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

Order of the day read for the adjourned debate on the motion of Senator Patterson—That this bill be now read a second time.

Debate resumed.

On the motion of the Minister for Finance and Administration (Senator Minchin) the debate was adjourned till a later hour.

Suspension of sitting: On the motion of Senator Minchin the sitting of the Senate was suspended at 1.56 pm till 2 pm.

—————

At 2 pm—

3 QUESTIONS

Questions without notice were answered.

4 QUESTION ON NOTICE—ANSWER AND EXPLANATION

Senator Carr, pursuant to standing order 74, asked the Minister representing the Minister for Health and Ageing (Senator Santoro) for an explanation of an answer not being provided to question on notice no. 2490 (notice given 14 September 2006) relating to pandemic influenza packs.

Senator Santoro provided an explanation and indicated that an answer would be provided.

5 ECONOMY—INFLATION AND INTEREST RATES—ANSWERS TO QUESTIONS

Senator Sherry moved—That the Senate take note of the answers given by the Minister for Finance and Administration (Senator Minchin) to questions without notice asked by Senators Sherry, Wong and Stephens today relating to inflation and interest rates.

Debate ensued.

Question put and passed.

6 ENVIRONMENT—WATER SUMMIT—ANSWER TO QUESTION

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

Question put and passed.

7 DEATH OF FORMER MEMBER RICHARD CLEAVER, CBE, AM

The President informed the Senate of the death, on 25 October 2006, of Richard Cleaver, CBE, AM, a member of the House of Representatives for the division of Swan from 1955 to 1969.

8 PETITIONS

The following 5 petitions, lodged with the Clerk by the senators indicated, were received:

The President, from 199 petitioners, requesting that the Senate take action to urge the Chinese Communist Party to release all detained Falun Gong practitioners, to establish an inquiry into the allegation of organ harvesting and to discourage Australian citizens from travelling to China for organ transplants.

The President, from 26 petitioners, requesting that the Senate take action to ensure that David Hicks' rights are met under the guidelines of the Geneva Convention, as it applies to prisoners of war.

The President, from 22 petitioners, requesting that the Senate legislate to require that all Internet service providers offer a 'clean feed' Internet service to all households, schools and public libraries that blocks access to websites containing child pornography, acts of extreme violence and X-rated material.

Senator Hogg, from 472 petitioners, requesting that the Senate take action to ensure that enough medical professionals are trained to maintain the quality care provided by hospitals and other health services.

Senator Payne, from 35 petitioners, requesting that the Senate reject the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006.

9 NOTICES

Notices of motion:

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 Friday, 10 November 2006, from 9 am, to take evidence for the committee's inquiry into the provisions of the Families, Community Services and Indigenous Affairs and Veterans' Affairs Legislation Amendment (2006 Budget Measures) Bill 2006. (*general business notice of motion no. 609*)

The Chair of the Foreign Affairs, Defence and Trade Committee (Senator Johnston): To move on the next day of sitting—That the following matter be referred to the Foreign Affairs, Defence and Trade Committee for inquiry and report by 16 August 2007:

The changing nature of Australia's involvement in peacekeeping operations and the implications for the Australian Defence Force, AusAID, the Department of Foreign Affairs and Trade and the Australian Federal Police and other departments and agencies likely to be called on to assist a peacekeeping operation, with particular reference to:

- (a) the policy framework, procedures and protocols that govern the Government's decision to participate in a peacekeeping operation, for determining the conditions of engagement and for ceasing to participate;
- (b) the training and preparedness of Australians likely to participate in a peacekeeping operation;
- (c) the coordination of Australia's contribution to a peacekeeping operation among Australian agencies and also with the United Nations and other relevant countries; and
- (d) lessons learnt from recent participation in peacekeeping operations that would assist government to prepare for future operations.

The Chair of the Foreign Affairs, Defence and Trade Committee (Senator Johnston): To move on the next day of sitting—That the following matter be referred to the Foreign Affairs, Defence and Trade Committee for inquiry and report by 29 March 2007:

The nature and conduct of Australia's public diplomacy, with particular reference to:

- (a) the extent and effectiveness of current public diplomacy programs and activities in achieving the objectives of the Australian Government;
- (b) the opportunities for enhancing public diplomacy both in Australia and overseas;
- (c) the effectiveness of, and possible need to reform, administrative arrangements relating to the conduct of public diplomacy within and between Commonwealth agencies and where relevant, the agencies of state governments; and
- (d) the need and opportunities for expanding levels of funding for Australia's public diplomacy programs, including opportunities for funding within the private sector.

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

- (a) notes that:
 - (i) the wall that Israel is constructing in the West Bank is 10 times the length of the Berlin Wall and three times as high,
 - (ii) the length of the 'Green Line', the border between Israel and the West Bank, is 315 kilometres and the path of the wall is 670 kilometres long,
 - (iii) Israeli settlements with their bypass roads and security zones occupy 42 per cent of the West Bank,
 - (iv) there are now more than 200 Jewish-only settlements in the West Bank,
 - (v) 78 per cent of the Israeli settlement population come from Europe and North America,
 - (vi) Israeli settlers in the West Bank consume five times more water than Palestinians, water that is taken from Palestinian water sources,
 - (vii) Palestinian travel is restricted or entirely prohibited on 41 roads and sections of roads throughout the West Bank, covering a total of more than 700 kilometres of roadway, however Israeli settlers can travel freely on these roads, and
 - (viii) there are now more Jewish settlers in Palestinian East Jerusalem than Palestinians; and
- (b) urges the Government to consider these facts in its efforts to assist with a peaceful two-state solution in Palestine and Israel. (*general business notice of motion no. 610*)

The Leader of the Australian Democrats (Senator Allison): To move on 8 November 2006—That the Senate—

- (a) notes the petition organised by the International Jewish Solidarity Network and published in the *New York Times* in September 2006 that declares:
 - i. As Jews of conscience living in the United States, we are outraged by the violence being perpetrated in our name, both as Jews and US citizens.

