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Contents

1	Meeting of Senate	2731
2	Order of Business—Rearrangement.....	2731
3	Tax Laws Amendment (2006 Measures No. 5) Bill 2006.....	2731
4	Public Works Committee Amendment Bill 2006	2731
5	Ministry and Ministerial Arrangements	2732
6	Questions.....	2733
7	Question on Notice—Answer and Explanation—Statement by Leave.....	2733
8	Answers to Questions.....	2733
9	Environment—Climate Change—Pacific Region—Answer to Question.....	2733
10	Question on Notice—Answer and Explanation—Statement by Leave.....	2733
11	Death of Former Member Albert William James	2734
12	Petitions.....	2734
13	Notices.....	2734
14	Foreign Affairs, Defence and Trade—Standing Committee—Extension of Time to Report	2736
15	Foreign Affairs, Defence and Trade—Standing Committee—Leave to Meet During Sitting	2737
16	Leave of Absence.....	2737
17	Postponement	2737
18	Public Accounts and Audit—Joint Statutory Committee—Leave to Meet During Sittings	2737
19	Death of Ms Doris Owens	2737
20	Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006—Documents.....	2738
21	Economics—Standing Committee—Report—Tax Laws Amendment (2006 Measures No. 4) Bill 2006	2738
22	Environment, Communications, Information Technology and the Arts— Standing Committee—Report—Media Bills	2738
23	Government Documents	2738
24	Auditor-General—Audit Report No. 5 of 2006-07—Document.....	2739

25	Indexed Lists of Departmental and Agency Files—Order for Production of Documents—Document.....	2739
26	Departmental and Agency Contracts—Order for Production of Documents—Document.....	2739
27	Family and Community Services—Foster Care Week—Document.....	2739
28	National Capital and External Territories—Joint Standing Committee—Report—Visit to Norfolk Island	2739
29	Treaties—Joint Standing Committee—77th and 78th Reports	2739
30	Family and Community Services—Foster Care Week—Document—Consideration.....	2740
31	Documents.....	2740
32	Governor-General's and Administrator's Messages—Assent to Laws.....	2748
33	Customs Amendment (2007 Harmonized System Changes) Bill 2006 Customs Tariff Amendment (2007 Harmonized System Changes) Bill 2006 Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Amendment Bill (No. 2) 2006.....	2749
34	Economics—Standing Committee—Interim Report—Petrol Pricing in Australia	2749
35	Employment, Workplace Relations and Education—Standing Committee—Report—Higher Education Legislation Amendment (2006 Budget and Other Measures) Bill 2006	2750
36	Community Affairs—Standing Committee—Report—Aged Care Amendment (Residential Care) Bill 2006	2750
37	Legal and Constitutional Affairs—Standing Committee—Report—Corporations (Aboriginal and Torres Strait Islander) Bills.....	2750
38	Occupational Health and Safety (Commonwealth Employment) Amendment Bill 2005.....	2750
39	Australian Nuclear Science and Technology Organisation Amendment Bill 2006	2753
40	Adjournment	2754
41	Attendance.....	2754

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 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Justice and Customs (Senator Ellison) moved—That the order of consideration of government business orders of the day for today be as follows:

No. 5 Tax Laws Amendment (2006 Measures No. 5) Bill 2006.

No. 7 Public Works Committee Amendment Bill 2006.

No. 18 Occupational Health and Safety (Commonwealth Employment) Amendment Bill 2005.

No. 6 Australian Nuclear Science and Technology Organisation Amendment Bill 2006.

Question put and passed.

3 TAX LAWS AMENDMENT (2006 MEASURES NO. 5) 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 this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

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

On the motion of the Minister for the Arts and Sport (Senator Kemp) the bill was read a third time.

4 PUBLIC WORKS COMMITTEE AMENDMENT 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 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.

Senator Murray moved the following amendments together by leave:

Schedule 1, item 2, page 3 (lines 14 to 20), omit all words after paragraph 5AA(1)(b).

Schedule 1, items 3 and 4, page 4 (lines 27 to 34), omit the items, substitute:

3 Subsection 18(8)

Omit “\$6,000,000”, substitute “\$15,000,000”.

Schedule 1, page 4 (after line 28), after item 3, insert:

3A Paragraphs 18(8)(b), (c) and (d)

Repeal the paragraphs, substitute:

or (b) the work is a work that has been declared, by a notice under subsection (8A), to be a repetitive work for the purposes of this subsection.

Schedule 1, page 4 (after line 34), after item 4, insert:

4A After subsection 18(8A)

Insert:

(8AB) The Committee may decide to consider and report on a public work the estimated cost of which exceeds \$2,000,000, and that work is then taken to be referred to the Committee under this section.

(8AC) A decision by the Committee under subsection (8AB) must be notified in writing to the Minister and each House of the Parliament.

(8AD) The Committee must be notified in writing of any proposed public work the estimated cost of which exceeds \$2,000,000.

(8AE) A decision under subsection (8AB) cannot be made more than 60 days after the proposed public work has been notified under subsection (8AD).

Schedule 1, item 5, page 4 (line 35) to page 5 (line 4), omit the item, substitute:

5 Subsection 40(2)

Repeal the subsection.

Debate ensued.

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

Bill agreed to.

Bill to be reported without amendment.

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

At 2 pm—

5 MINISTRY AND MINISTERIAL ARRANGEMENTS

The Minister for Communications, Information Technology and the Arts (Senator Coonan), by leave, informed the Senate of the absence of the Leader of the Government in the Senate (Senator Minchin) and of changes to the Howard Ministry.

Document: Senator Coonan tabled a document showing all members of the Howard Ministry, dated 29 September 2006.

Statements by leave: The Leader of the Opposition in the Senate (Senator Evans) and Senator Coonan, by leave, made statements relating to the matter.

6 QUESTIONS

Questions without notice were answered.

7 QUESTION ON NOTICE—ANSWER AND EXPLANATION—STATEMENT BY LEAVE

The Minister for the Environment and Heritage (Senator Ian Campbell), by leave, made a statement clarifying the explanation he gave of an answer not being provided to question on notice no. 1882 concerning renewable energy and the Australian Research Council (*see entry no. 29, 17 August 2006*).

Documents: Senator Ian Campbell tabled the following documents:

Science and technology—Solar energy—

Government support for solar energy.

Letter from the Secretary, Department of the Environment and Heritage (Mr Borthwick) to the Minister for the Environment and Heritage (Senator Ian Campbell), dated 9 October 2006.

8 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.

