

2004-06

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 116

WEDNESDAY, 8 NOVEMBER 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 Fisheries Management Authority—Report for 2005-06.

Australian Industry Development Corporation—Report for 2005-06.

Australian Pesticides and Veterinary Medicines Authority—Report for 2005-06.

Australian Postal Corporation (Australia Post)—Equal employment opportunity program—Report for 2005-06.

Special Broadcasting Service Corporation (SBS)—Report for 2005-06.

Telstra Corporation Limited—Equal employment opportunity program—Report for 2005-06.

3 CRIMES AMENDMENT (BAIL AND SENTENCING) BILL 2006

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Defence (Senator Sandy Macdonald)—That this bill be now read a second time.

Debate resumed.

Question put.

The Senate divided—

AYES, 35

Senators—

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

NOES, 31

Senators—

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

Question agreed to.

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.

Explanatory memorandum: The Minister for Justice and Customs (Senator Ellison) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

Senator Bartlett moved the following amendments together by leave:

Schedule 1, item 3, page 3 (lines 25 and 26), omit “excusing, justifying, authorising, requiring or rendering less serious”, substitute “mitigating or enhancing the seriousness of”.

Schedule 1, item 5, page 4 (lines 22 and 23), omit “excusing, justifying, authorising, requiring or rendering less serious”, substitute “mitigating or enhancing the seriousness of”.

Debate ensued.

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

Question—That the bill be agreed to—divided in respect of Schedule 1, item 4.

Schedule 1, item 4 debated.

Question—That Schedule 1, item 4 stand as printed—put.

The committee divided—

AYES, 34

Senators—

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

NOES, 30

Senators—

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

Item agreed to.

On the motion of Senator Ellison the following amendments, taken together by leave, were debated and agreed to:

- Schedule 1, item 3, page 3 (lines 24 to 28), omit paragraph 15AB(1)(b), substitute:
- (b) must not take into consideration any form of customary law or cultural practice as a reason for:
 - (i) excusing, justifying, authorising, requiring or lessening the seriousness of the alleged criminal behaviour to which the alleged offence relates, or the criminal behaviour to which the offence relates; or
 - (ii) aggravating the seriousness of the alleged criminal behaviour to which the alleged offence relates, or the criminal behaviour to which the offence relates.

Schedule 1, item 5, page 4 (lines 20 to 23), omit subsection 16A(2A), substitute:

- (2A) However, the court must not take into account under subsection (1) or (2) any form of customary law or cultural practice as a reason for:
 - (a) excusing, justifying, authorising, requiring or lessening the seriousness of the criminal behaviour to which the offence relates; or
 - (b) aggravating the seriousness of the criminal behaviour to which the offence relates.

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

On the motion of Senator Ellison the report from the committee was adopted.

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

Debate ensued.

Question put and passed.

Bill read a third time.

4 CHILD SUPPORT LEGISLATION AMENDMENT (REFORM OF THE CHILD SUPPORT SCHEME—NEW FORMULA AND OTHER MEASURES) 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—*and on the amendment moved by the Leader of the Opposition in the Senate (Senator Evans):*

At the end of the motion, add “but while welcoming the many positive measures in the bill, the Senate expresses its serious concern about:

- (a) the Government’s decision to proceed with the bill without providing any protection for low income families who may lose income as a result of changes to the child support scheme;
- (b) the failure of the Government to properly manage transitional issues in circumstances where parents are worse off under the bill, as recommended by the Ministerial Taskforce on Child Support;
- (c) the failure of the Government to make any attempt to quantify the financial impact of the bill on existing child support customers;

- (d) the failure of the Government to provide up-to-date demographic information about existing child support customers;
- (e) the unreasonably short timeframe imposed by the Government on the Community Affairs Committee's inquiry into the bill, particularly given the extent of the changes to the child support scheme and the potential financial impact on low income families; and
- (f) the overly-complex nature of the changes in the bill".

Debate resumed.

At 12.45 pm: Debate was interrupted while Senator Sterle was speaking.

5 MATTERS OF PUBLIC INTEREST

Matters of public interest were discussed.

At 2 pm—

6 QUESTIONS

Questions without notice were answered.

7 ECONOMY—INFLATION AND INTEREST RATES—ANSWERS TO QUESTIONS

The Leader of the Opposition in the Senate (Senator Evans) moved—That the Senate take note of the answers given by the Minister for Finance and Administration (Senator Minchin) to questions without notice asked by Opposition senators today relating to inflation and interest rates.

