

2004-06

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 108

WEDNESDAY, 11 OCTOBER 2006

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**1 MEETING OF SENATE**

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

**2 GOVERNMENT DOCUMENTS**

The following government documents were tabled:

Australian Trade Commission (AUSTRADE)—Report for 2005-06.

Bundanon Trust—Report for 2005-06.

*Crimes Act 1914*—Controlled operations—Report for 2005-06.

International Air Services Commission—Report for 2005-06.

*Members of Parliament (Staff) Act 1984*—Report for 2005-06 on consultants engaged.

Military Rehabilitation and Compensation Commission—Report for 2005-06.

Office of the Renewable Energy Regulator—Report for 2005-06.

Repatriation Commission, Department of Veterans' Affairs and the National Treatment Monitoring Committee—Reports for 2005-06.

**3 CONSIDERATION OF LEGISLATION**

The Minister for Justice and Customs (Senator Ellison), pursuant to notice, moved government business notice of motion no. 1—That, after the motion for the second reading of the Communications Legislation Amendment (Enforcement Powers) Bill 2006 and the Television Licence Fees Amendment Bill 2006 has been moved, they may be taken together for their remaining stages with the government business order of the day relating to the Broadcasting Services Amendment (Media Ownership) Bill 2006 and the Broadcasting Legislation Amendment (Digital Television) Bill 2006.

Question put and passed.

**4 COMMUNICATIONS LEGISLATION AMENDMENT (ENFORCEMENT POWERS)****BILL 2006****TELEVISION LICENCE FEES AMENDMENT BILL 2006**

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

Message no. 397, dated 10 October 2006—A Bill for an Act to amend the law relating to communications, and for other purposes.

Message no. 398, dated 10 October 2006—A Bill for an Act to amend the *Television Licence Fees Act 1964*, and for related purposes.

The Minister for Justice and Customs (Senator Ellison) 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 Ellison moved—That these bills be now read a second time.

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

**5 BROADCASTING SERVICES AMENDMENT (MEDIA OWNERSHIP) BILL 2006  
BROADCASTING LEGISLATION AMENDMENT (DIGITAL TELEVISION) BILL 2006  
COMMUNICATIONS LEGISLATION AMENDMENT (ENFORCEMENT POWERS)  
BILL 2006  
TELEVISION LICENCE FEES AMENDMENT BILL 2006**

Order of the day read for the adjourned debate on the motions of the Parliamentary Secretary to the Minister for Defence (Senator Sandy Macdonald) and the Minister for Justice and Customs (Senator Ellison)—That these bills be now read a second time.

Debate resumed.

*At 12.45 pm:* Debate was interrupted while Senator Bernardi was speaking.

**6 MATTERS OF PUBLIC INTEREST**

Matters of public interest were discussed.

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*At 2 pm—*

**7 QUESTIONS**

Questions without notice were answered.

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*Documents:* Senator Sherry, by leave, tabled the following documents:

Superannuation—CSS—Telstra employees—Copies of letters from—

Chief Financial Officer and Group Managing Director, Finance and Administration, Telstra Corporation Limited (Mr J Stanhope) to Mr Heazlett, Department of Finance and Administration, dated 25 August 2005.

Deputy Secretary, General Manager, Telstra 3 Sale Taskforce, Department of Finance and Administration (Mr S Lewis) to Chief Financial Officer and Group Managing Director, Finance and Management, Telstra Corporation Limited (Mr J Stanhope), dated 26 September 2005.

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*Documents:* The Minister for Ageing (Senator Santoro) tabled the following documents:

Social issues—Older Australians—

Calendar—Still inspiring: A calendar celebrating older Australians, 2007.

Certificate—Celebrating Seniors: National Day for Older Australians Recognition Awards 2006.

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Further questions without notice were answered.

**8 ANSWERS TO QUESTIONS**

Senator Sherry 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 LAW AND JUSTICE—JUDICIAL OFFICERS—APPOINTMENT—ANSWER TO QUESTION**

Senator Murray moved—That the Senate take note of the answer given by the Minister for Justice and Customs (Senator Ellison) to a question without notice asked by Senator Murray today relating to the appointment of judicial officers.