- ii. ... There is no Jewish safety, nor Jewish claims to justice, reason, or equity, beyond Jewish commitment to the unconditional safety and liberation of the peoples of Palestine, Lebanon and the other Arab and Muslim countries currently under assault by Israel, the US and its allies.
- iii. We, Jews of Conscience, demand that the US government:
 1. Require Israel to stop its brutal siege on Gaza and on Lebanon and call for an unconditional cease fire.
 2. Require Israel to stop the expansion of the Israeli Wall of Separation, dismantle the completed sections, and completely withdraw from Gaza, the West Bank and East Jerusalem.
 3. Support the United Nations resolutions demanding that Israel uphold international law and support the sanctions against Israel necessary to enforce these resolutions.
 4. End military and economic aid to Israel.
 5. Support reparations for the Palestinian and Lebanese people for the death and destruction they have suffered and for aid towards the rebuilding of their countries; and

(b) encourages the Government to support the demands of the petition. (*general business notice of motion no. 611*)

Senator O'Brien: To move on the next day of sitting—That the following matter be referred to the Rural and Regional Affairs and Transport Committee for inquiry and report by 19 June 2007:

The adequacy of Australia's aviation safety regime, with particular reference to the performance by the Civil Aviation Safety Authority of its functions under the *Civil Aviation Act 1988*, including its oversight of Lessbrook trading as Transair.

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

- (a) notes that:
 - (i) on 17 October 2006, the United States Congress passed the Military Commissions Act of 2006,
 - (ii) Mr David Hicks is yet to have charges laid against him under that Act,
 - (iii) provisions of the Act include:
 - (A) admission of evidence that has been obtained by torture,
 - (B) conviction on evidence that Mr Hicks may never be allowed to see,
 - (C) the removal of the right to a speedy trial,
 - (D) the removal of the right of *habeas corpus*, the right of a detainee to challenge his or her unjust imprisonment, and
 - (E) the removal of the right of Mr Hicks to cross-examine witnesses who have given evidence against him, where that evidence may have been obtained by torture, and
 - (iv) under the provisions of the Act, Mr Hicks will not have the opportunity of a fair trial; and
- (b) calls on the Government to take steps to facilitate a fair trial for, or the repatriation of, Mr Hicks. (*general business notice of motion no. 612*)

Senators Webber, Evans, Ian Campbell, Bishop, Ellison, Siewert, Murray, Eggleston, Sterle, Adams, Johnston and Lightfoot: To move on the next day of sitting—That the Senate—

(a) notes:

- (i) with great sadness the passing of Mr Wally Foreman,
- (ii) that Mr Foreman will be remembered as a champion for Western Australian athletes in their efforts to gain national representation,
- (iii) that Mr Foreman was the inaugural director of the Western Australian Institute of Sport (WAIS), and an early pioneer in developing a more professional and supportive training environment for Western Australia's high performance athletes,
- (iv) that the WAIS was the first state-based institute in Australia, and a national leader in its field under Mr Foreman's guidance, and
- (v) that Mr Foreman will also be remembered for his informative and incisive sports commentary during his 30 year career, covering four Olympic Games, five Commonwealth Games, and international cricket, tennis, hockey and athletics tournaments; and

(b) extends its deepest sympathies to Mr Foreman's family, especially his wife Lyn and their sons, Mark and Glen. (*general business notice of motion no. 613*)

The Leader of the Australian Greens (Senator Bob Brown) and Senators Milne, Nettle and Siewert: To move on 28 November 2006—That the following bill be introduced: A Bill for an Act to initiate action on climate change, and for related purposes. ***Climate Change Action Bill 2006.*** (*general business notice of motion no. 614*)

The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That the Senate calls on the Minister for Fisheries, Forestry and Conservation (Senator Abetz) to report, before the Senate rises in 2006, on:

- (a) the relevance in Australia of the Stern report's conclusion that globally, destruction of forests creates more greenhouse gases than transport;
- (b) the quantity of greenhouse gases currently released by:
 - (i) commercial logging of native forests, and
 - (ii) other clearance of native vegetation in Australia;
- (c) the reliability of information available on and any measure being implemented to improve knowledge on paragraphs (a) and (b); and
- (d) any measures being undertaken by the Government to halt greenhouse gas emissions from the forests in our region and globally. (*general business notice of motion no. 615*)

The Leader of the Australian Greens (Senator Bob Brown) and Senator Bartlett: To move on 9 November 2006—That the Senate—

(a) notes that:

- (i) Vietnam today is still a one-party state, where basic human rights are abused, and many political dissidents are gaoled or put under house arrest because of their peaceful demand for freedom and democracy,
- (ii) widespread corruption in all levels of government in Vietnam may see Australian aid to Vietnam abused and wasted,