Debate ensued.

Question put and passed.

8 INDIGENOUS AUSTRALIANS—STOLEN WAGES—ANSWER TO QUESTION

Senator Murray moved—That the Senate take note of the answer given by the Minister for Finance and Administration (Senator Minchin) to a question without notice asked by Senator Murray today relating to Indigenous Australians and stolen wages.

Question put and passed.

9 PETITIONS

The following 3 petitions, lodged with the Clerk by Senator Stephens, were received:

From 13 petitioners, requesting that the Senate reject the Transparent Advertising and Notification of Pregnancy Counselling Services Bill 2005, and take action to ensure that pregnancy counselling services maintain professional discretion and that adequate follow-up resources are made available to patients.

From 13 petitioners, requesting that the Senate reject any legislation regarding therapeutic cloning for the production of embryonic stem cells.

From 15 petitioners, requesting that the Senate take action to restrict children's exposure to Internet pornography.

10 NOTICES

Senator Bartlett: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Migration Act 1958* to restore the application of the *Human Rights and Equal Opportunity Commission Act 1986* to immigration detainees, and for related purposes. ***Migration Legislation Amendment (Restoration of Human Rights) Bill 2006***. (*general business notice of motion no. 621*)

Senator Bartlett: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Migration Act 1958* to allow the issue of interim orders for the release of detainees, and for related purposes. ***Migration Legislation Amendment (Duration of Detention) Bill 2006***. (*general business notice of motion no. 622*)

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

- (a) that the interest rate rise on 8 November 2006 is the eighth consecutive increase since May 2002 and the fourth since the 2004 election;
- (b) that the headline inflation rate increased to 3.9 per cent for the year ending September 2006;
- (c) that national and personal debt levels are increasing; and
- (d) the lowering of productivity and trending down in manufacturing and services export. (*general business notice of motion no. 623*)

The Minister for Justice and Customs (Senator Ellison): To move on the next day of sitting—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Maritime Legislation Amendment (Prevention of Pollution from Ships) Bill 2006, allowing it to be considered during this period of sittings.

Document: Senator Ellison tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the Maritime Legislation Amendment (Prevention of Pollution from Ships) Bill 2006 in the 2006 spring sittings.

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

- (a) notes that:
 - (i) the security treaty, Framework Agreement for Security Cooperation, between Australia and Indonesia has been agreed to by the two governments,
 - (ii) a recent poll found 77 per cent of Australians supported self-determination for West Papua,
 - (iii) the treaty will commit Australia to opposing West Papuan self-determination, and
 - (iv) the treaty also envisages increased defence cooperation with the Indonesian security forces; and
- (b) calls on the Government not to sign the treaty and instead express support for West Papua's right to self-determination. (*general business notice of motion no. 624*)

11 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 13 OF 2006

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

SELECTION OF BILLS COMMITTEE

REPORT NO. 13 OF 2006

1. The committee met in private session on Tuesday, 7 November 2006 at 4.21 pm.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Commonwealth Radioactive Waste Management Legislation Amendment Bill 2006 be *referred immediately* to the Employment, Workplace Relations and Education Committee for inquiry and report, but was unable to reach agreement on a reporting date; and
 - (b) the *provisions* of the Anti-Money Laundering and Counter-Terrorism Financing Bill 2006 and the Anti-Money Laundering and Counter-Terrorism Financing (Transitional Provisions and Consequential Amendments) Bill 2006 be *referred immediately* to the Legal and Constitutional Affairs Committee for inquiry and report by 28 November 2006.
3. The committee resolved to recommend—That the following bills not be referred to committees:
 - Australian Securities and Investments Commission Amendment (Audit Inspection) Bill 2006
 - Customs Legislation Amendment (New Zealand Rules of Origin) Bill 2006
 - Migration Legislation Amendment (Appropriate Review) Bill 2006
 - Telecommunications Amendment (Integrated Public Number Database) Bill 2006.

The committee recommends accordingly.
4. The committee deferred consideration of the following bill to its next meeting:
 - Tax Laws Amendment (2006 Measures No. 6) Bill 2006.

Jeannie Ferris
Chair
8 November 2006.

Senator Ferris moved—That the report be adopted.