9 ENVIRONMENT—CLIMATE CHANGE—PACIFIC REGION—ANSWER TO QUESTION

The Leader of the Australian Democrats (Senator Allison) moved—That the Senate take note of the answer given by the Minister for the Environment and Heritage (Senator Ian Campbell) to a question without notice asked by Senator Allison today relating to climate change and the Pacific region.

Question put and passed.

10 QUESTION ON NOTICE—ANSWER AND EXPLANATION—STATEMENT BY LEAVE

Senator Milne, by leave, made a statement relating to the statement made earlier today (*see entry no. 7*) by the Minister for the Environment and Heritage (Senator Ian Campbell) concerning renewable energy and the Australian Research Council.

11 DEATH OF FORMER MEMBER ALBERT WILLIAM JAMES

The Deputy President (Senator Hogg) informed the Senate of the death, on 30 September 2006, of Albert William James, a member of the House of Representatives for the division of Hunter from 1960 to 1980.

12 PETITIONS

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

Senator Carr, from 40 petitioners, requesting that the Senate take action to review procedures relating to political asylum seekers and remove all practices which are manifestly inhumane or in contravention of national obligations.

Senator Evans, from 141 petitioners, requesting that the Senate take action to ensure that asylum seekers are treated with respect and humanity, the Pacific solution is abandoned and that long-term mandatory detention is replaced by community release.

Senator Humphries, from 1 232 petitioners, requesting that the Senate take action to enhance Federal funding levels to enable recognition of, and investment in, Australian creativity and performance.

Senator Nettle, from 1 939 petitioners, requesting that the Senate take action to assist the people of West Papua to gain self-determination.

13 NOTICES

The Chair of the Finance and Public Administration Committee (Senator Mason): To move on the next day of sitting—That the Finance and Public Administration Committee be authorised to hold public meetings during the sittings of the Senate:

- (a) on Wednesday, 11 October 2006, from 4 pm to 6 pm, to take evidence for the committee's inquiry into the operation of the Senate order for the production of lists of departmental and agency contracts; and
- (b) on Thursday, 12 October 2006, from 3.30 pm to 7 pm, to take evidence for the committee's inquiry into the transparency and accountability of Commonwealth public funding and expenditure. (*general business notice of motion no. 560*)

The Chair of the Foreign Affairs, Defence and Trade Committee (Senator Johnston): To move on the next day of sitting—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade Committee on the provisions of the Defence Legislation Amendment Bill 2006 be extended to 12 October 2006. (*general business notice of motion no. 561*)

Senator Bartlett: To move on 12 October 2006—That the Senate—

- (a) notes that:
 - (i) Australia was occupied by Aboriginal and Torres Strait Islander peoples who had settled on the continent for many thousands of years before British colonisation, and
 - (ii) Aboriginal and Torres Strait Islanders suffered major dispossession and dispersal upon acquisition of their traditional lands by the colonisers;

- (b) urges the Government to affirm:
 - (i) the importance of Aboriginal and Torres Strait Islander cultures and heritage, and
 - (ii) the entitlement of Aboriginal and Torres Strait Islanders to self-determination subject to the Constitution and the laws of the Commonwealth of Australia; and
- (c) calls on the Government:
 - (i) to support the adoption of the draft United Nations Declaration on the Rights of Indigenous Peoples, and
 - (ii) to ratify the Declaration upon its adoption as a way of ensuring that Indigenous peoples have minimum standards for the protection of their fundamental human rights. (*general business notice of motion no. 562*)

The Minister for Justice and Customs (Senator Ellison): To move on the next day of sitting—That, on Tuesday, 10 October 2006:

- (a) the hours of meeting shall be 12.30 pm to 6.30 pm and 7.30 pm to 11.40 pm;
- (b) the routine of business from 7.30 pm shall be the government business order relating to the Broadcasting Legislation Amendment (Digital Television) Bill 2006 and the Broadcasting Services Amendment (Media Ownership) Bill 2006—second reading speeches only; and
- (c) the question for the adjournment of the Senate shall be proposed at 11 pm.

The Leader of the Australian Democrats (Senator Allison): To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Transport and Regional Services, no later than 4.30 pm on Monday, 16 October 2006, a copy of the file L98/278 folios 99, 101 and 102 held by the Department of Transport and Regional Services which contain the submissions made to the department by the Transurban Group, owners and operators of Melbourne City Link and other roads, in support of its claim for taxation deductions under the Infrastructure Borrowings Tax Offset Scheme. (*general business notice of motion no. 563*)

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

- (a) recognises that 10 October 2006 is the fourth annual World Day Against the Death Penalty;
- (b) notes that World Day Against the Death Penalty was established in 2003 by the World Coalition Against the Death Penalty;
- (c) reiterates its opposition to the death penalty; and
- (d) calls on the Government to continue its efforts to encourage states to abolish the death penalty and to halt all executions of those sentenced to death. (*general business notice of motion no. 564*)

Senators Bartlett and McLucas: To move on the next day of sitting—

- (1) That so much of standing orders be suspended as would prevent this resolution having effect.
- (2) That the Great Barrier Reef Marine Park (Protecting the Great Barrier Reef from Oil Drilling and Exploration) Amendment Bill 2003 be restored to the *Notice Paper* and that consideration of the bill be resumed at the stage reached in the 40th Parliament. (*general business notice of motion no. 565*)

Senator Siewert: To move on the next day of sitting—That there be laid on the table by the Minister representing the Attorney-General, no later than 3.30 pm on 12 October 2006, the review of the Community Partners Program, as commissioned by the Office of the Employment Advocate and conducted by Deloitte Touche Tomatsu. (*general business notice of motion no. 566*)

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

- (a) condemns North Korea's nuclear weapons test;
- (b) notes:
 - (i) the increasing threat of nuclear conflict globally,
 - (ii) that International Atomic Energy Agency statistics reveal that there have been 300 seizures of smuggled radioactive material capable of making a 'dirty' bomb since 2002 and that the rate of seizures has doubled since this time,
 - (iii) the call from Al Qaeda's chief in Iraq for nuclear scientists and explosives experts to join his Jihad against the West, and his comment that American bases in Iraq are good places to test unconventional weapons, and
 - (iv) that the Prime Minister (Mr Howard) has undermined the Nuclear Non-Proliferation Treaty by expressing a willingness to consider the sale of uranium to India, which is not a signatory to the Treaty and which, together with Pakistan, staged the last nuclear break-out in 1998; and
- (c) calls on the Government to:
 - (i) dismantle the Prime Minister's Nuclear Taskforce,
 - (ii) reject any proposition by the United States of America about Australia becoming a nuclear fuel supply centre under President Bush's Global Nuclear Energy Partnership, and
 - (iii) abandon its support for the sale of uranium to India. (*general business notice of motion no. 567*)

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

- (a) notes:
 - (i) the recent death of West Papuan politician Mr Willem Zonggonau while visiting Australia,
 - (ii) that Mr Zonggonau was a member of the Papuan legislature and Indonesian upper house in the 1960s, and
 - (iii) that while living in exile in Papua New Guinea Mr Zonggonau worked tirelessly for freedom and peace in West Papua; and
- (b) expresses its condolences to Mr Zonggonau's family and friends, and the people of West Papua for their loss. (*general business notice of motion no. 568*)

14 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Ferris, by leave and at the request of the Chair of the Foreign Affairs, Defence and Trade Committee (Senator Johnston), moved—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade Committee on the provisions of the Customs Amendment (2007 Harmonized System Changes) Bill 2006 and a related bill be extended to 11 October 2006.