- (iii) recently, there has been a growing pro-democracy movement in Vietnam, initiated by a group of 118 Vietnamese citizens known as the Bloc 8406, named after the date of 8 April 2006 when they openly declared a Manifesto on Freedom and Democracy for Vietnam demanding a peaceful transition to a pluralistic and democratic Vietnam, and
- (iv) a free and democratic Vietnam, with independent legislative and judicial systems, would make Vietnam a better and more reliable trading partner to Australia, where Australian investment would be more secure;
- (b) supports the aspiration for freedom and democracy of the Vietnamese people expressed through the Manifesto of Bloc 8406, which is consistent with the principles upheld by the Australian Parliament; and
- (c) calls on the Government of the Socialist Republic of Vietnam to observe human rights, and practise good governance to eradicate corruption and to listen to the aspiration of its people, and make appropriate changes to return freedom and democracy to Vietnam. (*general business notice of motion no. 616*)

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

- (a) the scientific evidence supporting the link between human activity and climate change is overwhelming;
- (b) urgent action is required to reduce greenhouse gas emissions in Australia; and
- (c) the costs to the economy and to the environment of inaction are significantly greater than the short-term cost of action. (*general business notice of motion no. 617*)

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

- (a) notes that:
 - (i) the Howard Government has placed a high priority on caring for the Australian environment and has shown this by providing funding based on good science that has helped to protect more than 8 million hectares of wetlands, treat 400 000 hectares of land for salinity and erosion, and helps some 800 000 volunteers get involved in on-ground work, and
 - (ii) the recently announced \$13.4 million New South Wales Wetland Recovery Plan will include projects designed to improve knowledge of wetland and environmental water management, improve water flows, and address noxious weeds in the Macquarie Marshes and Gwydir Wetlands regions; and
- (b) congratulates the Howard Government on its initiatives in this area. (*general business notice of motion no. 618*)

Intention to withdraw: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Watson), pursuant to standing order 78, gave notice of his intention, at the giving of notices on the next day of sitting, to withdraw notices of motion standing in his name as follows:

Business of the Senate notices of motion nos 1 and 2 for 3 sitting days after today for the disallowance of the following instruments:

Environment Protection and Biodiversity Conservation Amendment Regulations 2006 (No. 1), as contained in Select Legislative Instrument 2006 No. 131 and made under the *Environment Protection and Biodiversity Conservation Act 1999*.

Great Barrier Reef Marine Park Amendment Regulations 2006 (No. 1), as contained in Select Legislative Instrument 2006 No. 132 and made under the *Great Barrier Reef Marine Park Act 1975*.

Business of the Senate notice of motion no. 1 for 8 sitting days after today for the disallowance of the Amendment of List of Specimens taken to be suitable for live import [EPBC/s.303EC/SSLI/Amend/012], made under paragraph 303EC(1)(c) of the *Environment Protection and Biodiversity Conservation Act 1999*.

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

10 LEAVE OF ABSENCE

Senator Webber, by leave, moved—That leave of absence be granted to Senator Conroy from 6 November to 10 November 2006, for personal reasons.

Question put and passed.

Senator Siewert, by leave, moved—That leave of absence be granted to Senator Milne from 6 November to 10 November 2006, on account of business overseas.

Question put and passed.

11 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Ferris, by leave and at the request of the Chair of the Legal and Constitutional Affairs Committee (Senator Payne), moved—That the Legal and Constitutional Affairs Committee be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 7 November 2006, from 9.30 am to 1.30 pm, to take evidence for the committee's inquiry into the provisions of the Copyright Amendment Bill 2006.

Question put and passed.

12 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the names of Senators Siewert and Milne for today, proposing the reference of matters to the Rural and Regional Affairs and Transport Committee, postponed till 7 November 2006.

General business notice of motion no. 608 standing in the name of Senator Nettle for today, relating to water resources of the Murray-Darling Basin, postponed till 7 November 2006.

13 DEPARTMENT OF PARLIAMENTARY SERVICES—REPORT FOR 2005-06

The Deputy President (Senator Hogg) tabled the following document received on 30 October 2006:

Department of Parliamentary Services—Report for 2005-06.

14 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—REPORT—DEFENCE LEGISLATION AMENDMENT BILL 2006

The Deputy President (Senator Hogg) tabled the following report and documents received on 27 October 2006:

Foreign Affairs, Defence and Trade—Standing Committee—Defence Legislation Amendment Bill 2006 [Provisions]—Report, dated October 2006, Hansard record of proceedings, additional information and submissions [5].

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

**15 COMMUNITY AFFAIRS—STANDING COMMITTEE—INTERIM REPORT—
LEGISLATIVE RESPONSES TO RECOMMENDATIONS OF THE LOCKHART REVIEW**

The Deputy President (Senator Hogg) tabled the following report received on 27 October 2006:

Community Affairs—Standing Committee—Legislative responses to recommendations of the Lockhart Review—Interim report, dated 27 October 2006.

**16 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—LEGISLATIVE
RESPONSES TO RECOMMENDATIONS OF THE LOCKHART REVIEW**

The Deputy President (Senator Hogg) tabled the following report and documents received on 30 October 2006:

Community Affairs—Standing Committee—Legislative responses to recommendations of the Lockhart Review—Report, dated October 2006, Hansard record of proceedings, additional information and submissions [494].