Question put and passed.

**10 PETITIONS**

The following 2 petitions, lodged with the Clerk by the senators indicated, were received:

Senator Allison, from 39 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 Carol Brown, from 15 petitioners, requesting that the Senate take action to restrict children's exposure to Internet pornography.

**11 NOTICES**

The Chair of the Legal and Constitutional Affairs Committee (Senator Payne): To move on the next day of sitting—That the Legal and Constitutional Affairs Committee be authorised to hold a public meeting during the sitting of the Senate on Monday, 16 October 2006, from 7.30 pm, to take evidence for the committee's inquiry into the performance of the Australian Federal Police, adopted by the committee pursuant to standing order 25(2)(b). (*general business notice of motion no. 577*)

The Chair of the Rural and Regional Affairs and Transport Committee (Senator Heffernan): To move on the next day of sitting—That the time for the presentation of the report of the Rural and Regional Affairs and Transport Committee on Australia's future oil supply be extended to 27 November 2006. (*general business notice of motion no. 578*)

The Chair of the Foreign Affairs, Defence and Trade Committee (Senator Johnston): To move on the next day of sitting—

- (1) 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 27 October 2006.
- (2) That the committee may consider any proposed government amendments to the bill. (*general business notice of motion no. 579*)

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

(a) notes:

- (i) the call last week by 135 respected global leaders, including former presidents, prime ministers, foreign and defence ministers, congressional leaders and heads of international organisations including Boutros Boutros-Ghali, Jimmy Carter, Mikhail Gorbachev, Bill Hayden, John Major and Mary Robinson, for a comprehensive settlement of the Arab-Israeli conflict,
- (ii) that everyone has lost in this conflict except the extremists throughout the world who prosper on the rage that it continues to provoke,
- (iii) that every passing day undermines prospects for a peaceful, enduring solution and that, as long as the conflict lasts, it will generate instability and violence in the region and beyond,

- (iv) the need for United Nations (UN) Security Council resolutions 242 of 1967 and 338 of 1973, the Camp David peace accords of 1978, the Clinton Parameters of 2000, the Arab League Initiative of 2002, and the Roadmap proposed in 2003 by the Quartet (UN, United States of America, European Union and Russia) to be implemented in resolving the conflict, and
- (v) that the goal must be security and full recognition of the state of Israel within internationally-recognised borders, an end to the occupation for the Palestinian people in a viable independent, sovereign state and the return of lost land to Syria; and
- (b) calls on the Government to join these world leaders in pressing for a new international conference, held as soon as possible and attended by all relevant players, at which all the elements of a comprehensive peace agreement would be mapped, momentum generated for detailed negotiations and steps taken by the key players, including:
  - (i) support for a Palestinian national unity government, with an end to the political and financial boycott of the Palestinian Authority,
  - (ii) talks between Israel and the Palestinian leadership mediated by the Quartet and reinforced by the participation of the Arab League and key regional countries, on rapidly enhancing mutual security and allowing revival of the Palestinian economy,
  - (iii) talks between the Palestinian leadership and the Israeli Government, sponsored by a reinforced Quartet, on the core political issues that stand in the way of achieving a final status agreement, and
  - (iv) parallel talks of the reinforced Quartet with Israel, Syria and Lebanon, to discuss the foundations on which Israeli-Syrian and Israeli-Lebanese agreements can be reached. (*general business notice of motion no. 580*)

Senator Bartlett: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to remove unfair impediments preventing holders of temporary protection visas from obtaining permanent protection visas, and for related purposes. ***Migration Legislation Amendment (Enabling Permanent Protection) Bill 2006.*** (*general business notice of motion no. 581*)

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

- (a) notes the resolution of the International Physicians for the Prevention of Nuclear War, on 10 September 2006 in Helsinki, calling for:
  - (i) relevant governments to make public all information relevant to the health and environmental consequences of their nuclear test explosions, including opening their archives to independent researchers,
  - (ii) long-term health and environmental effects of nuclear test explosions to be comprehensively and independently evaluated,
  - (iii) underground and underwater nuclear test sites and related contaminated areas to undergo best practice clean-up to be secured as much as feasible against radioactive and chemical toxic leakage into the biosphere and to be subject to long-term monitoring, and
  - (iv) responsibility for these public health measures to properly belong to the governments which conducted the nuclear test explosion;