The Minister for Justice and Customs (Senator Ellison) moved the following amendment:

At the end of the motion, add “and, in respect of the Commonwealth Radioactive Waste Management Legislation Amendment Bill 2006, the Employment, Workplace Relations and Education Committee report by 30 November 2006”.

Senator Bartlett moved the following amendment to Senator Ellison’s proposed amendment:

Omit “30 November 2006”, substitute “31 January 2007”.

Debate ensued.

Question—That Senator Bartlett’s amendment to Senator Ellison’s proposed amendment be agreed to—put and negatived.

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

Main question, as amended, put and passed.

12 DAYS AND HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION

The Minister for Justice and Customs (Senator Ellison), by leave, moved—That—

- (a) on Thursday, 9 November 2006:
 - (i) the hours of meeting shall be 9.30 am to 8.40 pm, and
 - (ii) the routine of business shall be that of a normal Thursday, as set out in standing order 57; and
- (b) the Senate not meet on Friday, 10 November 2006.

Question put and passed.

13 POSTPONEMENTS

The following items of business were postponed:

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 27 November 2006.

General business notice of motion no. 612 standing in the name of Senator Stott Despoja for today, relating to Mr David Hicks, postponed till 9 November 2006.

General business notice of motion no. 620 standing in the name of Senator Siewert for today, relating to the Gwydir wetlands, postponed till 9 November 2006.

14 FOREIGN AFFAIRS—INTERNATIONAL JEWISH SOLIDARITY NETWORK—PETITION

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. 611—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.

Question put.

The Senate divided—

AYES, 6

Senators—

Allison	Brown, Bob	Siewert
Bartlett (Teller)	Nettle	Stott Despoja

NOES, 51

Senators—

Adams	Ferguson	Lundy	Ray
Barnett	Ferris	Macdonald, Ian	Ronaldson
Bernardi	Fierravanti-Wells	Macdonald, Sandy	Scullion
Bishop	Fifield	Marshall	Sherry
Brown, Carol	Heffernan	McEwen	Stephens
Calvert	Hogg	McGauran	Sterle
Chapman	Humphries	McLucas	Troeth
Colbeck	Hurley	Moore	Trood
Crossin	Hutchins	Nash	Watson
Eggleston	Johnston	O'Brien	Webber (Teller)
Ellison	Joyce	Parry	Wong
Evans	Kirk	Payne	Wortley
Faulkner	Ludwig	Polley	

Question negatived.

15 **POSTPONEMENT**

Senator Siewert, by leave, moved—That 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, be postponed till 9 November 2006.

Question put and passed.

16 **SPORT—RECREATIONAL DUCK HUNTING**

Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 606—That the Senate—

- (a) recalls its resolution of 25 March 1998 calling on all state and territory governments to ban the practice of recreational duck hunting;
- (b) notes that:
 - (i) since that time, the Australian Capital Territory has joined New South Wales and Western Australia in banning the practice, and
 - (ii) the Queensland Government has now introduced legislation to ban recreational duck and quail hunting in that state;
- (c) congratulates the Queensland Government on its action; and
- (d) reiterates its call for the remaining states and territory to follow suit.

Question put and negatived.

17 **POSTPONEMENT**

Senator Joyce, by leave, moved—That general business notice of motion no. 619 standing in his name for today, relating to United States military commissions, be postponed till 9 November 2006.

Question put and passed.

18 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMY—INFLATION AND INTEREST RATES

The President informed the Senate that Senator Sherry had proposed that the following matter of public importance be submitted to the Senate for discussion:

The Government's poor economic performance, including:

- (a) higher levels of housing mortgage repayments, national and personal debt, and inflation; and
- (b) lower productivity and a trend down in manufacturing and services exports.

The proposal was supported by four senators and the matter was discussed.

19 PRIVILEGES—STANDING COMMITTEE—129TH REPORT

The Chair of the Standing Committee of Privileges (Senator Faulkner) tabled the following report:

Privileges—Standing Committee—129th report—Person referred to in the Senate (Dr Clive Hamilton), dated November 2006.

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

Senator Faulkner moved—That the report be adopted.

Debate ensued.

Question put and passed.

Response as recommended by the committee incorporated in Hansard accordingly.

20 SCRUTINY OF BILLS—STANDING COMMITTEE—10TH REPORT AND ALERT DIGEST NO. 13 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—

10th report of 2006, dated 8 November 2006.

Alert Digest No. 13 of 2006, dated 8 November 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.