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

**17 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—
GOVERNMENT RESPONSE—AUSTRALIA'S RELATIONSHIP WITH CHINA**

The Deputy President (Senator Hogg) tabled the following document received on 2 November 2006:

Foreign Affairs, Defence and Trade References Committee—Reports—Opportunities and challenges: Australia's relationship with China [and] China's emergence: Implications for Australia—Government response.

18 GOVERNMENT DOCUMENTS

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

Airservices Australia—Report for 2005-06. [*Received 26 October 2006*]

Australian Centre for International Agricultural Research—Report for 2005-06. [*Received 30 October 2006*]

Australian Customs Service—Report for 2005-06. [*Received 27 October 2006*]

Australian Fair Pay Commission—Report for the period 14 December 2005 to 30 June 2006. [*Received 30 October 2006*]

Australian Fair Pay Commission Secretariat—Report for the period 14 December 2005 to 30 June 2006. [*Received 30 October 2006*]

Australian Hearing Services (Australian Hearing)—Report for 2005-06. [*Received 30 October 2006*]

Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2005-06. [*Received 23 October 2006*]

Australian Institute of Marine Science—Report for 2005-06. [*Received 30 October 2006*]

Australian Maritime Safety Authority—Report for 2005-06. [*Received 27 October 2006*]

Australian Nuclear Science and Technology Organisation (ANSTO)—Report for 2005-06. [*Received 30 October 2006*]

Australian Research Council—Report for 2005-06. [*Received 25 October 2006*]

- Bankruptcy Act 1966*—Inspector-General in Bankruptcy—Report for 2005-06 on the operation of the Act. [Received 24 October 2006]
- Bureau of Meteorology—Report for 2005-06. [Received 23 October 2006]
- Comcare—Report for 2005-06. [Received 30 October 2006]
- Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2005-06. [Received 30 October 2006]
- Department of Agriculture, Fisheries and Forestry—Report for 2005-06. [Received 27 October 2006]
- Department of Employment and Workplace Relations—Report for 2005-06. [Received 20 October 2006]
- Department of Foreign Affairs and Trade—Reports for 2005-06—
Volume 1—Department of Foreign Affairs and Trade. [Received 25 October 2006]
Volume 2—Australian Agency for International Development (AusAID). [Received 25 October 2006]
- Department of Health and Ageing—Report for 2005-06. [Received 26 October 2006]
- Department of Industry, Tourism and Resources—
Report for 2005-06. [Received 25 October 2006]
Report for 2005-06—Correction. [Received 30 October 2006]
- Department of the Environment and Heritage—Reports for 2005-06—
Volume 1—Department of the Environment and Heritage. [Received 23 October 2006]
Volume 2—Legislation reports. [Received 23 October 2006]
- Department of the Prime Minister and Cabinet—Report for 2005-06. [Received 27 October 2006]
- Department of the Treasury—Report for 2005-06. [Received 23 October 2006]
- Director of National Parks—Report for 2005-06. [Received 26 October 2006]
- Financial Reporting Council, Australian Accounting Standards Board and Auditing and Assurance Standards Board—Reports for 2005-06. [Received 30 October 2006]
- Food Standards Australia New Zealand—Report for 2005-06. [Received 24 October 2006]
- Gene Technology Regulator—Quarterly report for the period 1 April to 30 June 2006. [Received 24 October 2006]
- Insolvency and Trustee Service Australia—Report for 2005-06. [Received 24 October 2006]
- Inspector-General of Taxation—Report for 2005-06. [Received 23 October 2006]
- Medicare Australia—Report for 2005-06, incorporating report and financial statements of the Health Insurance Commission for the period 1 July to 30 September 2005. [Received 27 October 2006]
- National Australia Day Council—Report for 2005-06. [Received 23 October 2006]
- National Transport Commission—Report for 2005-06. [Received 26 October 2006]
- Private Health Insurance Administration Council—Report for 2005-06. [Received 30 October 2006]

Remuneration Tribunal—Report for 2005-06. [*Received 30 October 2006*]

Safety, Rehabilitation and Compensation Commission—Report for 2005-06. [*Received 30 October 2006*]

Seafarers Safety, Rehabilitation and Compensation Authority (Seacare)—Report for 2005-06. [*Received 30 October 2006*]

Supervising Scientist—Report for 2005-06 on the operation of the *Environment Protection (Alligator Rivers Region) Act 1978*. [*Received 25 October 2006*]

Sydney Harbour Federation Trust—Report for 2005-06. [*Received 27 October 2006*]

19 AUDITOR-GENERAL—AUDIT REPORT NO. 9 OF 2006-07—DOCUMENT

The Deputy President (Senator Hogg) tabled the following document received on 26 October 2006:

Auditor-General—Audit report no. 9 of 2006-07—Performance audit—Management of the acquisition of the Australian light armoured vehicle capability: Department of Defence and Defence Materiel Organisation.

20 DEPARTMENT OF THE ENVIRONMENT AND HERITAGE—REPORTS FOR 2005-06—CONSIDERATION

Senator Bartlett, by leave, moved—That the Senate take note of the documents tabled earlier today (*see entry no. 18*).