- (b) urges the Government to initiate talks with nuclear weapons states that have conducted tests and those states that have hosted these tests with a view to developing a treaty between the parties to at least put in place the measures called for in paragraph (a);
- (c) encourages the Government to redouble efforts to encourage other countries to ratify the Comprehensive Nuclear-Test-Ban Treaty and bring it into force; and
- (d) urges the Government to use its best diplomatic endeavours to dissuade North Korea from further nuclear weapons testing, and resist calls for military action against North Korea. (*general business notice of motion no. 582*)

The Minister for Justice and Customs (Senator Ellison): To move on the next day of sitting—

- (1) That the time allotted for the remaining stages of the Broadcasting Services Amendment (Media Ownership) Bill 2006 and three related bills be as follows:

Committee stage                      Thursday, 12 October 2006—commencing immediately, until 1.15 pm

Third reading                      Thursday, 12 October 2006—until 1.45 pm.

- (2) That this order operate as an allocation of time under standing order 142.

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

- (a) notes that 12 October 2006 is World Sight Day;
- (b) recognises that approximately 500 000 Australians are blind or have low vision;
- (c) acknowledges that, with Australia's increasingly ageing population, it is likely that the number of Australians who are blind or have low vision will increase;
- (d) supports the commitment of the member organisations of Vision 2020 for raising awareness about conditions such as age-related macular degeneration, cataracts, diabetic eye disease, glaucoma and refractive error, and the serious level of trachoma in our Indigenous population; and
- (e) commends the work of the many support groups available for those people who are blind or have low vision. (*general business notice of motion no. 583*)

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

- (a) notes:
  - (i) the deteriorating security situation in North Asia following North Korea's nuclear test,
  - (ii) that India is not a signatory to the Nuclear Non-Proliferation Treaty (NPT),
  - (iii) that the India-United States of America (US) nuclear deal contravenes the NPT, and
  - (iv) that any sale of Australian uranium would contravene the NPT; and
- (b) calls on the Government to use its position in the Nuclear Suppliers Group to block the India-US nuclear deal and reject any sale of uranium to India. (*general business notice of motion no. 584*)

The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That the Senate—

- (a) condemns the shooting by Chinese guards of 17-year-old nun Kelsang Namtso and a 13-year-old boy in the Himalayas on 30 September 2006; and

- (b) calls on the Minister for Foreign Affairs (Mr Downer) to endeavour to establish the whereabouts and well-being of up to 30 Tibetan children, aged between 6 and 10 years, who were marched away by Red Army guards through the international climbers' camp at Chu Oyu near Mt Everest. (*general business notice of motion no. 585*)

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

- (a) notes that:
  - (i) the second week in October is National Weedbuster Week,
  - (ii) weeds seriously deplete biodiversity and cost the Australian economy approximately \$4 billion per year,
  - (iii) climate change, as stated at the 15th Australian Weeds Conference, will make weed management increasingly more difficult, with sleeper weeds and warmer conditions leading to the habitat expansion of some weed species,
  - (iv) funding for the Defeating the Weed Menace Programme ends in the 2007-08 financial year, and
  - (v) the Weeds Cooperative Research Centre ends its current term in 2008; and
- (b) calls on the Government to:
  - (i) extend the Defeating the Weed Menace Programme beyond its current term with an increase in its scope and funding base, and
  - (ii) fulfil its promise to fund a program to increase public awareness of the weed problem in Australia. (*general business notice of motion no. 586*)

## 12 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 11 OF 2006

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

### SELECTION OF BILLS COMMITTEE REPORT NO. 11 OF 2006

1. The committee met in private session on Tuesday, 10 October 2006 at 4.18 pm.
2. The committee resolved to recommend—That—
  - (a) the *provisions* of the Families, Community Services and Indigenous Affairs and Veterans' Affairs Legislation Amendment (2006 Budget Measures) Bill 2006 be *referred immediately* to the Legal and Constitutional Affairs Committee for inquiry and report by 22 November 2006;
  - (b) the *provisions* of the Australian Participants in British Nuclear Tests (Treatment) Bill 2006 and the Australian Participants in British Nuclear Tests (Treatment) (Consequential Amendments and Transitional Provisions) Bill 2006 be *referred immediately* to the Foreign Affairs, Defence and Trade Committee for inquiry and report by 7 November 2006; and
  - (c) *upon introduction* in the House of Representatives the provisions of the Environment and Heritage Legislation Amendment Bill (No. 1) 2006 be referred to the Environment, Communications, Information Technology and the Arts Committee for inquiry and report by 17 November 2006.