Question put and passed.

15 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Ferris, by leave and at the request of the Chair of the Foreign Affairs, Defence and Trade Committee (Senator Johnston), moved—That the Foreign Affairs, Defence and Trade Committee be authorised to hold a public meeting during the sitting of the Senate today, from 4.30 pm, to take evidence for the committee's inquiry into the provisions of the Defence Legislation Amendment Bill 2006.

Question put and passed.

16 LEAVE OF ABSENCE

Senator Bartlett, by leave, moved—That leave of absence be granted to Senator Stott Despoja from 9 October to 19 October 2006, on account of ill health.

Question put and passed.

17 POSTPONEMENT

The following item of business was postponed:

General business notice of motion no. 547 standing in the name of Senator Bartlett for today, relating to Islamophobia in Australia, postponed till 12 October 2006.

18 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING SITTINGS

Senator Watson, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 557—That the Joint Committee of Public Accounts and Audit be authorised to hold public meetings during the sittings of the Senate as follows:

- (a) to take evidence for the committee's review of Auditor-General's reports:
 - Wednesday, 11 October 2006, from 11.30 am to 1.30 pm
 - Wednesday, 18 October 2006, from 11.30 am to 1.30 pm
 - Wednesday, 29 November 2006, from 11.30 am to 1.30 pm
 - Wednesday, 6 December 2006, from 11.30 am to 1.30 pm;
- (b) to take evidence for the committee's inquiry into financial reporting and equipment acquisition at the Department of Defence and Defence Materiel Organisation:
 - Thursday, 12 October 2006, from 10 am to 1.30 pm
 - Thursday, 19 October 2006, from 10 am to 1.30 pm
 - Thursday, 30 November 2006, from 10 am to 1 pm; and
- (c) on Thursday, 9 November 2006, from 9.30 am to 2 pm, to take evidence for the committee's inquiry into certain taxation matters.

Question put and passed.

19 DEATH OF MS DORIS OWENS

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 559—That the Senate notes the sad death of Ms Doris Owens, an environmental campaigner from the south coast of New South Wales and sends condolences to her family and friends.

Question put and passed.

20 PROHIBITION OF HUMAN CLONING FOR REPRODUCTION AND THE REGULATION OF HUMAN EMBRYO RESEARCH AMENDMENT BILL 2006—DOCUMENTS

The Deputy President (Senator Hogg) tabled the following bill and document received, pursuant to the order of the Senate of 14 September 2006 (*see entry no. 6, 14 September 2006*), and certified by the President on 26 September 2006:

Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006 [Senator Patterson]—
Bill, based on the Lockhart Review recommendations.
Explanatory memorandum.

21 ECONOMICS—STANDING COMMITTEE—REPORT—TAX LAWS AMENDMENT (2006 MEASURES NO. 4) BILL 2006

The Deputy President (Senator Hogg) tabled the following report and documents received on 4 October 2006:

Economics—Standing Committee—Tax Laws Amendment (2006 Measures No. 4) Bill 2006 [Provisions]—Report, dated October 2006, Hansard record of proceedings and submissions [4].

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

22 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS—STANDING COMMITTEE—REPORT—MEDIA BILLS

The Deputy President (Senator Hogg) tabled the following report and documents received on 6 October 2006:

Environment, Communications, Information Technology and the Arts—Standing Committee—Broadcasting Services Amendment (Media Ownership) Bill 2006, Broadcasting Legislation Amendment (Digital Television) Bill 2006, Communications Legislation Amendment (Enforcement Powers) Bill 2006 [Provisions], Television Licence Fees Amendment Bill 2006 [Provisions] and discussion paper by the Minister for Communications, Information Technology and the Arts on the two channels of spectrum for new digital services—Report, dated October 2006, Hansard record of proceedings, documents presented to the committee and submissions [71].

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

23 GOVERNMENT DOCUMENTS

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

ASC Pty Ltd—Statement of corporate intent 2006 to 2009. [*Received 6 October 2006*]

Indigenous education and training—Report for 2004. [*Received 5 October 2006*]

Medibank Private Limited—

Report for 2005-06. [*Received 5 October 2006*]

Statement of corporate intent 2007-09. [*Received 5 October 2006*]

Superannuation (Government Co-contribution for Low Income Earners) Act 2003—Quarterly report on the Government co-contribution scheme for the period 1 April to 30 June 2006, together with report for 2005-06. [*Received 4 October 2006*]

24 AUDITOR-GENERAL—AUDIT REPORT NO. 5 OF 2006-07—DOCUMENT

The Deputy President (Senator Hogg) tabled the following document received on 28 September 2006:

Auditor-General—Audit report no. 5 of 2006-07—Performance audit—The Senate order for departmental and agency contracts (calendar year 2005 compliance).

25 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 Deputy President (Senator Hogg) tabled the following document received on 4 October 2006:

Indexed lists of departmental and agency files for the period 1 January to 30 June 2006—Statement of compliance—Comcare.

26 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

Pursuant to the order of the Senate of 20 June 2001, as amended, the Deputy President (Senator Hogg) tabled the following document received on 4 October 2006:

Departmental and agency contracts for 2005-06—Letter of advice—Department of Education, Science and Training.

27 FAMILY AND COMMUNITY SERVICES—FOSTER CARE WEEK—DOCUMENT

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

Family and community services—Foster Care Week—Letter to the President of the Senate from the Minister for Family and Community Services [NT] (Ms Lawrie), responding to the resolution of the Senate of 13 September 2006, dated 28 September 2006.

28 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE—REPORT—VISIT TO NORFOLK ISLAND

The Chair of the Joint Standing Committee on the National Capital and External Territories (Senator Lightfoot) tabled the following report:

National Capital and External Territories—Joint Standing Committee—Visit to Norfolk Island, 2 to 5 August 2006—Report, dated September 2006.