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

21 CHILDREN—CHILD PROTECTION WEEK—DOCUMENT

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

Children—Child Protection Week—Letter to the President of the Senate from the Attorney-General (Mr Ruddock) responding to the resolution of the Senate of 7 September 2006, dated 24 October 2006 and attachment.

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

Question put and passed.

22 AUDITOR-GENERAL—AUDIT REPORT NO. 10 OF 2006-07—DOCUMENT

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

Auditor-General—Audit report no. 10 of 2006-07—Performance audit—Management of the standard defence supply system remediation programme: Department of Defence; Defence Materiel Organisation.

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

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

23 PARLIAMENTARY ZONE—CAPITAL WORKS PROPOSAL—DOCUMENTS

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

Parliament Act—Parliamentary Zone—Proposal, together with supporting documentation, relating to the design of artworks and post mounted lighting at Reconciliation Place.

Notice of motion: Senator Santoro, by leave, gave a notice of motion as follows: To move on 9 November 2006—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the National Capital Authority for capital works within the Parliamentary Zone, being the design of artworks and post mounted lighting at Reconciliation Place.

24 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—408TH REPORT AND EXECUTIVE MINUTE RESPONSES TO REPORTS NOS 391, 395, 398, 399, 400, 402, 403 AND 404

Senator Watson, on behalf of the Joint Committee of Public Accounts and Audit, tabled the following report and documents:

Public Accounts and Audit—Joint Statutory Committee—

408th report—Annual report 2005-06, dated October 2006.

Executive minutes—Responses to the committee recommendations in reports nos 391, 395, 398, 399, 400, 402, 403 and 404.

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

Question put and passed.

25 COMMUNITY AFFAIRS—STANDING COMMITTEE—ADDITIONAL INFORMATION AND DOCUMENT—LEGISLATIVE RESPONSES TO RECOMMENDATIONS OF THE LOCKHART REVIEW

Senator Adams, at the request of the Chair of the Community Affairs Committee (Senator Humphries), tabled the following documents:

Community Affairs—Standing Committee—Report—Legislative responses to recommendations of the Lockhart Review—

Additional information.

Corrigendum.

Corrigendum ordered to be printed on the motion of Senator Adams.

26 DOCUMENTS

The following documents were tabled by the Clerk:

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

A New Tax System (Family Assistance) (Administration) Act—Family Assistance (Public Interest Certificate Guidelines) Determination 2006 [F2006L03467]*.

A New Tax System (Goods and Services Tax) Act—Goods and Services Tax: Classes of Recipient Created Tax Invoice Determination (No. 1) 2006 [F2006L03480]*.

Acts Interpretation Act—Statements pursuant to subsection 34C(6) relating to the extension of specified period for presentation of reports—

CSS Board and PSS Board—Reports for 2005-06.

Tourism Australia—Report for 2005-06.

Aged Care Act—Committee Amendment Principles 2006 (No. 1) [F2006L03559]*.

Appropriation Act (No. 1) 2005-2006—Advance to the Finance Minister—Determination No. 14 of 2005-2006 [F2006L01696]—Explanatory statement [*in substitution for explanatory statement tabled with instrument on 13 June 2006*].

Australian Prudential Regulation Authority Act—

Australian Prudential Regulation Authority (Confidentiality) Determination No. 13 of 2006—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 (2005) [F2006L03502]*.

Australian Prudential Regulation Authority Instrument Fixing Charges No. 9 of 2006—Representative Offices of Foreign Banks [F2006L03555]*.

Australian Securities and Investments Commission Act and Corporations Act—Revocation of Auditing Standard ASA 550—Related Parties (F2006L01394) [F2006L03391]*.

Australian Security Intelligence Organisation Act—Statement of Procedures – warrants issued under Division 3 of Part III [F2006L03543]*.

Civil Aviation Act—

Civil Aviation Regulations—

Civil Aviation Order 20.16.3 Amendment Order (No. 2) 2006 [F2006L03393]*.

Instruments Nos—

CASA 354/06—Revocation of directions [F2006L03394]*.

CASA 382/06—Approval under subregulation 207(2) of CAR 1988 [F2006L03523]*.

CASA EX50/06—Exemption – from holding an air traffic control licence [F2006L03477]*.

CASA EX52/06—Exemption – provision of ARFFS at Avalon Aerodrome [F2006L03478]*.

CASA EX53/06—Exemption – flight and navigation equipment [F2006L03483]*.

CASA EX55/06—Exemption – training and checking organisation, flight check system [F2006L03544]*.

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

AD/750XL/8—Fuselage Roof, Station 180.85 [F2006L03405]*.

AD/A320/154 Amdt 1—Integrated Drive Generator Connector [F2006L03490]*.

AD/A320/194—Rudder Actuator Attachment Fittings [F2006L03416]*.

AD/A320/195—Fuel Tank Safety – Fuel Airworthiness Limitations [F2006L03395]*.

AD/A330/32 Amdt 3—Main Landing Gear Retraction Actuator Piston Rod [F2006L03491]*.

AD/A330/64—Engine Fire Extinguishing Bottle Pipe [F2006L03492]*.

AD/A330/65—Main Landing Gear Retraction Link [F2006L03503]*.

AD/A330/66—Inertial Reference System [F2006L03552]*.

AD/AMD 50/39—Third Crew Member Oxygen Box [F2006L03553]*.

