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1 MEETING OF SENATE

The Senate met at 12.30 pm.

2 ABSENCE OF PRESIDENT

The Clerk informed the Senate of the temporary absence of the President (Senator the Honourable Paul Calvert). The Deputy President (Senator Hogg) took the chair and read prayers.

3 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Ferris, by leave and at the request of the Chair of the Employment, Workplace Relations and Education Committee (Senator Troeth), moved—That the Employment, Workplace Relations and Education Committee be authorised to hold a public meeting during the sitting of the Senate today, from 4 pm, to take evidence for the committee's inquiry into the provisions of the Commonwealth Radioactive Waste Management Legislation Amendment Bill 2006.

Question put and passed.

4 CONSIDERATION OF LEGISLATION

The Minister for Justice and Customs (Senator Ellison), pursuant to notice, moved government business notice of motion no. 1—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Anti-Money Laundering and Counter-Terrorism Financing Bill 2006
 Anti-Money Laundering and Counter-Terrorism Financing (Transitional Provisions and Consequential Amendments) Bill 2006
 Broadcasting Services Amendment (Collection of Datacasting Transmitter Licence Fees) Bill 2006
 Commonwealth Radioactive Waste Management Legislation Amendment Bill 2006
 Copyright Amendment Bill 2006
 Customs Legislation Amendment (New Zealand Rules of Origin) Bill 2006
 Datacasting Transmitter Licence Fees 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
 Medibank Private Sale Bill 2006
 Telecommunications Amendment (Integrated Public Number Database) Bill 2006.

Document: Senator Ellison tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of bills in the 2006 spring sittings.

Debate ensued.

The question was divided—

Question—That the motion in respect of the Environment and Heritage Legislation Amendment Bill (No. 1) 2006 be agreed to—put.

The Senate divided—

AYES, 34

Senators—

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

NOES, 32

Senators—

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

Question agreed to.

Question—That the motion in respect of the Medibank Private Sale Bill 2006 be agreed to—put.

The Senate divided—

AYES, 34

Senators—

Abetz	Eggleston	Joyce	Payne
Adams	Ellison	Kemp	Ronaldson
Barnett	Ferguson	Lightfoot	Santoro
Bernardi	Ferris	Macdonald, Ian	Scullion
Boswell	Fierravanti-Wells	Macdonald, Sandy	Trood
Brandis	Fifield	McGauran	Vanstone
Campbell, Ian	Heffernan	Nash (Teller)	Watson
Colbeck	Humphries	Parry	
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NOES, 32

Senators—

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Carr	Ludwig	Nettle	Stott Despoja
Crossin	Lundy	O'Brien	Webber
Faulkner	Marshall	Polley	Wong
Fielding	McEwen (Teller)	Ray	Wortley

Question agreed to.

Question—That the motion in respect of the remaining bills be agreed to—put and passed. All Australian Greens senators, by leave, recorded their votes for the noes. All Australian Democrats senators, by leave, recorded their votes for the noes in respect of the Anti-Money Laundering and Counter-Terrorism Financing Bill 2006, the Anti-Money Laundering and Counter-Terrorism Financing (Transitional Provisions and Consequential Amendments) Bill 2006, the Commonwealth Radioactive Waste Management Legislation Amendment Bill 2006, the Inspector of Transport Security Bill 2006 and the Inspector of Transport Security (Consequential Provisions) Bill 2006.

5 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) AMENDMENT BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for Immigration and Multicultural Affairs (Senator Vanstone)—That this bill be now read a second time.

Debate resumed.

Senator Wong moved the following amendment:

At the end of the motion, add “but the Senate:

- (a) condemns the Government for:
 - (i) failing to deliver urgently needed funding for Indigenous students by insisting on complex and bureaucratic administrative arrangements that prevent many schools and communities from benefiting from education programs,
 - (ii) causing a \$126 million underspend in Indigenous education strategic initiatives expenditure in 2004-05 through bureaucratic bungling,
 - (iii) imposing impenetrable red tape that has led to a decline in the involvement of Indigenous communities in the parent-school partnership initiative,
 - (iv) failing to provide sufficient resources for early intervention programs in schools to raise Indigenous children’s literacy standards,
 - (v) reducing the number of Indigenous school children who access tutorial assistance by making eligibility requirements more restrictive and short-term, and
 - (vi) presiding for 10 long years over continuing gaps in educational and training participation and performance between Indigenous and non-Indigenous students; and
- (b) calls on the Government to reform its funding criteria and guidelines so as to address the above concerns and provide all Indigenous students with the opportunity to achieve quality schooling results”.

