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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 DOCUMENT

The following government document was tabled:

Department of Agriculture, Fisheries and Forestry—Innovating rural Australia: Research and development corporation outcomes—Report for 2005.

3 ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT BILL 2006

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

In the committee

Consideration resumed of the bill, as amended, subject to requests—and of the amendments moved by the Minister for the Arts and Sport (Senator Kemp):

Clause 2, page 3 (table item 20), omit “201A”, substitute “201”.

Schedule 1, page 7 (after line 25), after item 4B, insert:

4BA Subsection 3(1) (subparagraph (a)(ii) of the definition of intending miner)

Omit “exploration retention lease or exploration retention licence, or has made an application for the grant of such a lease or licence”, substitute “exploration retention licence, or has made an application for the grant of an exploration retention licence”.

Schedule 1, item 46, page 22 (line 20), omit “person”, substitute “approved entity”.

Schedule 1, item 61, page 33 (after line 15), after paragraph 28(3)(b), insert:

(ba) section 19A (about grant of township leases);

Schedule 1, page 60 (after line 29), after item 124C, insert:

124D Subsection 46(1)

Omit “exploration retention lease (whether that licence or lease”, substitute “exploration retention licence (whether that exploration licence or exploration retention licence”.

Schedule 1, item 189, page 71 (line 28), omit “, (13)”.

Schedule 1, item 192, page 74 (line 16) to page 75 (line 9), omit subsections 67A(12) and (13), substitute:

(12) This subsection applies in relation to an application:

- (a) that was made under section 50 before the commencement of this subsection by or on behalf of Aboriginals claiming to have a traditional land claim to qualifying land (whether or not recommendations of the kind referred to in subparagraph 50(1)(a)(ii) have been made and whether or not the application covers other land); and
- (b) that was given the land claim number prescribed by the regulations.

The traditional land claim is taken to have been finally disposed of:

- (c) to the extent that it relates to qualifying land that is described in the regulations; and
 - (d) on the day on which the regulations take effect.
- (13) To avoid doubt, if regulations are made for the purposes of subsection (12) in relation to a particular application, then later regulations may also be made for the purposes of that subsection in relation to that application.

Schedule 1, item 192, page 75 (line 10), omit “subsections (12) and (13)”, substitute “subsection (12)”.

Schedule 1, item 192, page 75 (line 17) to page 76 (line 13), omit subsections 67A(15) and (16).

Schedule 1, item 193, page 78 (lines 8 and 9), omit “Aboriginals claiming to have the traditional land claim”, substitute “traditional Aboriginal owners of the area of land, or the part of the area of land, referred to in subsection (2)”.

Schedule 1, item 202, page 80 (line 24), omit “a person”, substitute “the Secretary of the Department, or an SES employee or acting SES employee in the Department,”.

Schedule 1, item 202, page 80 (lines 27 to 30), omit subsection 76(1A).

Schedule 1, item 228, page 91 (lines 8 and 9), omit “, (9), (12) and (13)”, substitute “and (9)”.

Debate resumed.

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

Question—That the bill, as amended, be agreed to—divided in respect of Schedule 1, item 46, section 19A.

Schedule 1, item 46, section 19A debated and agreed to.

The Leader of the Opposition in the Senate (Senator Evans) moved the following amendments together by leave:

Schedule 1, item 52, page 29 (lines 3 and 4), omit “55%”, substitute “60%”.

Schedule 1, item 52, page 29 (line 4), at the end of subsection 21C(5), add “and there is free and informed consent from traditional Aboriginal owners”.

Debate ensued.

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

Senator Evans moved the following amendment:

Schedule 1, item 65, page 37 (lines 24 to 26), omit subsection 28C(3), substitute:

- (3) The Minister must not approve the request unless he or she is satisfied that:
 - (a) the body will be able to satisfactorily perform the functions and exercise the powers sought by the body; and
 - (b) the body has a sound governance framework and prudent management; and
 - (c) a majority of traditional Aboriginal owners of the region represented by the body consent to the delegation.