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

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

29 TREATIES—JOINT STANDING COMMITTEE—77TH AND 78TH REPORTS

Senator Wortley, on behalf of the Joint Standing Committee on Treaties, tabled the following reports:

Treaties—Joint Standing Committee—

77th report—Treaties tabled on 20 June and 8 August 2006, dated September 2006.

78th report—Treaty scrutiny: A ten year review, dated September 2006.

Senator Wortley, by leave, moved—That the Senate take note of the reports.

Debate ensued.

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

**30 FAMILY AND COMMUNITY SERVICES—FOSTER CARE WEEK—DOCUMENT—
CONSIDERATION**

Senator Siewert, by leave, moved that the Senate take note of the document tabled earlier today (*see entry no. 27*).

Question put and passed.

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 (Commonwealth-State Financial Arrangements) Act—Select Legislative Instrument 2006 No. 258—A New Tax System (Commonwealth-State Financial Arrangements) Amendment Regulations 2006 (No. 1) [F2006L03223]*.

A New Tax System (Goods and Services Tax) Act—Goods and Services Tax: Waiver of Tax Invoice Requirement – Government Undercover Agents Determination (No. 1) 2006 [F2006L03278]*.

Aged Care Act—Determination of Adjusted Subsidy Residential Care Services—ACA Ch. 3 No. 22/2006 [F2006L03068]*.

Australian Meat and Live-stock Industry Act—

Australian Meat and Live-stock Industry (Standards) Amendment Order 2006 (No. 1) [F2006L03152]*.

Australian Meat and Live-stock Industry (Standards) Amendment Order 2006 (No. 2) [F2006L03180]*.

Australian Meat and Live-stock Industry (Standards) Amendment Order 2006 (No. 3) [F2006L03255]*.

Australian Prudential Regulation Authority Act—Australian Prudential Regulation Authority (Confidentiality) Determination No. 12 of 2006—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 (2005) [F2006L03181]*.

Australian Sports Anti-Doping Authority Act—Australian Sports Anti-Doping Authority Legislative Instrument 1/2006 [F2006L03078]*.

Banking Act—

Banking (Foreign Exchange) Regulations 1959—

Direction relating to foreign currency transactions and to North Korea, dated 19 September 2006 [F2006L03114]*.

Variation of exemption relating to North Korea, dated 19 September 2006 [F2006L03116]*.

Variation of exemption relating to North Korea, dated 19 September 2006 [F2006L03120]*.

Banking (Prudential Standard) Determination No. 11 of 2006—Variation to Prudential Standard APS 520 – Fit and Proper [F2006L03184]*.

Civil Aviation Act—

Civil Aviation Regulations—

Civil Aviation Order 100.16 Instrument 2006 [F2006L03250]*.

Instruments Nos—

CASA 286/06—Specification – examinations for aircraft maintenance engineer licence category airframes [F2006L03273]*.

CASA 287/06—Specification – examinations for aircraft maintenance engineer licence category engines [F2006L03274]*.

CASA 288/06—Specification – examinations for aircraft maintenance engineer licence category radio [F2006L03275]*.

CASA 289/06—Specification – examinations for aircraft maintenance engineer licence category electrical [F2006L03276]*.

CASA 290/06—Specification – examinations for aircraft maintenance engineer licence category instruments [F2006L03277]*.

CASA EX39/06—Exemption – from take-off minima inside and outside Australian territory [F2006L03151]*.

CASA EX48/06—Exemption – training and checking organisation, flight check system [F2006L03283]*.

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

AD/A330/63—Fuel Tank Safety – Fuel Airworthiness Limitations [F2006L03208]*.

AD/AMD 50/38—Electrical Power Feeder Inspection [F2006L03188]*.

AD/B727/135 Amdt 2—Main Deck Cargo Compartment [F2006L03259]*.

AD/B737/294 Amdt 1—Flightcrew Oxygen Masks [F2006L03183]*.

AD/CESSNA 208/19 Amdt 2—Flight and Ground Icing Operations [F2006L03172]*.

AD/CONVAIR/26—Main Landing Gear Lockpins [F2006L03203]*.

AD/CONVAIR/27—Drag Strut Shearbolt [F2006L03200]*.

AD/CONVAIR/28—Pressure Refuelling System [F2006L03199]*.

AD/DA40/7—Contamination of the Engine Fuel System [F2006L03263]*.

AD/DAUPHIN/88—Engine Control Selector Switch Guard [F2006L03197]*.

AD/EC 120/16—Engine Controls – Twist Grip Assembly [F2006L03196]*.

AD/ECUREUIL/113 Amdt 1—Engine Controls – Twist Grip Assembly [F2006L03173]*.

AD/ECUREUIL/121—Oxygen Cylinders [F2006L03178]*.

AD/F27/159—Fuel Tank Safety – Fuel Airworthiness Limitations [F2006L03195]*.

AD/F28/90—Fuel Tank Safety – Fuel Airworthiness Limitations [F2006L03193]*.

AD/F50/97—Fuel Tank Safety – Fuel Airworthiness Limitations [F2006L03192]*.

AD/GBK 117/25—Flight Control System [F2006L03279]*.

AD/R22/24 Amdt 1—Lower Actuator Bearing Mounting Brackets [F2006L03190]*.

AD/SA 315/1—Oxygen Cylinders [F2006L03177]*.

AD/SD3-30/48—Fuel Tank Safety – Fuel Airworthiness Limitations [F2006L03189]*.

AD/STORCH/1—Elevator Trim Tab Mass Balance [F2006L03108]*.

106—

AD/CF6/54—High Pressure Turbine Disc [F2006L03206]*.

AD/CF6/62—High Pressure Turbine Disc [F2006L03204]*.

AD/ENG/4 Amdt 10—Piston Engine Continuing Airworthiness Requirements [F2006L03260]*.

AD/JT8D/42—8th Stage High Pressure Compressor Discs [F2006L03191]*.

107—

AD/OXY/20—Oxygen Cylinders [F2006L03179]*.

AD/OXY/20 Amdt 1—Oxygen Cylinders [F2006L03258]*.

AD/PARA/17—Parachute Shop Parachutes – Removal from Service [F2006L03088]*.

AD/PROP/2 Amdt 3—Feathering Propellers – Functional Check [F2006L03186]*.

AD/RAD/86—Caledonian Airborne Systems CPT-600/900 Emergency Locator Transmitters [F2006L03185]*.

Class Rulings CR 2006/90-CR 2006/97.

Corporations Act—ASIC Instrument [06/0347] [F2006L03066]*.

Currency Act—Currency (Perth Mint) Determination 2006 (No. 3) [F2006L03036]*.