AD/AS 355/61 Amdt 1—Starter Generators [F2006L03494]*.

AD/AS 355/66 Amdt 2—Sliding Door [F2006L03408]*.

AD/AS 355/78 Amdt 1—Hoist Operator's Belt Snap Hook [F2006L03404]*.

AD/AS 355/85 Amdt 2—Sliding Door Rear Fitting Pin [F2006L03407]*.

AD/AS 355/88 Amdt 1—Cabin Vibration Damper Assembly [F2006L03497]*.

AD/B737/296—Auxiliary Fuel System [F2006L03498]*.

AD/B747/299 Amdt 1—Yaw Damper Actuator [F2006L03397]*.

- AD/BEECH 200/45 Amdt 4—Nose Gear Lower Shock Absorber Assembly [F2006L03403]*.
- AD/BELL 206/158 Amdt 2—Fuel Distribution System [F2006L03470]*.
- AD/BELL 206/164—Vertical Fin Supports – Inspection [F2006L03396]*.
- AD/BELL 430/7—Vertical Fin Attachment Bolts [F2006L03415]*.
- AD/BELL 430/8—Lateral Control Tube Assembly [F2006L03414]*.
- AD/CESSNA 150/31 Amdt 4—Vertical Fin Attach Brackets, Nutplates and Fittings [F2006L03406]*.
- AD/CL-600/69 Amdt 1—Horizontal Stabiliser Trim – Uncommanded Movement [F2006L03505]*.
- AD/DAUPHIN/71 Amdt 1—Hoist Operator’s Belt Snap Hook [F2006L03402]*.
- AD/DAUPHIN/83 Amdt 1—Tail Rotor and Tail Gearbox Support – Inspection [F2006L03501]*.
- AD/DAUPHIN/86 Amdt 1—Starflex Star Arm End Bushes [F2006L03413]*.
- AD/DAUPHIN/86 Amdt 2—Starflex Star Arm End Bushes [F2006L03522]*.
- AD/DO 328/67—Fuel Tank Safety – Fuel Airworthiness Limitations [F2006L03417]*.
- AD/EC 135/12—Tail Rotor Control – Linear Transducer Bearing; Rod & Floor [F2006L03531]*.
- AD/ECUREUIL/78 Amdt 2—Sliding Door [F2006L03412]*.
- AD/ECUREUIL/101 Amdt 1—Hoist Operator’s Belt Snap Hook [F2006L03401]*.
- AD/ECUREUIL/109 Amdt 2—Sliding Door Rear Fitting Pin [F2006L03411]*.
- AD/GAF-N22/69 Amdt 5—Ailerons [F2006L03400]*.
- AD/GAZELLE/30 Amdt 1—Hoist Operator’s Belt Snap Hook [F2006L03399]*.
- AD/SF340/99—MLG Shock Strut and Axle Adaptors [F2006L03410]*.
- AD/SF340/100—Fuel Tank Safety – Fuel Airworthiness Limitations [F2006L03428]*.
- AD/S-PUMA/53 Amdt 1—Hoist Operator’s Belt Snap Hook [F2006L03409]*.
- AD/S-PUMA/66—Main Rotor Head Spindles [F2006L03518]*.
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- AD/AL 250/90—Turbine Wheel Event Thresholds and Maximum Overspeed Transients [F2006L03493]*.
- AD/CF34/12—Main Fuel Pump Fuel Inlet Strainer [F2006L03499]*.
- AD/CON/60 Amdt 2—Fuel Injection Supply Lines [F2006L03500]*.
- AD/JT8D/42 Amdt 1—8th Stage High Pressure Compressor Discs [F2006L03504]*.
- AD/ROTAX/22—Camshaft Hydraulic Tappet Wear [F2006L03456]*.
- AD/SMA/2—Engine Electronic Control Unit [F2006L03432]*.
- AD/TAY/16—Engine Electronic Controller – Inspection/Replacement [F2006L03418]*.
- 107—
- AD/PR/36—Blade Counterweight Capscrew Holes [F2006L03532]*.

AD/WHE/7—Nosewheel Tyres [F2006L03398]*.

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Addenda—

CR 2005/97-CR 2005/100.

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Corporations Act—Auditing Standard ASA 550—Related Parties [F2006L03392]*.

Currency Act—Currency (Royal Australian Mint) Determination 2006 (No. 3) [F2006L03551]*.

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Select Legislative Instruments 2006 Nos—

264—Customs Amendment Regulations 2006 (No. 4) [F2006L03385]*.

265—Customs (Prohibited Imports) Amendment Regulations 2006 (No. 4) [F2006L03383]*.

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0606996 [F2006L03435]*.

0607541 [F2006L03439]*.

0607692 [F2006L03442]*.

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0612373 [F2006L03449]*.

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0612574 [F2006L03485]*.

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 (Dairy Service Levy Poll) Regulations 2006 [F2006L03459]*.

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Adjustments of Appropriations on Change of Agency Functions—Direction
 No. 8 of 2006-2007 [F2006L03537]*.

Select Legislative Instrument 2006 No. 268—Financial Management and
 Accountability Amendment Regulations 2006 (No. 8) [F2006L03472]*.

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 [F2006L03548]*.