At 2 pm: The President resumed the chair and the Temporary Chair of Committees (Senator Moore) reported progress.

4 QUESTIONS

Questions without notice were answered.

5 ANSWERS TO QUESTIONS

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

Debate ensued.

Question put and passed.

6 TAXATION—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 taxation.

Question put and passed.

7 PETITIONS

The following 3 petitions, lodged with the Clerk by the senators indicated, were received:

Senator Allison, from 49 petitioners, requesting that the Senate reject proposed legislation that would undermine a woman's right to access abortion.

Senator Bob Brown, from 404 petitioners, requesting that the Senate take action to expedite the entry of Christian refugees into Australia.

Senator Hogg, from 130 petitioners, requesting that the Senate take action to ensure that enough medical professionals are trained to maintain the quality care provided by hospitals and other health services.

8 NOTICES

Notices of motion:

Senator Bartlett: To move on 17 August 2006—That the following bill be introduced: A Bill for an Act to restore the application of common law natural justice to the *Migration Act 1958*, and for related purposes. ***Migration Legislation Amendment (Return to Procedural Fairness) Bill 2006.*** (*general business notice of motion no. 495*)

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

(a) notes that:

- (i) at least 10 000 petroglyphs have been destroyed by industrial development on Western Australia's Burrup Peninsula, arguably the world's greatest rock art site,
 - (ii) while alternative sites for industry exist, the rock art is unique and irreplaceable, and
 - (iii) the area has been nominated to the National Heritage List and this nomination is currently undergoing assessment; and
- (b) calls on the Minister for the Environment and Heritage (Senator Ian Campbell) to use all Commonwealth powers available to ensure that no further loss of rock art occurs while the heritage nomination is being determined. (*general business notice of motion no. 496*)

The Minister for Communications, Information Technology and the Arts (Senator Coonan): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Export Finance and Insurance Corporation Act 1991*, and for related purposes. ***Export Finance and Insurance Corporation Amendment Bill 2006***.

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

(a) notes:

- (i) that the proposal for a direct factory outlet and bulky goods retail centre at Hobart International Airport is for a 70 000 square metre development, which would make it the largest direct factory outlet in the nation,
- (ii) the concern of Tasmanian businesses that the development will have a serious adverse impact on local businesses in a community of half a million people, and
- (iii) that there is a denial of natural justice because of the refusal to release the social and economic impact statement on the proposal; and

(b) calls on the Government to:

- (i) immediately authorise and ensure the release of the social and economic impact statement on the proposal,
- (ii) review the assessment process to remove the inherent bias that will see the Hobart International Airport Pty Ltd, acting on behalf of the developer, assess and summarise the submissions and then advise the federal minister, and
- (iii) implement a regulatory framework for the development such that local businesses paying land tax are not disadvantaged by the Commonwealth land's exemption from state law. (*general business notice of motion no. 497*)

The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That the Senate calls on the Government to insist that citizen of Australia, Mr David Hicks, be treated the same as citizens of the United States of America – no more, no less. (*general business notice of motion no. 498*)

Notices of motion withdrawn: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Watson), pursuant to notice of intention given on 14 August 2006, withdrew notices of motion standing in his name as follows:

Business of the Senate notices of motion nos 1 and 4 for 7 sitting days after today for the disallowance of the following instruments:

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

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

Business of the Senate notices of motion nos 1, 3, 4, 5, 6, 7, 8, 9 and 10 for 10 sitting days after today for the disallowance of the following instruments:

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

Determination of Patient Contribution HIB 07/2006, made under subsection 3(1) of the *Health Insurance Act 1973*.

Determination of Patient Contribution HIB 08/2006, made under subsection 3(1) of the *Health Insurance Act 1973*.

Determination of Patient Contribution HIB 09/2006, made under subsection 3(1) of the *Health Insurance Act 1973*.

Determination of Patient Contribution HIB 10/2006, made under subsection 3(1) of the *Health Insurance Act 1973*.