Customs Act—

CEO Instrument of Approval No. 7 of 2006—Approval of International Mail Centres [F2006L03257]*.

Select Legislative Instrument 2006 No. 242—Customs (Prohibited Imports) Amendment Regulations 2006 (No. 3) [F2006L03103]*.

Tariff Concession Orders—

0608076 [F2006L03222]*.

0610327 [F2006L03090]*.

0610332 [F2006L03042]*.

0610393 [F2006L03039]*.

0610448 [F2006L03069]*.

0610464 [F2006L03037]*.

0610527 [F2006L03091]*.

0610528 [F2006L03131]*.

0610529 [F2006L03092]*.

0610530 [F2006L03041]*.

0610569 [F2006L03038]*.

0610570 [F2006L03040]*.

0610571 [F2006L03093]*.

0610621 [F2006L03122]*.

0610622 [F2006L03094]*.

0610660 [F2006L03071]*.

0610661 [F2006L03072]*.

0610665 [F2006L03070]*.

0610666 [F2006L03128]*.

0610674 [F2006L03123]*.

0610682 [F2006L03075]*.

0610683 [F2006L03073]*.

0610728 [F2006L03133]*.

0610733 [F2006L03130]*.

0610734 [F2006L03124]*.

0610735 [F2006L03134]*.

0610736 [F2006L03248]*.

0610738 [F2006L03125]*.
0610739 [F2006L03132]*.
0610741 [F2006L03126]*.
0610757 [F2006L03095]*.
0610758 [F2006L03127]*.
0610949 [F2006L03233]*.
0610950 [F2006L03202]*.
0610951 [F2006L03205]*.
0610952 [F2006L03234]*.
0610960 [F2006L03207]*.
0610961 [F2006L03211]*.
0611082 [F2006L03215]*.
0611083 [F2006L03216]*.
0611084 [F2006L03214]*.
0611085 [F2006L03213]*.
0611312 [F2006L03218]*.
0611313 [F2006L03235]*.
0611315 [F2006L03236]*.
0611316 [F2006L03237]*.
0611453 [F2006L03238]*.
0611479 [F2006L03239]*.
0611480 [F2006L03221]*.
0611589 [F2006L03240]*.
0611590 [F2006L03298]*.
0611592 [F2006L03241]*.
0611593 [F2006L03296]*.
0611594 [F2006L03219]*.
0611598 [F2006L03242]*.
0611599 [F2006L03243]*.
0611600 [F2006L03244]*.
0611854 [F2006L03245]*.
0611857 [F2006L03299]*.
0611858 [F2006L03300]*.
0611859 [F2006L03246]*.
0611861 [F2006L03301]*.
0611943 [F2006L03302]*.

Tariff Concession Revocation Instruments—

82/2006 [F2006L03083]*.
83/2006 [F2006L03084]*.
84/2006 [F2006L03086]*.
85/2006 [F2006L03087]*.
86/2006 [F2006L03089]*.
87/2006 [F2006L03247]*.
88/2006 [F2006L03249]*.

Defence Act—Defence (Public Areas) Amendment By-Laws 2006 (No. 1) [F2006L02960]*.

Environment Protection and Biodiversity Conservation Act—Amendments of lists of threatened species, dated—

5 September 2006 [F2006L03034]*.
6 September 2006 [F2006L03033]*.

Export Control Act—Export Control (Orders) Regulations—Export Control (Animals) Amendment Order 2006 (No. 2) [F2006L03047]*.

Families, Community Services and Indigenous Affairs and Other Legislation (2006 Budget and Other Measures) Act—

Social Security (Exemption Notices for Special Disability Trusts) (DEST) Guidelines 2006 [F2006L03159]*.

Social Security (Exemption Notices for Special Disability Trusts) (DEWR) Guidelines 2006 [F2006L03135]*.

Social Security (Exemption Notices for Special Disability Trusts) (FaCSIA) Guidelines 2006 [F2006L03119]*.

Federal Court of Australia Act—Select Legislative Instrument 2006 No. 253—Federal Court (Bankruptcy) Amendment Rules 2006 (No. 1) [F2006L03139]*.

Federal Magistrates Act—Select Legislative Instrument 2006 No. 254—Federal Magistrates Court (Bankruptcy) Amendment Rules 2006 (No. 1) [F2006L03145]*.

Financial Management and Accountability Act—

Adjustments of Appropriations on Change of Agency Functions—Direction No. 7 of 2006-2007 [F2006L03176]*.

Net Appropriation Agreement for the Department of Foreign Affairs and Trade [F2006L03175]*.

Fisheries Management Act—Select Legislative Instrument 2006 No. 255—Fisheries Management (Macquarie Island Toothfish Fishery) Regulations 2006 [F2006L03032]*.

Food Standards Australia New Zealand Act—Australia New Zealand Food Standards Code – Amendment No. 88 – 2006 [F2006L03270]*.

Goods and Services Tax Ruling—Addendum—GSTR 2000/16.

Health Insurance Act—Determinations of patient contributions—

HIB 23/2006 [F2006L03141]*.

HIB 24/2006 [F2006L03142]*.

HIB 25/2006 [F2006L03143]*.

HIB 26/2006 [F2006L03146]*.

HIB 27/2006 [F2006L03148]*.

HIB 28/2006 [F2006L03149]*.

Higher Education Support Act—

Higher Education Provider Approval (No. 12 of 2006)—Australian Guild of Music Education Incorporated [F2006L03163]*.

Higher Education Provider Approval (No. 13 of 2006)—Holmesglen Institute of TAFE [F2006L03166]*.

Immigration (Guardianship of Children) Act—Immigration (Guardianship of Children) Regulations—Instrument IMMI 06/051—Welfare of Children: Offices that are Authorities [F2006L03067]*.

Income Tax Assessment Act 1997—Approved Occupational Clothing Guidelines 2006 [F2006L03106]*.

Insurance Act—Insurance (Prudential Standard) Determinations Nos—

6 of 2006—Variation to Prudential Standard GPS 520 – Fit and Proper [F2006L03198]*.

7 of 2006—Prudential Standard GPS 110 Capital Adequacy [F2006L03224]*.

8 of 2006—Prudential Standard GPS 120 Assets in Australia [F2006L03226]*.

Judiciary Act—High Court of Australia—Rule of Court, as of 5 September 2006 [F2006L03007]*.

Migration Act—

Migration Regulations—Instrument IMMI 06/066—Migration Occupations in Demand [F2006L03101]*.

Select Legislative Instruments 2006 Nos—

249—Migration Agents Amendment Regulations 2006 (No. 2) [F2006L03044]*.