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Great Barrier Reef Marine Park Act—Select Legislative Instrument 2006
 No. 267—Great Barrier Reef Marine Park Amendment Regulations 2006 (No. 2)
 [F2006L03349]*.

Health Insurance Act—

Health Insurance (Bone Densitometry) Determination HS/02/2006
 [F2006L03524]*.

Health Insurance (Endoluminal Abdominal Aortic Aneurysm Grafting)
 Determination HS/05/2006 [F2006L03527]*.

Health Insurance (Hyperbaric Oxygen Therapy) Determination HS/06/2006
 [F2006L03528]*.

Health Insurance (Indium-Labelled Ocreotide Study) Determination
 HS/09/2006 [F2006L03533]*.

Health Insurance (LeukoScan) Determination HS/08/2006 [F2006L03530]*.

Health Insurance (Pathologist-determinable Services) Determination 2006 (No. 3) [F2006L03605]*.

Health Insurance (Photodynamic Therapy) Determination HS/03/2006 [F2006L03525]*.

Health Insurance (Photodynamic Therapy) Determination HS/04/2006 [F2006L03526]*.

Health Insurance (Sacral Nerve Stimulation) Determination HS/07/2006 [F2006L03529]*.

Select Legislative Instruments 2006 Nos—

269—Health Insurance Amendment Regulations 2006 (No. 3) [F2006L03311]*.

270—Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2006 (No. 4) [F2006L03338]*.

271—Health Insurance (Diagnostic Imaging Services Table) Regulations 2006 [F2006L03307]*.

272—Health Insurance (General Medical Services Table) Regulations 2006 [F2006L03304]*.

273—Health Insurance (Pathology Services) Amendment Regulations 2006 (No. 1) [F2006L03306]*.

274—Health Insurance (Pathology Services Table) Regulations 2006 [F2006L03305]*.

Higher Education Funding Act—Declaration under section 4—Adelaide College of Divinity Incorporated and Champion Institute Limited [F2006L03457]*.

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

40.

125.

Medical Indemnity Act—Select Legislative Instrument 2006 No. 275—Medical Indemnity (UMP support payment exemption) Regulations 2006 [F2006L03295]*.

Migration Act—Migration Regulations—Instruments—

IMMI 06/061—Addresses for Applications for the Subclass 420 (Entertainment) Visa [F2006L03352]*.

IMMI 06/062—Residential Postcodes, Skilled Occupations, Relevant Assessing Authorities and Points [F2006L03359]*.

IMMI 06/077—Occupations, Locations, Salaries, and Relevant Assessing Authorities for the Employer Nomination Scheme [F2006L03554]*.

Miscellaneous Taxation Ruling—Addendum—MT 2025.

Murray-Darling Basin Act—Murray-Darling Basin Agreement—Schedule C (Basin Salinity Management).

National Health Act—

Arrangement No. PB 55 of 2006—IVF/GIFT Program [F2006L03521]*.

Determination HIB 31/2006 [F2006L03539]*.

Pharmaceutical Benefits Determination under subsection 99(4)—Payments to approved hospital authorities for the supply of pharmaceutical benefits prescribed by a hospital employee [F2006L03545]*.

Primary Industries (Excise) Levies Act—Select Legislative Instrument 2006 No. 262—Primary Industries (Excise) Levies Amendment Regulations 2006 (No. 6) [F2006L03461]*.

Privacy Act—Credit Provider Determination No. 2006-5 (Indigenous Business Australia) [F2006L03534]*.

Product Rulings—

Addenda—PR 2006/87 and PR 2006/88.

Notices of Withdrawal—

PR 2005/24 and PR 2005/35.

PR 2006/82.

PR 2006/148 and PR 2006/149.

Public Order (Protection of Persons and Property) Act—Select Legislative Instrument 2006 No. 266—Public Order (Protection of Persons and Property) Amendment Regulations 2006 (No. 1) [F2006L03384]*.

Quarantine Act—Quarantine Amendment Proclamation 2006 (No. 5) [F2006L03339]*.

Radiocommunications Act—

Notification that the Australian Communications Authority prohibits the operation or supply, or possession for the purpose of operation or supply, of specified devices Amendment Declaration 2006 (No. 1) [F2006L03389]*.

Radiocommunications (Transmitter Licences – Auction) Determination 2006 [F2006L03388]*.

Remuneration Tribunal Act—Determinations—

2006/20: Remuneration and Allowances for Holders of Public Office and Members of Parliament [F2006L03469]*.

2006/21: Parliamentary Office Holders – Additional Salary [F2006L03471]*.

Safety, Rehabilitation and Compensation Act—Safety, Rehabilitation and Compensation (Licence Eligibility) Notice 2006 (3) [F2006L03546]*.

Social Security (Administration) Act—Social Security (Public Interest Certificate Guidelines) (FaCSIA) Determination 2006 [F2006L03466]*.

Superannuation Industry (Supervision) Act—Superannuation Industry (Supervision) (Approved Guarantee) Determination No. 1 of 2006 [F2006L03540]*.

Taxation Determinations—Notices of Withdrawal—

TD 92/196.

TD 93/87, TD 93/88 and TD 93/225.

TD 94/70.

Taxation Rulings—

Notices of Withdrawal

Old Series—IT 2260, IT 2410, IT 2487, IT 2545, IT 2583 and IT 2649.

TR 2000/3.