Determination of Patient Contribution HIB 11/2006, made under subsection 3(1) of the *Health Insurance Act 1973*.

Determination of Patient Contribution HIB 12/2006, made under subsection 3(1) of the *Health Insurance Act 1973*.

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

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

9 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 3 standing in the name of the Leader of the Australian Greens (Senator Bob Brown) for today, proposing the disapproval of clause 2.2 of Determination 2006/11: Remuneration and Allowances for Holders of Public Office and Members of Parliament, postponed till 5 September 2006.

General business notice of motion no. 489 standing in the name of the Leader of the Australian Democrats (Senator Allison) for today, relating to Medicare, postponed till 16 August 2006.

General business notice of motion no. 490 standing in the name of Senator Bartlett for today, relating to the importation of illegal timber and wood products, postponed till 16 August 2006.

10 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS

LEGISLATION COMMITTEE—REFERENCE

The Minister for Justice and Customs (Senator Ellison), at the request of the Minister for the Arts and Sport (Senator Kemp) and pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 4—That the following matter be referred to the Environment, Communications, Information Technology and the Arts Legislation Committee for inquiry and report by the first sitting day in 2007:

Australia's Indigenous visual arts and craft sector, with particular reference to:

- (a) the current size and scale of Australia's Indigenous visual arts and craft sector;
- (b) the economic, social and cultural benefits of the sector;
- (c) the overall financial, cultural and artistic sustainability of the sector;
- (d) the current and likely future priority infrastructure needs of the sector;
- (e) opportunities for strategies and mechanisms that the sector could adopt to improve its practices, capacity and sustainability, including to deal with unscrupulous or unethical conduct;

- (f) opportunities for existing government support programs for Indigenous visual arts and crafts to be more effectively targeted to improve the sector's capacity and future sustainability; and
- (g) future opportunities for further growth of Australia's Indigenous visual arts and craft sector, including through further developing international markets.

Question put and passed.

**11 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—
LEAVE TO MEET DURING SITTING**

The Chair of the Rural and Regional Affairs and Transport References Committee (Senator Siewert), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 486—That the Rural and Regional Affairs and Transport References Committee be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 16 August 2006, from 4.30 pm, to take evidence for the committee's inquiry into water policy initiatives.

Question put and passed.

12 FOREIGN AFFAIRS—LEBANON

The Leader of the Australian Greens (Senator Bob Brown) amended general business notice of motion no. 483 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) welcomes the announcement of the United Nations sponsored ceasefire; and
- (b) calls on the Australian Government to take a leading role in the reconstruction of the social and economic infrastructure that has been destroyed in Lebanon.

Question put.

The Senate divided—

AYES, 33

Senators—

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

NOES, 36

Senators—

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

Question negatived.

13 ENVIRONMENT—GREENHOUSE GAS EMISSIONS

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 494—That the Senate—

- (a) notes the admission by the Centre for Low Emission Technology that, even if carbon capture and storage technology were to eventually prove 100 per cent effective, tailpipe greenhouse gas emissions from vehicles using fuel produced from coal would be the same as conventional fuels; and
- (b) calls on the Government:
 - (i) not to exacerbate Australia's greenhouse gas emissions by entrenching dependence on emission intensive technologies, and
 - (ii) to shift the research priority away from coal to liquids technology toward greenhouse-friendly alternatives, especially research into producing ethanol from lignocellulose.

Question put.

The Senate divided—

AYES, 32

Senators—

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

NOES, 35

Senators—

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

Question negatived.

