Amendment Bill 2006 being read a second time)—That it be an instruction to the committee of the whole that:

(1) The Aboriginal Land Rights (Northern Territory) Amendment Bill 2006 be divided into two bills, as follows:

(a) a Bill for an Act to amend the Aboriginal Land Rights (Northern Territory) Act 1976, and for other purposes; and

(b) a Bill for an Act to amend the Aboriginal Land Rights (Northern Territory) Act 1976, to restrict certain entitlements of traditional Aboriginal land owners and for other purposes.

(2) The first bill consist of the enacting words, clauses 1, 2 and 3 and Schedule 1, all items except: item 46, section 19A; items 50 and 51; item 52, section 21A; item 65, section 28C; items 172 to 186; and item 192, subsections 67A(12) to (17) of the original bill, renumbered as necessary; and that the second bill consist of: Schedule 1, item 46, section 19A; items 50 and 51; item 52, section 21A; item 65, section 28C; items 172 to 186; and item 192, subsections 67A(12) to (17) of the original bill, renumbered as necessary.

(3) The following amendments be made to the second bill:

(a) title, insert the title as shown in paragraph (1)(b) of this order;

(b) after the title, insert the words of enactment; and

(c) after the words of enactment, insert the following clauses:

1 Short title

This Act may be cited as the Aboriginal Land Rights (Northern Territory) Amendment Act (No. 2) 2006.

2 Commencement

This Act commences on the day on which it receives the Royal Assent.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

(4) That the bills as amended by this order be printed.
Notice of motion withdrawn: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Watson), pursuant to notice of intention given on 22 June 2006, withdrew notices of motion standing in his name as follows:

Business of the Senate notices of motion nos 1 to 3 for 8 sitting days after today for the disallowance of the following instruments:

- 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 11 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.

11 Postpone:ments

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of the Leader of the Australian Greens (Senator Bob Brown) for 9 August 2006, proposing the reference of matters to the Community Affairs References Committee, postponed till 15 August 2006.

Business of the Senate notice of motion no. 2 standing in the name of Senator Crossin for 9 August 2006, proposing the reference of a matter to the Environment, Communications, Information Technology and the Arts References Committee, postponed till 10 August 2006.

12 Urgency Motion—Environment—Victoria—Bald Hills—Proposed Wind Farm

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

The failure of the Minister for the Environment and Heritage (Senator Ian Campbell) to follow due process in assessing the environmental impact of the Bald Hills wind farm in Victoria, thereby undermining the legitimacy of national environmental approval processes.

The proposal was supported by 4 senators.

Senator Carr moved the motion.

Debate ensued.
Question put.
The Senate divided—

AYES, 34

Senators—

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

NOES, 37

Senators—

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

Question negatived.


The President tabled the following documents received on 7 July 2006:

Employment, Workplace Relations and Education Legislation Committee—Additional information—

Additional estimates 2003-04—
Volume 13—Employment and Workplace Relations portfolio.
Budget estimates 2004-05—
Volume 8—Education, Science and Training portfolio.
Volume 9—Employment and Workplace Relations portfolio.
Budget estimates (Supplementary) 2004-05—Volume 6—Education, Science and Training portfolio.

The President tabled the following document received on 14 July 2006:


Document ordered to be printed on the motion of Senator Nash.


The President tabled the following documents received on 28 July 2006:

Finance and Public Administration Legislation Committee—Reports—Electoral and Referendum Amendment Bill (No. 2) 1998—Additional information.


16 **Community Affairs Legislation Committee—Report—Aboriginal Land Rights (Northern Territory) Amendment Bill 2006**

The President tabled the following report and documents received on 1 August 2006:


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

17 **Legal and Constitutional Legislation Committee—Report—Crimes Act Amendment (Forensic Procedures) Bill (No. 1) 2006**

The President tabled the following report and documents received on 1 August 2006:

Legal and Constitutional Legislation Committee—Crimes Act Amendment (Forensic Procedures) Bill (No. 1) 2006—Report, dated August 2006 and submissions [6].

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

18 **Legal and Constitutional Legislation Committee—Report—Customs Legislation Amendment (Modernising Import Controls and Other Measures) Bill 2006**

The President tabled the following report and documents received on 1 August 2006:


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

19 **Legal and Constitutional Legislation Committee—Report—Financial Transaction Reports Amendment Bill 2006**

The President tabled the following report and documents received on 1 August 2006:

Legal and Constitutional Legislation Committee—Financial Transaction Reports Amendment Bill 2006—Report, dated August 2006 and submissions [7].