At 2 pm: Debate was interrupted while Senator Wong was speaking.

6 QUESTIONS

Questions without notice were answered.

7 ENVIRONMENT—NUCLEAR ENERGY—CLIMATE CHANGE—ANSWERS TO QUESTIONS

Senator Carr moved—That the Senate take note of the answers given by the Minister for the Environment and Heritage (Senator Ian Campbell) and the Minister for Finance and Administration (Senator Minchin) to questions without notice asked by Senators Carr and Stephens today relating to nuclear energy and climate change.

Debate ensued.

Question put and passed.

8 DEATH OF FORMER PRESIDENT OF THE SENATE THE HONOURABLE SIR HAROLD WILLIAM YOUNG, KCMG

The Deputy President (Senator Hogg) informed the Senate of the death, on 21 November 2006, of the Honourable Sir Harold William Young, KCMG, President of the Senate from 1981 to 1983 and senator for the state of South Australia from 1968 to 1983.

The Leader of the Government in the Senate (Senator Minchin), by leave, moved—That the Senate records its deep regret at the death, on 21 November 2006, of the Honourable Sir Harold William Young, KCMG, former President of the Senate and senator for South Australia, and places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his family in their bereavement.

The motion was supported and all senators present stood in silence—

Question passed.

9 PETITION

The following petition, lodged with the Clerk by Senator Stott Despoja, was received:

From 884 petitioners, requesting that the Senate take action to ensure that the Government supports calls for the closure of the military detention facility at Guantanamo Bay.

10 NOTICES

Notices of motion:

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

- (a) notes that the undersigned Members of the European Parliament recently returned from a fact finding mission to Israel and Palestine, shocked and appalled by what they saw and experienced in Gaza, saying:
 - i. Due to economic sanctions, almost all public institutions have shut down. The hospitals are overcrowded and receive neither money nor sufficient medicine. The public employees have not been paid for months. The doctors told us that some deadly injuries are not caused by traditional weapons but most likely by new experimental chemical weapons. More amputations than ever are necessary. They have not had the time to examine the dead bodies yet as they are busy dealing with the wounds of those who have survived.
 - ii. The closure of Rafah and Karni crossing for people and goods has turned Gaza into an open air prison. Recently, Gaza has seen horrible carnage.

- iii. We call upon Israel to stop the violation of human rights and repeated breaches of the Geneva Convention.
- iv. We call for a complete ceasefire by Israel, an immediate withdrawal of troops from Gaza and an end to the military incursion in the West Bank.
- v. We strongly object to the description by Israel of those it has killed as “terrorists”.
- vi. We call and insist that the EU [European Union] should review the association agreement and consider imposition of sanctions on Israel unless it ceases the killing of civilians and the violation of human rights, thus complying with article 2 of the association agreement.
- vii. We urge Hamas and Fatah and all the democratic Palestinian forces, even under these circumstances, not to stop their efforts to form a Unity Government as already agreed on the document of national reconciliation which recognizes the 1967 borders of the state of Palestine and Israel and to take every possible measure to halt the firing of Qassam rockets.
- viii. We call upon the EU to open dialogue with all the Palestinian national institutions and to put pressure on the Israeli government to release the tax revenues confiscated from the Palestinian government.
- ix. We ask the UN and the quartet to send international forces to protect the Palestinian and Israeli civilian populations, while calling for an international conference with all the parties involved reaching a comprehensive and just peace for the area.

MEP Luisa Morgantini (Italy), GUE/NGL

MEP Vincenzo Aita (Italy), GUE/NGL

MEP Allesandro Battilocchio (Italy), N.I.