250—Migration Amendment Regulations 2006 (No. 6) [F2006L03096]*.

Military Rehabilitation and Compensation Act—Military Rehabilitation and Compensation (MRCA Treatment Principles – HomeFront Subsidy Increase) Instrument 2006 No. M10 [F2006L02995]*.

Motor Vehicle Standards Act—

Vehicle Standard (Australian Design Rule 25/00 – Anti-Theft Lock) 2006 [F2006L03064]*.

Vehicle Standard (Australian Design Rule 34/00 – Child Restraint Anchorage and Child Restraint Anchor Fittings) 2006 [F2006L03063]*.

Vehicle Standard (Australian Design Rule 35/00 – Commercial Vehicle Brake Systems) 2006 [F2006L03062]*.

Vehicle Standard (Australian Design Rule 38/00 – Trailer Brake Systems) 2006 [F2006L03061]*.

Vehicle Standard (Australian Design Rule 38/01 – Trailer Brake Systems) 2006 [F2006L03060]*.

Vehicle Standard (Australian Design Rule 42/00 – General Safety Requirements) 2006 [F2006L03251]*.

Vehicle Standard (Australian Design Rule 42/01 – General Safety Requirements) 2006 [F2006L03253]*.

Vehicle Standard (Australian Design Rule 42/02 – General Safety Requirements) 2006 [F2006L03057]*.

Vehicle Standard (Australian Design Rule 42/03 – General Safety Requirements) 2006 [F2006L03056]*.

Vehicle Standard (Australian Design Rule 51/00 – Filament Lamps) 2006 [F2006L03254]*.

Vehicle Standard (Australian Design Rule 61/00 – Vehicle Marking) 2006 [F2006L03055]*.

Vehicle Standard (Australian Design Rule 62/00 – Mechanical Connections Between Vehicles) 2006 [F2006L03054]*.

National Health Act—

Arrangements Nos—

PB 42 of 2006—Highly Specialised Drugs Program [F2006L03169]*.

PB 43 of 2006—Chemotherapy Pharmaceuticals Access Program [F2006L03168]*.

PB 44 of 2006—Special Authority Program (Imatinib Mesylate) [F2006L03171]*.

PB 45 of 2006—Special Authority Program (Trastuzumab) [F2006L03170]*.

Declaration No. PB 39 of 2006 [F2006L03164]*.

Determinations—

HIB 20/2006 [F2006L03150]*.

HIB 22/2006 [F2006L03059]*.
 HIB 29/2006 [F2006L03266]*.
 No. PB 40 of 2006 [F2006L03165]*.
 No. PB 41 of 2006 [F2006L03167]*.
 PSO 6/2006 [F2006L03281]*.
 PSO 7/2006 [F2006L03282]*.

National Residue Survey (Excise) Levy Act—Select Legislative Instrument 2006 No. 241—Primary Industries Levies and Charges (National Residue Survey Levies) Amendment Regulations 2006 (No. 3) [F2006L03160]*.

National Security Information (Criminal and Civil Proceedings) Act—Select Legislative Instrument 2006 No. 243—National Security Information (Criminal and Civil Proceedings) Amendment Regulations 2006 (No. 3) [F2006L03058]*.

Native Title Act—Select Legislative Instrument 2006 No. 244—Native Title (Tribunal) Amendment Regulations 2006 (No. 1) [F2006L03052]*.

Navigation Act—

Marine Orders Nos—

11 of 2006—AUSREP [F2006L03051]*.

12 of 2006—Health – Medical Fitness [F2006L03265]*.

Select Legislative Instrument 2006 No. 252—Navigation (Ship Reporting) Repeal Regulations 2006 [F2006L03110]*.

Occupational Health and Safety (Maritime Industry) Act—Approved Code of Practice for Manual Handling (Maritime Industry) [F2006L03231]*.

Offshore Petroleum (Safety Levies) Act and Petroleum (Submerged Lands) Act—Select Legislative Instrument 2006 No. 251—Offshore Petroleum (Safety Levies) Amendment Regulations 2006 (No. 1) [F2006L03105]*.

Primary Industries (Excise) Levies Act—Select Legislative Instrument 2006 No. 240—Primary Industries (Excise) Levies Amendment Regulations 2006 (No. 5) [F2006L03157]*.

Product Rulings PR 2006/131-PR 2006/141.

Radiocommunications Act—Radiocommunications (Issue of Broadcasting (Narrowcasting) Transmitter Licences) Determination No. 1 of 1996 (Amendment No. 13) [F2006L03140]*.

Remuneration Tribunal Act—Determinations—

2006/18: Members of Parliament – Entitlements [F2006L03155]*.

2006/19: Remuneration and Allowances for Holders of Public Office and Members of Parliament [F2006L03162]*.

Renewable Energy (Electricity) Act—Select Legislative Instrument 2006 No. 248—Renewable Energy (Electricity) Amendment Regulations 2006 (No. 2) [F2006L03049]*.

Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Act—Select Legislative Instrument 2006 No. 246—Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Amendment Regulations 2006 (No. 1) [F2006L03147]*.

Social Security Act—

Child Disability Assessment Amendment Determination 2006 [F2006L03174]*.