14 ENVIRONMENT—CLIMATE CHANGE

The Leader of the Australian Democrats (Senator Allison), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 491—That the Senate—

- (a) notes:
 - (i) the launch on 1 August 2006 of the Clinton Climate Initiative, dedicated to fighting climate change in practical and measurable ways,
 - (ii) that President Bill Clinton was joined by London Mayor Ken Livingstone, Los Angeles Mayor Antonio Villaraigosa and San Francisco Mayor Gavin Newsom to announce the first project of the initiative, and

- (iii) that urban areas are responsible for over 75 per cent of all greenhouse gas emissions in the world;
- (b) notes that the initiative will:
 - (i) create a purchasing consortium that will pool the purchasing power of the cities to lower the prices of energy saving products and accelerate the development and deployment of new energy saving and greenhouse gas reducing technologies and products,
 - (ii) mobilise the best experts in the world to provide technical assistance to cities to develop and implement plans that will result in greater energy efficiency and lower greenhouse gas emissions, and
 - (iii) create and deploy common measurement tools and Internet-based communications systems that will allow cities to establish a baseline on their greenhouse gas emissions, measure the effectiveness of the program in reducing these emissions and to share what works and what does not work with each other;
- (c) commends this scheme and urges the Federal Government to work with state governments to assist local government in Australia's capital cities to join the initiative; and
- (d) urges the Federal Government to implement the recommendations of the report of the House of Representatives Standing Committee on Environment and Heritage, *Sustainable cities*.

Question put.

The Senate divided—

AYES, 32

Senators—

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

NOES, 35

Senators—

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

Question negatived.

15 HEALTH—SEXUAL HEALTH AND RELATIONSHIPS

The Leader of the Australian Democrats (Senator Allison), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 492—That the Senate—

- (a) notes the evaluation, released in July 2006, of the South Australian Sexual Health and Relationships Education (Share) project 2003-2005 which:
 - (i) recognised the Share program as current best practice in sex education, moving from a model of sex education focussing on the human reproductive system to a broader sexual health promotion encompassing sexual development, reproductive health, interpersonal relationships, affection, intimacy, body image and gender roles,
 - (ii) found it essential that sexual health and relationships education acknowledges young people as diverse and sexual beings, provides an appropriate and comprehensive curriculum context, is positive about sexuality, moves beyond information provision, addresses issues of gender and the social and cultural world in which young people make decisions, and
 - (iii) placed a high priority on supporting the professional development and training of teachers with well-resourced, sympathetic experts to support, guide and advise; and
- (b) calls on the Government to take to the next meeting of education ministers a proposal to develop a national framework of comprehensive sex education for students in all Australian schools.

Question put.

The Senate divided—

AYES, 32

Senators—

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

NOES, 36

Senators—

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

Question negatived.

16 ENVIRONMENT—WATER MANAGEMENT

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 485—That, in recognition of Australia's growing water management issues and the role that recycling may be able to play in helping to sustainably meet the demands for water, the Senate urges the Government to establish a full-scale demonstration water recycling plant as part of an initiative to inform decision-making on Australia's future water sources.

Question put.

The Senate divided—

AYES, 32

Senators—

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

NOES, 35

Senators—

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

Question negatived.

**17 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS
REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT**

The Chair of the Environment, Communications, Information Technology and the Arts References Committee (Senator Bartlett), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 488—That the time for the presentation of the report of the Environment, Communications, Information Technology and the Arts References Committee on women in sport and recreation in Australia be extended to 6 September 2006.

Question put and passed.

18 INDIGENOUS AUSTRALIANS—NATIONAL INDIGENOUS ART AWARDS

Senator Siewert, also on behalf of the Minister for the Arts and Sport (Senator Kemp), the Leader of the Opposition in the Senate (Senator Evans) and Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 487—That the Senate—

- (a) notes that the national Indigenous art awards ceremony was held in Darwin on 11 August 2006; and

- (b) congratulates Ngoia Napaltjarri Pollard for her work ‘Swamps West of Nyirripi’ which won this year’s major prize and other award winners including Linda Syddick Napaltjarri (General Painting Award), Samuel Namunjdja (Bark Painting Award), Judy Watson (Work on Paper Award), Baluka Maymuru (Wanddjuk Marika 3D Memorial Award).

Question put and passed.