MEP John Bowis (UK), EPP-ED

MEP Chris Davies (UK), ALDE

MEP Jill Evans (UK), GREEN/EFA

MEP Hélène Flautre (France), GREEN/EFA

MEP Gyula Hegyi (Hungary), PES

MEP Miguel Portas (Portugal), GUE/NGL

MEP Karin Resetarits (Austria), ALDE

MEP Alyn Smith (UK), GREEN/EFA

MP Norman Paech (Germany), Die Linke; and

- (b) calls on the Minister for Foreign Affairs (Mr Downer) to visit Palestine and Israel in the near future and to consider backing the requests of the European Parliamentary delegation in an effort to bring peace to the region. (*general business notice of motion no. 630*)

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

- (a) notes that:

- (i) in 2000, Germany introduced a solar scheme requiring electricity companies to buy back electricity generated from household panels connected to the grid at premium price rather than at the normal wholesale electricity rate,
- (ii) the German scheme has meant approximately 400 000 households have now installed solar panels,

- (iii) the German scheme has led to a boom in the photovoltaic (PV) industry with revenues expected to be \$25 billion in 2006, increasing to \$100 billion by 2010,
- (iv) Germany's success with the scheme has led to Spain, Italy, France, Greece and Canada introducing almost identical schemes,
- (v) in 2004, Germany passed a new law that guaranteed people who built solar parks a minimum price for each kilowatt of electricity that was two to three times the market price; for example, a German pig farmer struggling with drought took advantage of the scheme and covered his 200 acre farm with 10 050 solar panels, which at full capacity could supply power to all 7 000 residents of the local village resulting in the farmer making more than \$600 000 a year from the sale of this electricity, and
- (vi) California has developed the 'Million Solar Roofs' plan that will provide 3 000 megawatts of additional solar generation by 2018 using a combination of regulatory and market mechanisms;
- (b) notes that an Australia-wide feed-in tariff could increase the number of PV units in Australia from 10 000 to 150 000 by 2010; and
- (c) calls on the Federal Government to work with state governments to introduce a solar scheme similar to that in Germany. (*general business notice of motion no. 631*)

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

- (a) notes that:
 - (i) Californian Republican Governor, Mr Arnold Schwarzenegger, has signed the Californian Global Warming Solutions Act of 2006,
 - (ii) the Act aims to reduce carbon emissions by 25 per cent, to 1990 levels, by 2020 and by 2050 will reduce emissions to 80 per cent below 1990 levels, and
 - (iii) the Act requires the Californian Air Resources Board (CARB) to:
 - Establish a statewide greenhouse gas emissions cap for 2020, based on 1990 emissions, by January 1, 2008.
 - Adopt mandatory reporting rules for significant sources of greenhouse gases by January 1, 2009.
 - Adopt a plan by January 1, 2009 indicating how emission reductions will be achieved from significant greenhouse gas sources via regulations, market mechanisms and other actions.
 - Adopt regulations by January 1, 2011 to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas [emissions] including provisions for using both market mechanisms and alternative compliance mechanisms.
 - Convene an Environmental Justice Advisory Committee and an Economic and Technology Advancement Advisory Committee to advise CARB.
 - Ensure public notice and opportunity for comment for all CARB actions; and
- (b) calls on the Federal Government to follow California's lead and legislate to set greenhouse gas reduction targets, introduce caps on emissions and introduce market and regulatory mechanisms to achieve reductions. (*general business notice of motion no. 632*)

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

- (a) notes that:
 - (i) the global carbon market is worth almost \$40 billion a year,
 - (ii) the World Bank reports that the global carbon trading market was worth approximately \$28 billion in the first 9 months of 2006, compared with \$13 billion in 2005,
 - (iii) the Kyoto Clean Development Mechanism (CDM) market was valued at \$2.9 billion for the first three quarters of 2006, and
 - (iv) the United Nations Framework on Climate Change Executive Secretary, Mr Yvo de Boer, recently said the Kyoto CDMs could generate annual investment of \$133 billion in ‘green investment flow to developing countries’;
- (b) recognises that joining the Kyoto Protocol now could give Australian business the chance to get early mover advantages in the booming global carbon trading market; and
- (c) calls on the Federal Government to ratify the Kyoto Protocol and work within this framework to encourage other countries such as the United States of America, China and India to sign on. (*general business notice of motion no. 633*)

Senators Johnston and Adams: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Commonwealth legislative framework applying to the Australian wheat industry, and for related purposes. ***Wheat Marketing Legislation Amendment Bill 2006***. (*general business notice of motion no. 634*)