- Social Security (Special Disability Trust Beneficiary Requirements) (DEST) Nomination of Agreement 2006 [F2006L03156]*.
- Social Security (Special Disability Trust Beneficiary Requirements) (DEWR) Nomination of Agreement 2006 [F2006L03137]*.
- Social Security (Special Disability Trust Beneficiary Requirements) (FaCSIA) Nomination of Agreement 2006 [F2006L03115]*.
- Social Security (Special Disability Trust) (DEST) Guidelines 2006 [F2006L03158]*.
- Social Security (Special Disability Trust) (DEWR) Guidelines 2006 [F2006L03138]*.
- Social Security (Special Disability Trust) (FaCSIA) Guidelines 2006 [F2006L03121]*.
- Social Security (Special Disability Trust – Trust Deed, Reporting and Audit Requirements) (DEST) Determination 2006 [F2006L03161]*.
- Social Security (Special Disability Trust – Trust Deed, Reporting and Audit Requirements) (DEWR) Determination 2006 [F2006L03136]*.
- Social Security (Special Disability Trust – Trust Deed, Reporting and Audit Requirements) (FaCSIA) Determination 2006 [F2006L03117]*.
- Social Security (Administration) Act—Social Security (Public Interest Certificate Guidelines) (DEWR) Determination 2006 [F2006L03256]*.
- Superannuation Guarantee Determination—Notice of Withdrawal—SGD 2003/6.
- Taxation Determinations TD 2006/56-TD 2006/61.
- Taxation Ruling TR 2006/9.
- Telecommunications Act—
- Carrier Licence Conditions (Telstra Corporation Limited) Declaration 1997 (Amendment No. 1 of 2006) [F2006L03082]*.
 - Telecommunications Numbering Plan Variation 2006 (No. 2) [F2006L03291]*.
 - Telecommunications Service Provider (Mobile Premium Services) Amendment Determination 2006 (No. 1) [F2006L03271]*.
- Telecommunications (Consumer Protection and Service Standards) Act—Select Legislative Instrument 2006 No. 245—Telecommunications (Consumer Protection and Service Standards) (Communications Fund) Amendment Regulations 2006 (No. 1) [F2006L03080]*.
- Torres Strait Fisheries Act—
- Torres Strait Finfish Fishery—Torres Strait Fisheries Management Notice No. 78—Prohibitions relating to the taking, processing and carrying of finfish (gear, size and area restrictions and take and carry limit) [F2006L03225]*.
 - Torres Strait Spanish Mackerel Fishery—Torres Strait Fisheries Management Notice No. 79—Prohibitions relating to the taking, processing and carrying of spanish mackerel (gear and size restrictions and take and carry limit) [F2006L03227]*.
 - Torres Strait Tropical Rock Lobster Fishery—Torres Strait Fisheries Management Notice No. 80—Prohibitions relating to the taking, processing and carrying of tropical rock lobster (size restriction, closed seasons, gear restrictions and bag limits) [F2006L03228]*.
- Veterans' Entitlements Act—
- Determinations of Hazardous Service—
 - Afghanistan [F2006L02858]*.

Arabian Gulf, Gulf of Oman and Northern Arabian Sea [F2006L02911]*.
 Former Republic of Yugoslavia [F2006L02912]*.
 Gulf of Iran, Gulf of Oman and southern end of the Iran Pakistan border [F2006L02864]*.
 Gulf war [F2006L02842]*.
 Haiti [F2006L02872]*.
 Mozambique [F2006L02865]*.
 Operations Habitat and Blazer [F2006L02857]*.

Determinations of Non-warlike Service—

Cambodia [F2006L02915]*.
 Guatemala [F2006L02913]*.
 Libreville (Gabon), Point Noire (Republic of the Congo [formerly known as the Peoples Republic of Congo]) and Brazzaville (Republic of the Congo) [F2006L02916]*.

Determination of Warlike Service—Vietnam (Southern Zone) [F2006L02932]*.

Instrument No. R31/2006—Veterans' Entitlements (Child-Related Rent Assistance Payments) Determination [F2006L03129]*.

Veterans' Entitlements (Pension Bonus Scheme – Non-Accruing Members – Major Disaster) Declaration 2006 No. R19 [F2006L03232]*.

Veterans' Entitlements (Treatment Principles – HomeFront Subsidy Increase) Instrument 2006 No. R9 [F2006L02994]*.

Water Efficiency Labelling and Standards Act—Water Efficiency Labelling and Standards Amendment Declaration 2006 (No. 1) [F2006L03045]*.

Workplace Relations Act and Workplace Relations Amendment (Work Choices) Act—Select Legislative Instrument 2006 No. 247—Workplace Relations Amendment Regulations 2006 (No. 3) [F2006L03154]*.

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

Aboriginal Land Rights (Northern Territory) Amendment Act 2006—Items 1 to 4 of Schedule 1—1 October 2006 [F2006L03153]*.

Telecommunications (Interception) Amendment (Stored Communications and Other Measures) Act 2005—Part 2 of Schedule 1—1 October 2006 [F2006L03104]*.

* Explanatory statement tabled with legislative instrument.

32 GOVERNOR-GENERAL'S AND ADMINISTRATOR'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:

14 September 2006—Message—

No. 31—

Aviation Transport Security Amendment Act 2006 (Act No. 97, 2006)

OHS and SRC Legislation Amendment Act 2006 (Act No. 98, 2006).

No. 32—

Privacy Legislation Amendment Act 2006 (Act No. 99, 2006)

International Tax Agreements Amendment Act (No. 1) 2006 (Act No. 100, 2006)

Tax Laws Amendment (Repeal of Inoperative Provisions) Act 2006 (Act No. 101, 2006).

16 September 2006—Message No. 33—*Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand) Act 2006* (Act No. 102, 2006).

A message from Her Excellency the Administrator of the Commonwealth of Australia was reported, informing the Senate that she had assented to the following law:

27 September 2006—Message No. 34—*Maritime Transport and Offshore Facilities Security Amendment (Maritime Security Guards and Other Measures) Act 2006* (Act No. 103, 2006).

**33 CUSTOMS AMENDMENT (2007 HARMONIZED SYSTEM CHANGES) BILL 2006
CUSTOMS TARIFF AMENDMENT (2007 HARMONIZED SYSTEM CHANGES) BILL 2006
SCHOOLS ASSISTANCE (LEARNING TOGETHER—ACHIEVEMENT THROUGH CHOICE
AND OPPORTUNITY) AMENDMENT BILL (NO. 2) 2006**

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

Message no. 394, dated 14 September 2006—A Bill for an Act to amend the *Customs Act 1901*, and for related purposes.

Message no. 393, dated 14 September 2006—A Bill for an Act to amend the *Customs Tariff Act 1995*, and for related purposes.

Message no. 395, dated 14 September 2006—A Bill for an Act to amend the law relating to the granting of financial assistance to the States for primary and secondary education, and for related purposes.

The Minister for Ageing (Senator Santoro) 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 Santoro moved—That these bills be now read a second time.

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

Consideration of legislation: Senator Santoro moved that the Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Amendment Bill (No. 2) 2006 be listed on the *Notice Paper* as a separate order of the day.

Question put and passed.

34 ECONOMICS—STANDING COMMITTEE—INTERIM REPORT—PETROL PRICING IN AUSTRALIA

Senator Parry, at the request of the Chair of the Economics Committee (Senator Brandis), tabled the following report:

Economics—Standing Committee—Petrol pricing in Australia—Interim report, dated 9 October 2006.

Extension of time to report: Senator Parry, by leave and at the request of the Chair of the Economics Committee (Senator Brandis), moved—That the time for the presentation of the final report of the Economics Committee on petrol pricing in Australia be extended to 30 November 2006.

Question put and passed.

35 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING COMMITTEE—REPORT—HIGHER EDUCATION LEGISLATION AMENDMENT (2006 BUDGET AND OTHER MEASURES) BILL 2006

Pursuant to order, Senator Parry, at the request of the Chair of the Employment, Workplace Relations and Education Committee (Senator Troeth), tabled the following report and documents:

Employment, Workplace Relations and Education—Standing Committee—Higher Education Legislation Amendment (2006 Budget and Other Measures) Bill 2006 [Provisions]—Report, dated October 2006, additional information and submissions [3].