3. The committee resolved to recommend—That the following bills not be referred to committees:

Financial Sector Legislation Amendment (Trans-Tasman Banking Supervision) Bill 2006

Judiciary Legislation Amendment Bill 2006

Law and Justice Legislation Amendment (Marking of Plastic Explosives) Bill 2006

Medical Indemnity Legislation Amendment Bill 2006

Social Security (Helping Pensioners Hit by the Skills Shortage) Bill 2006.

***The committee recommends accordingly.***

4. The committee deferred consideration of the following bill to its next meeting:  
Migration Amendment (Border Integrity) Bill 2006.

Jeannie Ferris

Chair

11 October 2006.

Senator Ferris moved—That the report be adopted.

Senator Bartlett moved the following amendment:

At the end of the motion, add “but, in respect of the Environment and Heritage Legislation Amendment Bill (No. 1) 2006, the Environment, Communications, Information Technology and the Arts Committee report by the first sitting day in 2007”.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 32

Senators—

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

NOES, 35

Senators—

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

Question negatived.

Main question put and passed.

**13 LEAVE OF ABSENCE**

Senator George Campbell, by leave, moved—That leave of absence be granted to Senator Marshall from 10 October to 19 October 2006, on account of parliamentary business overseas.

Question put and passed.

**14 REGIONAL AUSTRALIA—KING ISLAND**

The Leader of the Australian Greens (Senator Bob Brown), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 570—That the Senate—

- (a) congratulates the King Island Council on its success in banning plantation forestry from its farmland; and
- (b) commends the Minister for Fisheries, Forestry and Conservation (Senator Abetz) for understanding ‘the view of the King Island Council and local farmers in wanting to protect their icon [*sic*] beef and cheese industries’.

Question put.

The Senate divided—

**AYES, 7**

Senators—

Allison  
Bartlett

Brown, Bob  
Milne

Murray  
Nettle

Siewert (Teller)

**NOES, 47**

Senators—

Adams  
Barnett  
Bernardi  
Bishop  
Brandis  
Brown, Carol  
Campbell, George  
Carr  
Chapman  
Colbeck  
Crossin  
Eggleston

Ellison  
Ferguson  
Ferris  
Fierravanti-Wells  
Fifield  
Forshaw  
Hurley  
Hutchins  
Johnston  
Kirk  
Ludwig  
Lundy

Macdonald, Ian  
Mason  
McEwen  
McGauran  
McLucas  
Moore  
Nash  
O’Brien  
Parry  
Patterson  
Payne  
Polley

Ronaldson  
Santoro  
Scullion (Teller)  
Sherry  
Stephens  
Sterle  
Trood  
Watson  
Webber  
Wong  
Wortley

Question negatived.

**15 ENVIRONMENT—REVA ELECTRIC CAR**

Senator Milne amended general business notice of motion no. 576 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that:

- (i) the Reva electric car has been approved for use in the European Union, Japan and Malta and is being test marketed in the United States of America, Sri Lanka, Norway, Ireland, Switzerland, Romania and Cyprus,
- (ii) electric vehicles can reduce both Australia’s dependence on foreign oil and its greenhouse gas emissions, particularly when recharged with renewable electricity, and

- (iii) based on accident and insurance data, the chance of a fatality occurring in a Reva is around 50 per cent less than in an ordinary car; and
- (b) calls on the Government to:
  - (i) remove any impediment that would prevent the import of 20 Revas into Australia for a trial,
  - (ii) investigate the adoption of the United Nations Economic Commission for Europe Heavy Quadricycle category 92/61/EC as a vehicle class, and
  - (iii) extend the import permit to delay the destruction or export of the one Reva vehicle currently in Australia until such time as a final decision is taken in regard to adoption of the heavy quadricycle vehicle category.