TR 2006/12.

Telecommunications Act—Telecommunications Numbering Plan Variation 2006 (No. 3) [F2006L03387]*.

Telecommunications (Consumer Protection and Service Standards) Act—Telecommunications (Customer Service Guarantee) Amendment Standard 2006 (No. 1) [F2006L03547]*.

Telecommunications (Interception and Access) Act—

Declaration of eligible authority as agency – Corruption and Crime Commission of Western Australia [F2006L03542]*.

Declaration of eligible authority as agency – Northern Territory Police [F2006L03517]*.

Trade Practices Act—Consumer Protection Notice No. 4 of 2006—Consumer Product Safety Standard for Babies’ Dummies [F2006L03455]*.

Water Efficiency Labelling and Standards Act—Water Efficiency Labelling and Standards Amendment Determination 2006 (No. 1) [F2006L03468]*.

* Explanatory statement tabled with legislative instrument.

27 COPYRIGHT AMENDMENT BILL 2006

ENVIRONMENT AND HERITAGE LEGISLATION AMENDMENT BILL (NO. 1) 2006

INSPECTOR OF TRANSPORT SECURITY BILL 2006

INSPECTOR OF TRANSPORT SECURITY (CONSEQUENTIAL PROVISIONS) BILL 2006

MARITIME LEGISLATION AMENDMENT (PREVENTION OF POLLUTION FROM SHIPS) BILL 2006

MEDIBANK PRIVATE SALE BILL 2006

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

Message no. 430, dated 1 November 2006—A Bill for an Act to amend the *Copyright Act 1968*, and for related purposes.

Message no. 425, dated 31 October 2006—A Bill for an Act to amend the *Environment Protection and Biodiversity Conservation Act 1999*, and for other purposes.

Message no. 427, dated 1 November 2006—A Bill for an Act to provide for inquiry into transport security matters and offshore security matters, and for related purposes.

Message no. 428, dated 1 November 2006—A Bill for an Act to provide for consequential matters relating to the enactment of the *Inspector of Transport Security Act 2006*, and for related purposes.

Message no. 423, dated 30 October 2006—A Bill for an Act to amend the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983*, and for related purposes.

Message no. 431, dated 2 November 2006—A Bill for an Act about the sale of the Commonwealth’s equity in Medibank Private Limited, and for other 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.

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

Senator Santoro moved—That the Inspector of Transport Security Bill 2006 and the Inspector of Transport Security (Consequential Provisions) Bill 2006 be listed on the *Notice Paper* as one order of the day, and the remaining bills be listed as separate orders of the day.

Question put and passed.

**28 AGED CARE AMENDMENT (RESIDENTIAL CARE) BILL 2006
FINANCIAL TRANSACTION REPORTS AMENDMENT BILL 2006
PUBLIC WORKS COMMITTEE AMENDMENT BILL 2006**

Messages from the House of Representatives were reported agreeing to the following bills without amendment:

Message no. 426, dated 31 October 2006—Aged Care Amendment (Residential Care) Bill 2006.

Message no. 429, dated 1 November 2006—Financial Transaction Reports Amendment Bill 2006.

Message no. 424, dated 30 October 2006—Public Works Committee Amendment Bill 2006.

29 TRADE PRACTICES LEGISLATION AMENDMENT BILL (NO. 1) 2005

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

Message no. 422, dated 19 October 2006—Trade Practices Legislation Amendment Bill (No. 1) 2005.

30 GOVERNOR-GENERAL'S MESSAGES—ASSENT TO LAWS

Messages from His Excellency the Governor-General were reported, informing the Senate that he had assented to the following laws:

23 October 2006—Message—

No. 36—

Tax Laws Amendment (2006 Measures No. 5) Act 2006 (Act No. 110, 2006)

Occupational Health and Safety (Commonwealth Employment) Amendment Act 2006 (Act No. 111, 2006)

Superannuation Legislation Amendment (Superannuation Safety and Other Measures) Act 2006 (Act No. 112, 2006)

Petroleum Retail Legislation Repeal Act 2006 (Act No. 113, 2006).

No. 37—*Trade Marks Amendment Act 2006 (Act No. 114, 2006).*

24 October 2006—Message No. 38—*Parliamentary Superannuation Amendment Act 2006 (Act No. 115, 2006).*

31 PROHIBITION OF HUMAN CLONING FOR REPRODUCTION AND THE REGULATION OF HUMAN EMBRYO RESEARCH AMENDMENT BILL 2006

Order of the day read for the adjourned debate on the motion of Senator Patterson—That this bill be now read a second time.

Debate resumed.

Document: Senator Ian Macdonald, by leave, tabled the following document:

Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006—Copy of letter from Senator Ian Macdonald to the Government Whip (Senator Ferris), dated 6 November 2006.

Debate continued.

Debate adjourned till the next day of sitting, the Minister for Justice and Customs (Senator Ellison) in continuation.

32 ADJOURNMENT

The Minister for Justice and Customs (Senator Ellison) moved—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 9.58 pm till Tuesday, 7 November 2006 at 9.30 am.

33 ATTENDANCE

Present, all senators except Senators Brandis*, George Campbell*, Ian Campbell*, Conroy*, Coonan*, Forshaw*, Kirk, Mason* and Milne* (* on leave).

HARRY EVANS
Clerk of the Senate