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

36 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—AGED CARE AMENDMENT (RESIDENTIAL CARE) BILL 2006

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

Community Affairs—Standing Committee—Aged Care Amendment (Residential Care) Bill 2006—Report, dated October 2006, Hansard record of proceedings and submissions [5].

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

37 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—CORPORATIONS (ABORIGINAL AND TORRES STRAIT ISLANDER) BILLS

Pursuant to order, Senator Parry, at the request of the Chair of the Legal and Constitutional Affairs Committee (Senator Payne), tabled the following report and documents:

Legal and Constitutional Affairs—Standing Committee—Corporations (Aboriginal and Torres Strait Islander) Bill 2005 [Provisions], Corporations Amendment (Aboriginal and Torres Strait Islander Corporations) Bill 2006 [Provisions] and Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Bill 2006 [Provisions]—Report, dated October 2006, Hansard record of proceedings, documents presented to the committee and submissions [17].

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

38 OCCUPATIONAL HEALTH AND SAFETY (COMMONWEALTH EMPLOYMENT) AMENDMENT BILL 2005

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck)—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.

Senator Murray moved the following amendment:

Schedule 1, item 1, page 3 (line 8), after “employees,” insert “that is a democratic association free from control by, or improper influence from, an employer or by an association or organisation of employers.”.

Debate ensued.

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

Senator Murray moved the following amendments together by leave:

Schedule 1, item 12, page 6 (after line 5), after subsection 16A(1), insert:

- (1A) In developing or varying health and safety management arrangements, an employer must comply with any relevant provision in a paragraph 16(3)(c) agreement.
- (1B) An employer must negotiate a paragraph 16(3)(c) agreement and implement the agreement into health and safety management arrangements if:
 - (a) a majority of employees, determined by ballot and in writing, require an agreement; or
 - (b) a certified agreement is in operation specifying provisions for developing a health and safety management arrangement.

Schedule 1, item 15, page 9 (line 2), at the end of subsection 24(3), add:

- ; and (c) the employer must comply with the provisions of a paragraph 16(3)(c) agreement when varying designated work groups.

Schedule 1, item 18, page 10 (after line 11), after subsection 25A(1), insert:

- (1A) An employer arranging the invitation of nominations or election in accordance with subsection (1) must comply with any relevant provisions of a paragraph 16(3)(c) agreement.

Schedule 1, item 18, page 10 (line 20), at the end of subsection 25A(4), add “and the employer arranging the election must comply with any relevant provisions in a paragraph 16(3)(c) agreement”.

Schedule 1, item 19, page 11 (line 26) to page 12 (line 4), omit the section, substitute:

26 Term of office

A health and safety representative for a designated work group holds office for 2 years or in accordance with a paragraph 16(3)(c) agreement.

Schedule 1, page 12 (after line 30), after item 22, insert:

22A At the end of section 31

Add:

- (5) An employer that is notified under subsection (2) or (3) must comply with any relevant provisions of a paragraph 16(3)(c) agreement.

Schedule 1, item 24, page 13 (line 9), at the end of subclause 33(2A), add “and an employer arranging for the invitation of nominations as part of an election must comply with any relevant provisions in a paragraph 16(3)(c) agreement”.

Schedule 1, item 25, page 13 (after line 26), after subsection 34(1), insert:

- (1A) A health and safety committee must be established in accordance with any relevant provision of a paragraph 16(3)(c) agreement.

Debate ensued.

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

Senator Murray moved the following amendment:

Schedule 1, item 12, page 7 (line 9), omit “12 month”, substitute “5 year”.

Debate ensued.

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

Senator Murray moved the following amendment:

Schedule 1, item 12, page 7 (after line 22), at the end of section 16B, add:

- Note: A person who breaches this section may be subject to civil action (see Schedule 2).

Debate ensued.

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

Senator Murray moved the following amendments together by leave:

Schedule 1, item 16, page 9 (after line 21), after subsection 24A(2), insert:

- (2A) An employer must provide a copy of the list of all the designated work groups to an employee or an employee representative on receipt of a written request.

Schedule 1, item 18, page 10 (after line 11), after subsection 25A(1), insert:

- (1B) An employer must provide a copy of the list of all health and safety representatives and deputies to an employee or an employee representative on receipt of written request.

Schedule 1, item 45, page 18 (line 24), at the end of paragraph 74(1)(c), add “and the number of designated work groups, the number of health and safety representatives and the number of health and safety representatives completing training in accordance with section 27”.

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

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

Senator Abetz moved—That this bill be now read a third time.

Question put.

The Senate divided—

AYES, 35

Senators—

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

NOES, 29

Senators—

Allison	Forshaw	McEwen	Stephens
Bartlett	Hogg	Milne	Sterle
Bishop	Hurley	Moore	Webber (Teller)
Brown, Bob	Hutchins	Murray	Wong
Brown, Carol	Kirk	Nettle	Wortley
Campbell, George	Ludwig	Polley	
Conroy	Lundy	Sherry	
Crossin	Marshall	Siewert	

Question agreed to.

Bill read a third time.

39 AUSTRALIAN NUCLEAR SCIENCE AND TECHNOLOGY ORGANISATION AMENDMENT BILL 2006

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

Debate resumed.

Senator Stephens moved the following amendment:

At the end of the motion, add “but the Senate condemns the Government for:

- (a) its extreme and arrogant imposition of a nuclear waste dump on the Northern Territory;
- (b) breaking a specific promise made before the last election not to locate a waste dump in the Northern Territory;
- (c) its heavy-handed disregard for the legal and other rights of Northern Territorians and other communities, by overriding any existing or future state or territory law or regulation that prohibits or interferes with the selection of Commonwealth land as a site, the establishment of a waste dump and the transportation of waste across Australia;
- (d) destroying any recourse to procedural fairness provisions for anyone wishing to challenge the Minister’s decision to impose a waste dump on the Northern Territory;
- (e) establishing a hand-picked committee of inquiry into the economics of nuclear power in Australia, while disregarding the economic case for all alternative sources of energy; and
- (f) keeping secret all plans for the siting of nuclear power stations and related nuclear waste dumps”.

Debate ensued.

At 9.50 pm: Debate was interrupted while the Leader of the Australian Democrats (Senator Allison) was speaking.

40 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 10.18 pm till Tuesday, 10 October 2006 at 12.30 pm.

41 ATTENDANCE

Present, all senators except Senators Minchin and Stott Despoja* (* on leave).

HARRY EVANS
Clerk of the Senate