Question put.

The Senate divided—

AYES, 31

Senators—

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

NOES, 34

Senators—

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

Question negatived.

#### 16 HEALTH—NATIONAL MENTAL HEALTH WEEK

Senator Stephens, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 574—That the Senate—

- (a) notes that the week beginning 9 October 2006 is National Mental Health Week in Australia, incorporating World Mental Health Day which is celebrated on 10 October;
- (b) acknowledges that suicide can be a tragic consequence of a failure to recognise and treat mental illness;
- (c) notes that many lives are being saved by early recognition and treatment of people at risk;
- (d) recognises the impact of mental illness on carers and families and acknowledges their essential role in supporting those with mental illness;
- (e) notes that the Council of Australian Governments has designated mental health as a major health priority; and

- (f) supports the call by the national Mental Health Council of Australia for recognition that, left untreated, mental illnesses can be fatal and thus must be addressed as an issue of utmost importance.

Question put and passed.

#### 17 FOREIGN AFFAIRS—PAPUA NEW GUINEA—VIOLENCE AGAINST WOMEN

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. 575—That the Senate—

- (a) notes the report by Amnesty International, *Papua New Guinea: Violence against women: Not inevitable, never acceptable*, which reports that:
  - (i) violence against women is endemic in Papua New Guinea, affecting the majority of women and girls in some parts of the country,
  - (ii) healthcare, counselling services, emergency accommodation and other forms of support for survivors of gender-based violence are insufficiently available outside the capital Port Moresby, as is access to legal advice and formal justice processes, and
  - (iii) current harmful practices are common throughout society and contribute to high levels of violence against women;
- (b) acknowledges that gender-based violence in Papua New Guinea curtails women's freedom of movement and in turn limits women's access to education and employment and their ability to participate freely in public life, as well as contributing to the spread of HIV/AIDS in Papua New Guinea; and
- (c) calls on the Government to:
  - (i) urge the Government of Papua New Guinea to resource the Papua New Guinea Ombudsman Commission to enable it to fulfil its role of promoting human rights in Papua New Guinea, and
  - (ii) encourage the Government of Papua New Guinea to strengthen its support and increase resources for programs that will improve the implementation of Papua New Guinea laws that recognise violence against women as criminal offences.

Question put and passed.

#### 18 PRIMARY INDUSTRIES—FISHING PRACTICES—HIGH SEAS BOTTOM TRAWLING

Senator Siewert amended general business notice of motion no. 573 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) acknowledges and supports the Government's position to adopt an immediate ban on all unmanaged high seas bottom trawling;
- (b) acknowledges the Australian position for a ban on fishing practices which have destructive impacts on vulnerable marine ecosystems in areas beyond national jurisdiction from 1 August 2007 where Regional Fisheries Management Organisations (RFMOs) are under negotiation, unless and until conservation and management measures are implemented; and a ban from 1 January 2008 within existing RFMOs, unless and until conservation and management measures are implemented;

- (c) supports the commitment to applying the precautionary approach with independent peer review so that bans on high seas bottom trawling cannot be lifted unless it can be shown scientifically that it will not damage fragile marine ecosystems;
- (d) acknowledges the commitment to strengthen conservation and management of deep sea biodiversity in areas beyond national jurisdiction;
- (e) welcomes the efforts of the Australian delegation to advance the position on high seas bottom trawling within the United Nations (UN) General Assembly negotiations; and
- (f) urges the Government to pursue all diplomatic avenues to ensure that this position prevails when a formal decision is taken in the UN General Assembly in early December 2006.

Question put and passed.

**19 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Scullion, at the request of Senator Mason and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 569—That the Joint Standing Committee on Electoral Matters be authorised to hold a public meeting during the sitting of the Senate on Thursday, 19 October 2006, from 9.30 am to 10.30 am, to take evidence for the committee's inquiry into civics and electoral education.

Question put and passed.