21 AUSTRALIAN CRIME COMMISSION—JOINT STATUTORY COMMITTEE—DOCUMENTS—CYBERCRIME [AND] TRAFFICKING OF WOMEN FOR SEXUAL SERVITUDE

Senator Scullion, on behalf of the Parliamentary Joint Committee on the Australian Crime Commission, tabled the following documents:

Australian Crime Commission—Joint Statutory Committee—Reports—

Cybercrime—Documents presented to the committee.

Trafficking of women for sexual servitude—Documents presented to the committee.

**22 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—REPORT—
AUSTRALIAN PARTICIPANTS IN BRITISH NUCLEAR TESTS (TREATMENT) BILL 2006
AND AUSTRALIAN PARTICIPANTS IN BRITISH NUCLEAR TESTS (TREATMENT)
(CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL 2006**

Pursuant to order, Senator Scullion, at the request of 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—Australian Participants in British Nuclear Tests (Treatment) Bill 2006 [Provisions] and Australian Participants in British Nuclear Tests (Treatment) (Consequential Amendments and Transitional Provisions) Bill 2006 [Provisions]—Report, dated November 2006, Hansard record of proceedings, documents presented to the committee, additional information and submissions [39].

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

23 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:

4 November 2006—Message—

No. 39—

Medical Indemnity Legislation Amendment Act 2006 (Act No. 116, 2006)
Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Amendment Act (No. 2) 2006 (Act No. 117, 2006)
Customs Tariff Amendment (2007 Harmonized System Changes) Act 2006 (Act No. 118, 2006)
Customs Amendment (2007 Harmonized System Changes) Act 2006 (Act No. 119, 2006).

No. 40—

Communications Legislation Amendment (Enforcement Powers) Act 2006 (Act No. 120, 2006)
Higher Education Legislation Amendment (2006 Budget and Other Measures) Act 2006 (Act No. 121, 2006)
Long Service Leave (Commonwealth Employees) Amendment Act 2006 (Act No. 122, 2006)
Television Licence Fees Amendment Act 2006 (Act No. 123, 2006).

No. 41—

Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Act No. 124, 2006)
Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006 (Act No. 125, 2006)
Corporations Amendment (Aboriginal and Torres Strait Islander Corporations) Act 2006 (Act No. 126, 2006).

No. 42—

Broadcasting Legislation Amendment Act (No. 1) 2006 (Act No. 127, 2006)
Broadcasting Legislation Amendment (Digital Television) Act 2006 (Act No. 128, 2006)
Broadcasting Services Amendment (Media Ownership) Act 2006 (Act No. 129, 2006)

Crimes Act Amendment (Forensic Procedures) Act (No. 1) 2006 (Act No. 130, 2006).

6 November 2006—Message No. 43—*Trade Practices Legislation Amendment Act (No. 1) 2006* (Act No. 131, 2006).

7 November 2006—Message No. 44—*Public Works Committee Amendment Act 2006* (Act No. 132, 2006).

24 DOCUMENTS

The following documents were tabled by the Clerk:

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

Civil Aviation Act—

Civil Aviation Regulations—Instrument No. CASA EX60/06—Amendment of instrument CASA EX55/06 [F2006L03640]*.

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

AD/A330/31 Amdt 2—Airworthiness Limitations Items – Time Limits/Maintenance Checks [F2006L03645]*.

AD/BEECH 300/19—Passenger Seat Modification [F2006L03615]*.

AD/CT4/2—Horizontal Stabiliser Rear Spar [F2006L03617]*.

AD/DHC-6/31 Amdt 4—Structural Component Inspection, Modification and Life Limitation [F2006L03633]*.

AD/F28/90—Fuel Tank Safety – Fuel Airworthiness Limitations [F2006L03593]*.

AD/F50/96 Amdt 1—Bottom Skin Chine Line [F2006L03618]*.

AD/F100/83—Fuel Tank Safety – Fuel Airworthiness Limitations [F2006L03589]*.

AD/F2000/21—Wing Anti-Ice Telescopic Tubes [F2006L03591]*.

AD/GENERAL/54—Magnetic Compasses Fitted in Compliance with ANO 20.18 – Calibration [F2006L03634]*.

AD/SA 315/5—Hoist Hooks [F2006L03624]*.

AD/SA 315/6—Tail Rotor Blade Skin [F2006L03625]*.

AD/SA 315/7—Main Rotor Blades [F2006L03626]*.