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

- (a) notes that:
 - (i) the Australian Council of Social Service (ACOSS), the peak council of the community services and welfare sector, is celebrating 50 years of representing that sector and advancing the interests of disadvantaged Australians, and
 - (ii) ACOSS was established in 1956, with the aim of reducing poverty and inequality by developing and promoting socially, economically and environmentally responsible public policy and action by government, community and business while supporting non-government organisations which provide assistance to vulnerable Australians; and
- (b) congratulates ACOSS on 50 years of outstanding community service. (*general business notice of motion no. 635*)

Senator Watson: To move on the next day of sitting—That the order of the Senate of 9 October 2006, authorising the Joint Committee of Public Accounts and Audit to hold public meetings during the sittings of the Senate, be varied as follows:

Paragraph (b), omit “Thursday, 30 November 2006, from 10 am to 1 pm”, substitute “Thursday, 7 December 2006, from 10 am to 1.30 pm”. (*general business notice of motion no. 636*)

Senator Siewert: To move on the next day of sitting—That there be laid on the table by the Minister for the Environment and Heritage, no later than 3.30 pm on Wednesday, 29 November 2006, the report on the review of matters of national environmental significance made under section 28A of the *Environment Protection and Biodiversity Conservation Act 1999*. (general business notice of motion no. 637)

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

- (1) On Tuesday, 28 November and 5 December 2006:
 - (a) the hours of meeting shall be 12.30 pm to 6.30 pm and 7.30 pm to adjournment;
 - (b) the routine of business from 7.30 pm shall be government business only; and
 - (c) the question for the adjournment of the Senate shall be proposed at 10 pm.
- (2) On Thursday, 30 November 2006:
 - (a) the hours of meeting shall be 9.30 am to 6.30 pm and 7.30 pm to 11.40 pm;
 - (b) the routine of business from 7.30 pm shall be government business only;
 - (c) divisions may take place after 4.30 pm; and
 - (d) the question for the adjournment of the Senate shall be proposed at 11 pm.
- (3) The Senate shall sit on Friday, 1 December 2006 and that:
 - (a) the hours of meeting shall be 9 am to 4.25 pm;
 - (b) the routine of business shall be:
 - (i) notices of motion, and
 - (ii) government business only; and
 - (c) the question for the adjournment of the Senate shall be proposed at 3.45 pm.
- (4) On Wednesday, 6 December 2006, the routine of business be varied to provide that:
 - (a) matters of public interest be called on at 1.15 pm; and
 - (b) questions without notice be called on at 2.30 pm.
- (5) On Thursday, 7 December 2006:
 - (a) the hours of meeting shall be 9.30 am to 6.30 pm and 7.30 pm to adjournment;
 - (b) consideration of general business and consideration of committee reports, government responses and Auditor-General's reports under standing order 62(1) and (2) shall not be proceeded with;
 - (c) the routine of business from not later than 4.30 pm shall be government business only;
 - (d) divisions may take place after 4.30 pm; and
 - (e) the question for the adjournment of the Senate shall be proposed after the Senate has finally considered the bills listed below, including any messages from the House of Representatives:

Anti-Money Laundering and Counter-Terrorism Financing Bill 2006
 and Anti-Money Laundering and Counter-Terrorism Financing
 (Transitional Provisions and Consequential Amendments) Bill 2006
 Australian Nuclear Science and Technology Organisation Amendment
 Bill 2006
 Commonwealth Radioactive Waste Management Legislation
 Amendment Bill 2006
 Copyright Amendment Bill 2006
 Customs Legislation Amendment (New Zealand Rules of Origin) Bill
 2006
 Crimes Amendment (Bail and Sentencing) Bill 2006
 Datacasting Transmitter Licence Fees Bill 2006 and Broadcasting
 Services Amendment (Collection of Datacasting Transmitter Licence
 Fees) Bill 2006
 Defence Legislation Amendment Bill 2006
 Environment and Heritage Legislation Amendment Bill (No. 1) 2006
 Education Services for Overseas Students Legislation Amendment
 (2006 Measures No. 1) Bill 2006 and Education Services for Overseas
 Students Legislation Amendment (2006 Measures No. 2) Bill 2006
 Families, Community Services and Indigenous Affairs and Veterans'
 Affairs Legislation Amendment (2006 Budget Measures) Bill 2006
 Indigenous Education (Targeted Assistance) Amendment Bill 2006
 Inspector of Transport Security Bill 2006 and Inspector of Transport
 Security (Consequential Provisions) Bill 2006
 Independent Contractors Bill 2006 and Workplace Relations
 Legislation Amendment (Independent Contractors) Bill 2006
 Medibank Private Sale Bill 2006
 Tax Laws Amendment (2006 Measures No. 4) Bill 2006
 Telecommunications Amendment (Integrated Public Number
 Database) Bill 2006.