**20 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—LEAVE TO MEET DURING SITTINGS**

Senator Scullion, at the request of the Chair of the Rural and Regional Affairs and Transport Committee (Senator Heffernan) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 571—That the Rural and Regional Affairs and Transport Committee be authorised to hold public meetings during the sittings of the Senate to take evidence for the committee's inquiry into water policy initiatives, on the following days:

- (a) Thursday, 12 October 2006, from 4.30 pm to 6 pm; and
- (b) Wednesday, 18 October 2006, from 4.30 pm to 6.30 pm.

Question put and passed.

**21 URGENCY MOTION—FOREIGN AFFAIRS—NORTH KOREA—NUCLEAR WEAPONS TEST**

The Acting Deputy President (Senator Crossin) informed the Senate that the President had received a letter from Senator Milne advising that today she intended to move—That, in the opinion of the Senate, the following is a matter of urgency:

The need for the Australian Government to take actions that strengthen and not undermine the Nuclear Non-Proliferation Treaty following North Korea's nuclear weapons test.

The proposal was supported by 4 senators.

Senator Milne moved the motion.

Debate ensued.

Question put.

The Senate divided—

**AYES, 32**

Senators—

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

**NOES, 33**

Senators—

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

Question negatived.

**22 SCRUTINY OF BILLS—STANDING COMMITTEE—8TH REPORT AND ALERT DIGEST NO. 11 OF 2006**

The Chairman of the Standing Committee for the Scrutiny of Bills (Senator Ray) tabled the following report and document:

Scrutiny of Bills—Standing Committee—

8th report of 2006, dated 11 October 2006.

Alert Digest No. 11 of 2006, dated 11 October 2006.

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

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

Question put and passed.

**23 ECONOMICS—STANDING COMMITTEE—ADDITIONAL INFORMATION—TAX LAWS AMENDMENT (2006 MEASURES NO. 4) BILL 2006**

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

Economics—Standing Committee—Report—Tax Laws Amendment (2006 Measures No. 4) Bill 2006 [Provisions]—Additional information.

**24 DOCUMENTS**

The following documents were tabled by the Clerk:

Defence Act—Determinations under section 58B—Defence Determinations—

2006/51—Travel period – amendment.

2006/52—Annual review of housing-related allowances and charges.

2006/53—Completion bonus scheme – Navy Acoustic Warfare Analyst and Electronic Warfare Analyst Submarines categories.

2006/54—Additional retention bonus for other rank members.

2006/55—Completion bonus scheme – Navy Aviation Technician categories.

2006/56—Remuneration reform project – consequential amendments.

2006/57—International campaign allowance – amendment.

Product Rulings—Notices of Withdrawal—

PR 2005/75 and PR 2005/91.

PR 2006/112.

**25 AUSTRALIAN PARLIAMENTARY DELEGATION TO MOZAMBIQUE AND KENYA—DOCUMENT**

Senator Johnston, by leave, tabled the following document:

Mozambique and Kenya—Report of the Australian parliamentary delegation, 11 to 23 July 2004, dated September 2006.

**26 FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—LEAVE TO MEET DURING SITTING—VARIATION**

Senator Scullion, by leave and at the request of the Chair of the Finance and Public Administration Committee (Senator Mason), moved—That the order of the Senate of 10 October 2006 authorising the Finance and Public Administration Committee to hold a public meeting during the sitting of the Senate today be varied to provide that the committee be authorised to meet to 7 pm.

Question put and passed.

**27 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—APPOINTMENT OF MEMBER**

The Acting Deputy President (Senator Lightfoot) informed the Senate that the President had received a letter nominating a senator to be a member of a committee.

The Minister for Communications, Information Technology and the Arts (Senator Coonan), by leave, moved—That Senator Allison be appointed as a participating member of the Foreign Affairs, Defence and Trade Committee.

Question put and passed.

**28 HOUSING LOANS INSURANCE CORPORATION (TRANSFER OF PRE-TRANSFER CONTRACTS) BILL 2006  
HOUSING LOANS INSURANCE CORPORATION (TRANSFER OF ASSETS AND ABOLITION) REPEAL BILL 2006**

**FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (2006 BUDGET MEASURES) BILL 2006**

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

Message no. 399, dated 10 October 2006—A Bill for an Act to transfer pre-transfer contracts, associated documents and certain related rights and liabilities of the Commonwealth, and for related purposes.