19 PARLIAMENTARY PRIVILEGE—EXECUTION OF SEARCH WARRANTS—DOCUMENTS

The President tabled the following documents:

Parliamentary privilege—Execution of search warrants—

Memorandum of understanding on the execution of search warrants on federal members of Parliament between the Minister for Police and Emergency Management for Tasmania, the Attorney-General for Tasmania, the Speaker of the House of Representatives [and] the President of the Senate.

Tasmania Police guideline for execution of search warrants on federal members of Parliament.

20 DOCUMENTS

The following documents were tabled by the Clerk:

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

A New Tax System (Goods and Services Tax Transition) Act, Fringe Benefits Tax Assessment Act, Fuel Sales Grants Act, *Income Tax Assessment Act 1936*, *Income Tax Assessment Act 1997*, Pay-roll Tax Assessment Act, *Sales Tax Assessment Act (No. 1) 1930*, *Sales Tax Assessment Act (No. 2) 1930*, *Sales Tax Assessment Act (No. 3) 1930*, *Sales Tax Assessment Act (No. 4) 1930*, *Sales Tax Assessment Act (No. 5) 1930*, *Sales Tax Assessment Act (No. 6) 1930*, *Sales Tax Assessment Act (No. 7) 1930*, *Sales Tax Assessment Act (No. 8) 1930*, *Sales Tax Assessment Act (No. 9) 1930*, *Sales Tax Assessment Act (No. 10) 1985*, *Sales Tax Assessment Act (No. 11) 1985*, Sales Tax Assessment Act, Sales Tax Procedure Act, *Sales Tax (Exemptions and Classifications) Act 1935*, *Sales Tax (Exemptions and Classifications) Act 1992*, Superannuation Guarantee (Administration) Act, Taxation Administration Act, Taxation (Interest on Overpayments and Early Payments) Act, Tobacco Charges Assessment Act, *Wool Tax Act (No. 1) 1964*, *Wool Tax Act (No. 2) 1964*, *Wool Tax Act (No. 3) 1964*, *Wool Tax Act (No. 4) 1964*, *Wool Tax Act (No. 5) 1964* and Wool Tax (Administration) Act—Select Legislative Instrument 2006 No. 216—Taxation Legislation Repeal and Amendment Regulations 2006 (No. 1) [F2006L02613]*.

Currency Act—Currency (Royal Australian Mint) Determination 2006 (No. 2) Amendment Determination 2006 (No. 1) [F2006L02667]*.

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

40.

125.

Motor Vehicle Standards Act—

Vehicle Standard (Australian Design Rule 14/02 – Rear Vision Mirrors) 2006 [F2006L02663]*.

Vehicle Standard (Australian Design Rule 25/02 – Anti-Theft Lock) 2006 [F2006L02664]*.

Parliamentary Entitlements Act—Select Legislative Instrument 2006 No. 211—Parliamentary Entitlements Amendment Regulations 2006 (No. 1) [F2006L02653]*.

Primary Industries Levies and Charges Collection Act—Select Legislative Instrument 2006 No. 206—Primary Industries Levies and Charges Collection Amendment Regulations 2006 (No. 6) [F2006L02654]*.

Superannuation Guarantee (Administration) Act—Select Legislative Instrument 2006 No. 215—Superannuation Guarantee (Administration) Amendment Regulations 2006 (No. 2) [F2006L02594]*.

Sydney Airport Curfew Act—Dispensation Report 05/06.

Wool Services Privatisation Act—Select Legislative Instrument 2006 No. 207—Wool Services Privatisation (Wool Levy Poll) Amendment Regulations 2006 (No. 1) [F2006L02638]*.

* Explanatory statement tabled with legislative instrument.