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

(a) notes that:

- (i) 25 November was White Ribbon Day, the United Nations' International Day for the Elimination of Violence Against Women,
- (ii) White Ribbon Day marks the start of 16 Days of Activism Against Gender Violence, a world-wide event encouraging action to end violence against women, which ends on International Human Rights Day on 10 December,
- (iii) 2006, which is the 16th anniversary of the 16 Days of Activism Against Gender Violence campaign, celebrates activists who have made the campaign a success and honours women human rights defenders who have suffered intimidation and violence for their activism,
- (iv) it is estimated that more than 1 million women have experienced violence in a relationship and that for more than two-thirds of women victims of violence, their children had witnessed the violence, and
- (v) the White Ribbon Day campaign receives no government funding; and

(b) calls on the Government to fund the 2007 White Ribbon Day campaign, as a demonstration of its commitment to preventing violence against women.
(general business notice of motion no. 638)

Senator Stott Despoja: To move on 7 December 2006—That the Senate—

(a) notes that:

- (i) 9 December 2006 marks the 5th anniversary of the capture of Mr David Hicks in Afghanistan by the Northern Alliance, and
- (ii) Mr Hicks is yet to be charged under the new United States Military Commission Act 2006; and

(b) calls on the Australian Government to lobby for Mr Hicks' immediate fair trial or repatriation. (*general business notice of motion no. 639*)

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

- (1) That a select committee, to be known as the Select Committee on Mental Health Services, be appointed to inquire into, monitor and report by 30 June 2008 on ongoing efforts towards improving mental health services in Australia.
- (2) That the committee have the power to consider and use for its purposes the transcripts of evidence and records of the Select Committee on Mental Health appointed on 8 March 2005.
- (3) That the committee have the power to send for and examine persons and documents, call for and receive submissions, and convene public hearings, roundtables and symposia on developments in mental health including new and changing issues in policy.
- (4) That the committee may report from time to time its proceedings and evidence and any recommendations, and shall make regular reports of the progress of the proceedings of the committee.
- (5) That the committee shall have reference to the reports of the Select Committee on Mental Health *A national approach to mental health - from crisis to community*, the National Action Plan on Mental Health agreed to at the July 2006 meeting of the Council of Australian Governments, and the National Mental Health Strategy and associated plans.
- (6) That the committee consist of 7 senators, 3 nominated by the Leader of the Government in the Senate, 3 nominated by the Leader of the Opposition in the Senate and 1 nominated by the Leader of the Australian Democrats.
- (7) That the chair of the committee be elected by the committee from the members nominated by the Leader of the Government in the Senate.
- (8) In the absence of agreement on the selection of a chair, duly notified to the President, the allocation of the chair be determined by the Senate.
- (9) That the deputy chair of the committee be elected by and from the members of the committee immediately after the election of the chair.
- (10) That the deputy chair act as chair when there is no chair or the chair is not present at a meeting.
- (11) That the quorum of the committee be 3 members.
- (12) Where the votes on any question before the committee are equally divided, the chair, or the deputy chair when acting as chair, shall have a casting vote.
- (13) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings and the evidence taken and such interim recommendations as it may deem fit.