Message no. 400, dated 10 October 2006—A Bill for an Act to repeal the *Housing Loans Insurance Corporation (Transfer of Assets and Abolition) Act 1996*, and for related purposes.

Message no. 403, dated 11 October 2006—A Bill for an Act to amend the law relating to social security, veterans' entitlements, family assistance, student assistance, aged care and child support, and for related purposes.

The Minister for Communications, Information Technology and the Arts (Senator Coonan) 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 Coonan moved—That these bills be now read a second time.

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

*Consideration of legislation:* Senator Coonan moved that the Families, Community Services and Indigenous Affairs and Veterans' Affairs Legislation Amendment (2006 Budget Measures) Bill 2006 be listed on the *Notice Paper* as a separate order of the day.

Question put and passed.

**29 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—REPORT—CUSTOMS AMENDMENT (2007 HARMONIZED SYSTEM CHANGES) BILL 2006 AND CUSTOMS TARIFF AMENDMENT (2007 HARMONIZED SYSTEM CHANGES) BILL 2006**

Pursuant to order, the Chair of the Foreign Affairs, Defence and Trade Committee (Senator Johnston) tabled the following report and documents:

Foreign Affairs, Defence and Trade—Standing Committee—Customs Amendment (2007 Harmonized System Changes) Bill 2006 [Provisions] and Customs Tariff Amendment (2007 Harmonized System Changes) Bill 2006 [Provisions]—Report, dated October 2006, additional information and submissions [2].

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

**30 BROADCASTING SERVICES AMENDMENT (MEDIA OWNERSHIP) BILL 2006  
BROADCASTING LEGISLATION AMENDMENT (DIGITAL TELEVISION) BILL 2006  
COMMUNICATIONS LEGISLATION AMENDMENT (ENFORCEMENT POWERS)  
BILL 2006  
TELEVISION LICENCE FEES AMENDMENT BILL 2006**

Order of the day read for the adjourned debate on the motions of the Parliamentary Secretary to the Minister for Defence (Senator Sandy Macdonald) and the Minister for Justice and Customs (Senator Ellison)—That these bills be now read a second time.

Debate resumed.

Question put.

The Senate divided—

AYES, 35

Senators—

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



## NOES, 31

## Senators—

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

Question agreed to.

Bills read a second time.

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

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*In the committee*

**BROADCASTING SERVICES AMENDMENT (MEDIA OWNERSHIP) BILL 2006—**

Bill taken as a whole by leave.

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*Explanatory memoranda:* The Minister for Communications, Information Technology and the Arts (Senator Coonan) tabled nine supplementary explanatory memoranda relating to the government amendments to be moved to the following bills:

Broadcasting Services Amendment (Media Ownership) Bill 2006 [6].

Broadcasting Legislation Amendment (Digital Television) Bill 2006 [2].

Communications Legislation Amendment (Enforcement Powers) Bill 2006.

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Bill debated.

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*At 6.50 pm:* The Acting Deputy President (Senator Forshaw) resumed the chair and the Temporary Chair of Committees reported progress.

**31 GOVERNMENT DOCUMENTS—CONSIDERATION**

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

*Members of Parliament (Staff) Act 1984*—Report for 2005-06 on consultants engaged. Motion to take note of document moved by Senator Ray. Debate adjourned till Thursday at general business, Senator Ray in continuation.

Office of the Renewable Energy Regulator—Report for 2005-06. Motion to take note of document moved by Senator Milne, debated and agreed to.

The following orders of the day relating to government documents were considered:

*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. Motion to take note of document moved by Senator Watson, debated and agreed to.

Indigenous education and training—National report to Parliament 2004. Motion to take note of document moved by Senator Crossin. Debate adjourned till Thursday at general business, Senator Crossin in continuation.

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*At 7.20 pm—*

**32 ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 7.49 pm till Thursday, 12 October 2006 at 9.30 am.

**33 ATTENDANCE**

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

**HARRY EVANS**  
Clerk of the Senate