21 COMMUNITY AFFAIRS REFERENCES COMMITTEE—PROPOSED REFERENCE

The Leader of the Australian Greens (Senator Bob Brown) amended business of the Senate notice of motion no. 1 by leave and, pursuant to notice, moved—That the following matters be referred to the Community Affairs References Committee for inquiry and report by 8 November 2006:

The role of the Exclusive Brethren in:

- (a) family breakdown and psychological and emotional effects related to the practice of excommunication or other practices;
- (b) Australian politics and political activities, including donations to political parties or other political entities and funding specific advertising campaigns;
- (c) the receipt of funding from the Federal Government or other political entities;
- (d) taxation and other special arrangements or exemptions from Australian law that relate to Exclusive Brethren businesses;
- (e) special arrangements and exemptions from Australian law that relate to Exclusive Brethren schools, military service and voting; and
- (f) any related matters.

Debate ensued.

Document: The Minister for Fisheries, Forestry and Conservation (Senator Abetz) tabled the following document:

Social issues—Religion—Exclusive Brethren—Copy of statement by Senator Bob Brown: 'Exclusive Brethren's payback', dated 15 August 2006. Printed 15 August 2006, <<http://greens.org.au>>.

Debate continued.

Question put.

The Senate divided—

AYES, 4

Senators—

Brown, Bob

Milne

Nettle

Siewert (Teller)

NOES, 59

Senators—

Abetz

Eggleston (Teller)

Joyce

Patterson

Adams

Ellison

Kemp

Payne

Allison

Faulkner

Kirk

Polley

Barnett

Ferguson

Lightfoot

Ronaldson

Bartlett

Ferris

Ludwig

Santoro

Bernardi

Fielding

Macdonald, Ian

Scullion

Bishop

Fierravanti-Wells

Mason

Sherry

Boswell

Fifield

McEwen

Stephens

Brandis

Forshaw

McGauran

Sterle

Brown, Carol

Heffernan

McLucas

Troeth

Calvert

Hogg

Minchin

Trood

Campbell, George

Humphries

Moore

Watson

Chapman

Hurley

Murray

Wong

Colbeck

Hutchins

Nash

Wortley

Conroy

Johnston

Parry

Question negatived.

22 LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—PROPOSED REFERENCE

Senator Ludwig, pursuant to notice, moved business of the Senate notice of motion no. 2—That the following matter be referred to the Legal and Constitutional References Committee for inquiry and report:

Temporary Business Long Stay (subclass 457) visas, with particular reference to:

- (a) the general efficiency and effectiveness of the visa;
- (b) the safeguards in place to ensure the integrity of the system;
- (c) the Government's performance as administrator of the visa system;
- (d) the role of domestic and international labour hire firms and agreements;
- (e) the potential for displacement of Australian workers;
- (f) the difference between the pay and conditions of visa holders and the relevant rates in the Australian labour market;
- (g) the Government's labour market testing required before visa approval;
- (h) the Government's requirements of Regional Certifying Bodies for visa certification;
- (i) the interaction of this visa with the Work Choices legislation; and
- (j) any other related matter.

At 6.50 pm: Debate was interrupted while Senator Ludwig was speaking.

23 GOVERNMENT DOCUMENTS—CONSIDERATION

The following government document tabled earlier today (*see entry no. 2*) was considered:

Department of Agriculture, Fisheries and Forestry—Innovating rural Australia: Research and development corporation outcomes—Report for 2005. Motion to take note of document moved by Senator Bartlett, debated and agreed to.

24 **ADJOURNMENT**

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

Debate ensued.

Documents: Senator O'Brien, by leave, tabled the following documents:

Transport—Aviation—

Copy of email from Mr John Anderson to Mr Mick Toller, 'Airspace Reform', dated 3 April 2003.

Copy of letter from the Director of Aviation Safety, Civil Aviation Safety Authority (Mr Mick Toller) to the Deputy Prime Minister and Minister for Transport and Regional Services (the Honourable John Anderson), dated 22 April 2003.

Debate continued.

The Senate adjourned at 8.56 pm till Wednesday, 16 August 2006 at 9.30 am.

25 **ATTENDANCE**

Present, all senators except Senator Crossin (on leave).

HARRY EVANS
Clerk of the Senate