Report ordered to be printed on the motion of Senator Nash.
20 **GOVERNMENT DOCUMENTS**

The President tabled the following documents received on the dates indicated:

- Department of Defence—Special purpose flights—Schedule for period July to December 2005. [Received 26 June 2006]
- Family Law Council—Report—Relocation, May 2006. [Received 11 July 2006]
- Military Superannuation and Benefits Scheme (MSBS) and Defence Force Retirement and Death Benefits Scheme (DFRDB)—Report on long-term costs carried out by the Australian Government Actuary using data to 30 June 2005. [Received 26 June 2006]
- Productivity Commission—Report—No. 37—Conservation of Australia’s historic heritage places, 6 April 2006. [Received 21 July 2006]

21 **AUDITOR-GENERAL—AUDIT REPORTS NOS 49 TO 52 OF 2005-06—DOCUMENTS**

The President tabled the following documents received on the dates indicated:

- Auditor-General—Audit reports for 2005-06—
  - No. 49—Performance audit—Job placement and matching services: Department of Employment and Workplace Relations. [Received 26 June 2006]
  - No. 50—Performance audit—Arrangements to manage and account for aid funds provided under the Australia-Indonesia Partnership for Reconstruction and Development: Australian Agency for International Development; Department of Foreign Affairs and Trade. [Received 27 June 2006]
  - No. 51—Performance audit—Implementation of the parliamentary resolutions arising from the Review by the Parliamentary Service Commissioner of aspects of the administration of the Parliament: Department of Parliamentary Services. [Received 28 June 2006]
  - No. 52—Performance audit—Management of selected Telstra Social Bonus 2 and telecommunications service inquiry response programs: Department of Communications, Information Technology and the Arts. [Received 29 June 2006]

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

Pursuant to the order of the Senate of 30 May 1996, as amended, the President tabled the following document received on 30 June 2006:

Indexed lists of departmental and agency files for the period 1 July to 31 December 2005—Statement of compliance—Department of Health and Ageing.


Senator Faulkner, by leave, moved—That the Senate take note of the documents tabled earlier today (see entry no. 15).

Question put and passed.

24 **PRODUCTIVITY COMMISSION—REPORT NO. 37—DOCUMENT—CONSIDERATION**

Senator Carr, by leave, moved—That the Senate take note of the document tabled earlier today (see entry no. 20).

Question put and passed.
25 Australian and Pacific Presiding Officers and Clerks Conference—Document
The Acting Deputy President (Senator Kirk) tabled the following document:

26 Business of the Senate—1 January to 30 June 2006—Document
The Acting Deputy President (Senator Kirk) tabled the following document:
Business of the Senate—1 January to 30 June 2006.

27 Questions on Notice Summary—Document
The Acting Deputy President (Senator Kirk) tabled the following document:

28 Work of Committees—Document
The Acting Deputy President (Senator Kirk) tabled the following document:
Document ordered to be printed on the motion of Senator Nash.

29 Community Affairs References Committee—Additional Information—Petrol Sniffing in Aboriginal Communities
Senator Crossin, at the request of the Chair of the Community Affairs References Committee (Senator Moore), tabled the following document:
Community Affairs References Committee—Report—Beyond petrol sniffing: Renewing hope for Indigenous communities—Additional information.
Senator Crossin, by leave, moved—that the Senate take note of the document.
Debate ensued.
Question put and passed.

Senator Nash, at the request of Chair of the Parliamentary Joint Committee on the Australian Crime Commission (Senator Ian Macdonald), tabled the following documents:

31 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 (Family Assistance) Act—
A New Tax System (Family Assistance) (Child Care Benefit – Activities counting towards activity requirements) Determination 2006 [F2006L02027]*.
A New Tax System (Family Assistance) (Child Care Benefit – Children in respect of whom no-one is eligible) Determination 2006 [F2006L02031]*.
A New Tax System (Family Assistance) (Child Care Benefit – Circumstances in which activity requirements do not apply) Determination 2006 [F2006L02024]*.
A New Tax System (Family Assistance) (Child Care Benefit – Eligible Hours of Care) Determination 2006 [F2006L02028]*.
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21 of 2006—Reporting Standard ARS 320.3 Debt Securities on Issue [F2006L02071]*.
22 of 2006—Reporting Standard ARS 320.4 Bill Acceptances and Endorsements [F2006L02074]*.
23 of 2006—Reporting Standard ARS 320.5 Securities Subject to Repurchase and Resale and Stock Lending and Borrowing [F2006L02075]*.
24 of 2006—Reporting Standard ARS 320.7 Deposits and Loans Classified by State and Territory [F2006L02076]*.
25 of 2006—Reporting Standard ARS 320.9 Intra-Group Receivables and Payables [F2006L02077]*.
27 of 2006—Reporting Standard ARS 322.0 Statement of Financial Position (Consolidated) [F2006L02081]*.
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34 of 2006—Reporting Standard ARS 330.3 Other Operating Expenses [F2006L02111]*.
35 of 2006—Reporting Standard ARS 331.0 Selected Revenue and Expenses [F2006L02112]*.
36 of 2006—Reporting Standard ARS 332.0 Statement of Economic Activity [F2006L02114]*.
37 of 2006—Reporting Standard ARS 391.0 Commercial Finance [F2006L02118]*.
38 of 2006—Reporting Standard ARS 392.0 Housing Finance [F2006L02120]*.
39 of 2006—Reporting Standard ARS 393.0 Lease Finance [F2006L02121]*.
40 of 2006—Reporting Standard ARS 394.0 Personal Finance [F2006L02102]*.
41 of 2006—Reporting Standard ARS 395.0 Business Finance [F2006L02104]*.
42 of 2006—Reporting Standard ARS 396.0 Points of Presence [F2006L02106]*.
43 of 2006—Revocation of former reporting standard applying to ADIs [F2006L02107]*.
47 of 2006—Reporting Standard RRS 231.3a International Exposures: Consolidated (Domestic Entity) [F2006L02052]*.
48 of 2006—Reporting Standard RRS 231.3b International Exposures: Consolidated (Foreign Entity) [F2006L02055]*.
50 of 2006—Reporting Standard RRS 320.1 Debt Securities Held [F2006L02059]*.
51 of 2006—Reporting Standard RRS 320.2 Equity Securities Held [F2006L02062]*.
52 of 2006—Reporting Standard RRS 320.3 Debt Securities on Issue [F2006L02068]*.
53 of 2006—Reporting Standard RRS 320.4 Bill Acceptances [F2006L02070]*.
54 of 2006—Reporting Standard RRS 320.5 Securities Subject to Repurchase and Resale and Stock Lending and Borrowing [F2006L02073]*.
55 of 2006—Reporting Standard RRS 331.0 Selected Revenues and Expenses [F2006L02078]*.
56 of 2006—Reporting Standard RRS 332.0 Statement of Economic Activity [F2006L02079]*.
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58 of 2006—Reporting Standard RRS 392.0 Housing Finance [F2006L02084]*.
59 of 2006—Reporting Standard RRS 393.0 Lease Finance [F2006L02085]*.
60 of 2006—Reporting Standard RRS 394.0 Personal Finance [F2006L02087]*.

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  Income Tax (Effective Life of Depreciating Assets) Amendment Determination 2006 (No. 3) [F2006L01903]*.
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MN26-06b of 2006—Migration Agents (Continuing Professional Development—Private Study of Audio, Video or Written Material) [F2006L02126]*.
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136—Primary Industries (Excise) Levies Amendment Regulations 2006 (No. 3) [F2006L01872]*.
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193—Primary Industries Levies and Charges Collection Amendment Regulations 2006 (No. 4) [F2006L02472]*.
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Addenda—

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Public Service Classification Amendment Rules 2006 (No. 1) [F2006L01950]*.
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Australian Radiofrequency Spectrum Plan Variation 2006 (No. 1) [F2006L02419]*.
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Retirement Savings Account Modification Declaration No. 1 of 2006 [F2006L02133]*.
Select Legislative Instrument 2006 No. 188—Retirement Savings Accounts Amendment Regulations 2006 (No. 1) [F2006L02314]*.

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Determination of Non-warlike Service—Operation ASTUTE [F2006L02013]*.
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Malignant neoplasm of the breast No. 27 of 2006 [F2006L01881]*.
Malignant neoplasm of the breast No. 28 of 2006 [F2006L01884]*.
Osteoporosis No. 29 of 2006 [F2006L01885]*.
Osteoporosis No. 30 of 2006 [F2006L01886]*.
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Retinal vascular occlusive disease No. 34 of 2006 [F2006L01891]*.
Seborrhoeic keratosis No. 31 of 2006 [F2006L01888]*.
Seborrhoeic keratosis No. 32 of 2006 [F2006L01889]*.