- (14) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any such subcommittee any of the matters which the committee is empowered to consider.
- (15) That the quorum of a subcommittee be 2 members.
- (16) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.
- (17) That the committee be empowered to print from day to day such documents and evidence as may be ordered by it, and a daily *Hansard* be published of such proceedings as take place in public. (*general business notice of motion no. 640*)

The Leader of the Australian Greens (Senator Bob Brown): To move on 29 November 2006—That the Senate calls for a halt to all logging destruction in Tasmania's Weld River valley until and unless:

- (a) the Government completes a World Heritage evaluation of the forests;
- (b) the Tasmanian Government shows that there is no prudent or feasible option to that destruction;
- (c) an independent evaluation of the valley's long-term economic value, including its tourism potential and carbon sink value, has been completed; and
- (d) the full loss of water, carbon, biodiversity and honey production value from the destruction proposed is known. (*general business notice of motion no. 641*)

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

- (a) notes:
 - (i) Australia's obligation under the World Heritage Convention to protect the World Heritage-listed Macquarie Island that provides nesting habitat for nearly 4 million seabirds, and provides Environment Protection and Biodiversity Conservation-listed 'Critical Habitat' for two nationally threatened albatross species, the wandering and grey-headed albatross,
 - (ii) that the feral rabbit population on Macquarie Island has exploded since the late 1990s from 10 000 to more than 100 000 as a result of reduced effectiveness of myxomatosis, eradication of feral cats and climate change resulting in increasing rabbit breeding success, and
 - (iii) that recent landslips have wiped out hundreds of king penguins and that the grey-headed albatross faces immediate risk of extinction in Australia due to the destruction by rabbits of the birds' only known Australian breeding site on Macquarie Island; and
- (b) calls on the Government to take immediate action to fund and implement the eradication plan for rabbits and rodents costing at \$15 million so work can start immediately to ensure on-ground baiting can start in winter 2008. (*general business notice of motion no. 642*)

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

- (a) notes the draft report of the Uranium Mining, Processing and Nuclear Energy Review Taskforce appointed by the Prime Minister (Mr Howard); and
- (b) calls on the Government to reject:
 - (i) any proposals for the deployment of nuclear power in Australia,
 - (ii) the construction of nuclear reactors on or offshore around Australia,
 - (iii) the construction of nuclear waste dumps in Australia, and
 - (iv) any proposal for the development of nuclear enrichment facilities in Australia. (*general business notice of motion no. 643*)

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 business of the Senate notice of motion no. 1 standing in his name for 10 sitting days after today for the disallowance of the Inclusion of species in the list of threatened species (Nos 42 to 45), made under section 178 of the *Environment Protection and Biodiversity Conservation Act 1999*.

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

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 28 November 2006, from 3.30 pm, to take evidence for the committee's inquiry into Indigenous workers whose paid labour was controlled by Government.

Question put and passed.

12 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Ferris, by leave and at the request of the Chair of the Rural and Regional Affairs and Transport Committee (Senator Heffernan), moved—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 5 December 2006.

Question put and passed.

13 LEAVE OF ABSENCE

Senator Webber, by leave, moved—That leave of absence be granted to Senator Conroy from 27 November to 7 December 2006, for personal reasons.

Question put and passed.

14 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 30 November 2006.

General business notice of motion no. 626 standing in the name of Senator Carr for today, proposing the introduction of the Avoiding Dangerous Climate Change (Kyoto Protocol Ratification) Bill 2006 [No. 2], postponed till 28 November 2006.

15 TREATIES—JOINT STANDING COMMITTEE—PROPOSED REFERENCE

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. 627—That the following matter be referred to the Joint Standing Committee on Treaties for inquiry and report by 15 February 2007:

The new security treaty with Indonesia, with particular reference to:

- (a) the long-term defence and security implications for Australia;
- (b) the civil and political rights, in particular the rights of free speech and political activity of Australians and Indonesians, in particular, West Papuans;

- (c) the long-term implications for Australia of the proposals relating to nuclear technology;
- (d) Australia's international treaty obligations; and
- (e) any related matters.

Question put.

The Senate divided—

AYES, 8

Senators—

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

NOES, 41

Senators—

Adams	Forshaw	McGauran	Scullion
Barnett	Hogg	McLucas	Sherry
Bernardi	Humphries	Moore	Stephens
Brandis	Hurley	Nash	Sterle
Brown, Carol	Hutchins	O'Brien	Trood
Colbeck	Johnston	Parry (Teller)	Watson
Crossin	Lightfoot	Payne	Webber
Ferguson	Ludwig	Polley	Wortley
Ferris	Lundy	Ray	
Fierravanti-Wells	Marshall	Ronaldson	
Fifield	McEwen	Santoro	

Question negatived.