AD/SA 315/8—Tail Rotor Gearbox Support Lugs at Tail Boom [F2006L03627]*.

AD/SA 315/10—Main Rotor Blade Attachment Fittings [F2006L03628]*.

AD/SA 315/11—Main Rotor Hub [F2006L03629]*.

AD/SA 315/12—Transmission Support Platform Forward Attachment Fittings [F2006L03630]*.

107—

AD/SEATS/26—Aviointeriors Passenger Seat Rear Fitting Attachment – Replacement [F2006L03631]*.

AD/SEATS/27—Equipment – Passenger Seats – Inspection of Seatbelt Shackle [F2006L03632]*.

Customs Act—Tariff Concession Revocation Instruments—

91/2006 [F2006L03635]*.

92/2006 [F2006L03639]*.

Health Insurance Act—Declaration of Quality Assurance Activity—QAA No. 3/2006 [F2006L03646]*.

Income Tax Assessment Act 1997—Approved Occupational Clothing Guidelines 2006 [F2006L03642]*.

Navigation Act—Marine Order No. 13 of 2006—Cargo & Cargo Handling – Livestock [F2006L03643]*.

Safety, Rehabilitation and Compensation Act—Safety, Rehabilitation and Compensation (Licence Eligibility) Notice 2006 (4) [F2006L03636]*.

Veterans' Entitlements Act—Statement of Principles concerning—

Acute sprain and acute strain No. 56 of 2006 [F2006L03571]*.

Fracture No. 54 of 2006 [F2006L03563]*.

* Explanatory statement tabled with legislative instrument.

25 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—REFERENCE

Senator Scullion, at the request of the Chair of the Foreign Affairs, Defence and Trade Committee (Senator Johnston) and pursuant to notice, moved business of the Senate notice of motion no. 2—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.

Question put and passed.

26 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—PROPOSED REFERENCE

Senator O'Brien, pursuant to notice, moved business of the Senate notice of motion no. 3—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.

Debate ensued.

Question put.

The Senate divided—

AYES, 30

Senators—

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

NOES, 32

Senators—

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

Question negatived.

27 CHILD SUPPORT LEGISLATION AMENDMENT (REFORM OF THE CHILD SUPPORT SCHEME—NEW FORMULA AND OTHER MEASURES) 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—and on the amendment moved by the Leader of the Opposition in the Senate (Senator Evans) (see entry no. 4).

Debate resumed.

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

28 GOVERNMENT DOCUMENTS—CONSIDERATION

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

Australian Industry Development Corporation—Report for 2005-06. Motion to take note of document moved by Senator Webber. Debate adjourned till Thursday at general business, Senator Webber in continuation.

Special Broadcasting Service Corporation (SBS)—Report for 2005-06. Motion to take note of document moved by Senator Faulkner and agreed to.

Telstra Corporation Limited—Equal employment opportunity program—Report for 2005-06. Motion to take note of document moved by Senator Webber. Debate adjourned till Thursday at general business, Senator Webber in continuation.

Australian Fisheries Management Authority—Report for 2005-06. Motion to take note of document moved by Senator Webber. Debate adjourned till Thursday at general business, Senator Webber in continuation.

Australian Pesticides and Veterinary Medicines Authority—Report for 2005-06. Motion to take note of document moved by Senator Webber. Debate adjourned till Thursday at general business, Senator Webber in continuation.

Australian Postal Corporation (Australia Post)—Equal employment opportunity program—Report for 2005-06. Motion to take note of document moved by Senator Webber. Debate adjourned till Thursday at general business, Senator Webber in continuation.

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

Department of the Environment and Heritage—Reports for 2005-06—Volumes 1 and 2. Motion of Senator Bartlett to take note of documents agreed to.

Bureau of Meteorology—Report for 2005-06. Motion to take note of document moved by Senator Watson and debated. Debate adjourned till Thursday at general business, Senator Ian Macdonald in continuation.

Inspector-General of Taxation—Report for 2005-06. Motion to take note of document moved by Senator Watson and agreed to.

Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2005-06. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

Director of National Parks—Report for 2005-06. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

General business orders of the day nos 43, 45 and 48 to 56 relating to government documents were called on but no motion was moved.

At 7.20 pm—

29 **ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 7.40 pm till Thursday, 9 November 2006 at 9.30 am.

30 **ATTENDANCE**

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

HARRY EVANS
Clerk of the Senate