Governor-General’s Proclamation—Commencement of Provisions of an Act

* Explanatory statement tabled with legislative instrument.
32 **FOREIGN AFFAIRS, DEFENCE AND TRADE LEGISLATION COMMITTEE—CHANGE IN MEMBERSHIP**

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

The Minister for Immigration and Multicultural Affairs (Senator Vanstone), by leave, moved—That Senator Stott Despoja be discharged from the Foreign Affairs, Defence and Trade Legislation Committee.

Question put and passed.

33 **INTELLECTUAL PROPERTY LAWS AMENDMENT BILL 2006**

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

Message no. 365, dated 22 June 2006—A Bill for an Act to amend the law relating to intellectual property, and for related purposes.

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

On the motion of Senator Vanstone the debate was adjourned till the next day of sitting.

34 **DO NOT CALL REGISTER BILL 2006**

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


35 **GOVERNOR-GENERAL’S AND DEPUTY OF THE 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:

22 June 2006—Message—

No. 20—

* Fisheries Legislation Amendment (Foreign Fishing Offences) Act 2006 (Act No. 61, 2006)
* Plant Health Australia (Plant Industries) Funding Amendment Act 2006 (Act No. 62, 2006)
* Age Discrimination Amendment Act 2006 (Act No. 63, 2006)

No. 21—Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act 2006 (Act No. 65, 2006).
23 June 2006—Message—

No. 22—

Appropriation Act (No. 1) 2006-2007 (Act No. 66, 2006)
Appropriation Act (No. 2) 2006-2007 (Act No. 67, 2006)
Appropriation (Parliamentary Departments) Act (No. 1) 2006-2007 (Act No. 68, 2006)
Appropriation Act (No. 5) 2005-2006 (Act No. 69, 2006)
Appropriation Act (No. 6) 2005-2006 (Act No. 70, 2006).

No. 23—Broadcasting Services Amendment (Subscription Television Drama and Community Broadcasting Licences) Act 2006 (Act No. 71, 2006).

Messages from Her Excellency the Deputy of the Governor-General were reported, informing the Senate that she had assented to the following laws:

26 June 2006—Message—

No. 24—


No. 25—

Excise Laws Amendment (Fuel Tax Reform and Other Measures) Act 2006 (Act No. 74, 2006)
Excise Tariff Amendment (Fuel Tax Reform and Other Measures) Act 2006 (Act No. 75, 2006)
Customs Amendment (Fuel Tax Reform and Other Measures) Act 2006 (Act No. 76, 2006)
Customs Tariff Amendment (Fuel Tax Reform and Other Measures) Act 2006 (Act No. 77, 2006).

30 June 2006—Message—

No. 26—


No. 27—

Law Enforcement (AFP Professional Standards and Related Measures) Act 2006 (Act No. 84, 2006)
Law Enforcement Integrity Commissioner Act 2006 (Act No. 85, 2006)

No. 28—

Australian Research Council Amendment Act 2006 (Act No. 87, 2006)
Do Not Call Register Act 2006 (Act No. 88, 2006)
Do Not Call Register (Consequential Amendments) Act 2006 (Act No. 89, 2006)
36 **ABORIGINAL AND TORRES STRAIT ISLANDER HERITAGE PROTECTION AMENDMENT BILL 2005 [2006]**

Order 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 third time.

Debate resumed.

Question put and passed.

Bill read a third time.

37 **ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT BILL 2006**

Order of the day read for the adjourned debate on the motion of the Minister for Communications, Information Technology and the Arts (Senator Coonan)—That this bill be now read a second time.

Debate resumed.

*At 6.50 pm: Debate was interrupted while Senator Humphries was speaking.*

38 **GOVERNMENT DOCUMENTS—CONSIDERATION**

The following government documents tabled earlier today *(see entries nos 2 and 20)* were considered:

- Aboriginal and Torres Strait Islander Services—Report for 2004-05 [Final report]. Motion to take note of document moved by Senator Bartlett and agreed to.
- Military Superannuation and Benefits Scheme (MSBS) and Defence Force Retirement and Death Benefits Scheme (DFRDB)—Report on long-term costs carried out by the Australian Government Actuary using data to 30 June 2005. Motion to take note of document moved by Senator Sherry and agreed to.

39 **ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 8.08 pm till Wednesday, 9 August 2006 at 9.30 am.
40 ATTENDANCE
Present, all senators.

HARRY EVANS
Clerk of the Senate

Printed by authority of the Senate