16 ENVIRONMENT—GREENHOUSE GAS EMISSIONS—NEWCASTLE CITY COUNCIL

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. 628—That the Senate supports the following resolution of Newcastle City Council:

Newcastle City Council recognises the urgent need to protect local and global environments from increasing greenhouse gas emissions and to reduce Newcastle's role in that increase.

Therefore Newcastle City Council:

1. Recommends that the NSW Government establishes a cap on coal exports from Newcastle at existing levels.
2. Recommends that the NSW Government initiates an independent Inquiry into the environmental, social and economic sustainability of the current coal industry and proposed expansion of the Hunter Valley coal industry.
3. Recommends that pending such an Inquiry, the NSW Government initiates a moratorium on new coal mine approvals at Anvil Hill and elsewhere in NSW.
4. Calls on the NSW and Federal Governments to establish a mandatory renewable energy target of 25% by 2020, with 20% by 2014 as a first step, in keeping with targets set by the South Australian Government.

5. Calls on the NSW Government to establish a contribution of 10c/tonne on coal exports through the Port of Newcastle to fund a community trust to be administered through Hunter Councils, to support a transition to a clean energy economy in the Hunter and to invest in local renewable energy projects.
6. Calls on the NSW Government to build a more efficient public transport system in the Hunter, linking major regional cities defined in the Lower Hunter Regional Strategy.

Question put.

The Senate divided—

AYES, 7

Senators—

Allison
Bartlett

Brown, Bob
Milne

Nettle
Siewert (Teller)

Stott Despoja

NOES, 41

Senators—

Adams
Barnett
Bernardi
Brandis
Brown, Carol
Carr
Colbeck
Crossin
Ferguson
Ferris
Fielding

Fierravanti-Wells
Fifield
Forshaw
Humphries
Hurley
Hutchins
Johnston
Lightfoot
Ludwig
Lundy
Marshall

McEwen
McGauran
McLucas
Moore
Nash
O'Brien
Parry (Teller)
Payne
Polley
Ronaldson
Santoro

Scullion
Sherry
Stephens
Sterle
Trood
Watson
Webber
Wortley

Question negatived.

**17 TRANSPORT—CIVIL AVIATION SAFETY AUTHORITY—TRANSAIR—PROPOSED
ORDER FOR PRODUCTION OF DOCUMENTS**

Senator O'Brien, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 625—That there be laid on the table by the Minister representing the Minister for Transport and Regional Services, no later than 3.30 pm on Wednesday, 29 November 2006, a copy of:

- (a) the reports of the November 2001, August 2004, February 2005 and February 2006 Civil Aviation Safety Authority (CASA) audits of Lessbrook Pty Ltd trading as Transair;
- (b) the enforceable voluntary undertaking by Lessbrook Pty Ltd trading as Transair accepted by CASA in May 2006;
- (c) all show cause notices issued by CASA to Lessbrook Pty Ltd trading as Transair since November 2001; and
- (d) the written notice issued by CASA to Lessbrook Pty Ltd trading as Transair in October 2006 cancelling Transair's Air Operator's Certificate.

Question put.

The Senate divided—

AYES, 30

Senators—

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

NOES, 32

Senators—

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

Question negatived.

18 **FOREIGN AFFAIRS—MEXICO—SHOOTINGS**

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 629—That the Senate—

(a) notes:

- (i) the tragic shooting of two protesters and one journalist by gunmen participating in the attack on striking teachers and their supporters in the City of Oaxaca in Mexico on 27 October 2006,
- (ii) that one of those killed, Mr Bradley Roland Will, was a camera man working for the independent news group Indymedia, and
- (iii) that these killings bring the number of protesters shot and killed by security forces to at least six during this 6 month protest; and

(b) calls on the Government to:

- (i) condemn the use of lethal force against journalists, teachers and protesters by Mexican authorities,
- (ii) urge the Mexican Government to bring to justice all those involved in the killings of the protestors in Oaxaca, and
- (iii) express its condolences to the families of those killed.

Question put and negatived.

19 CERTAIN AUSTRALIAN COMPANIES IN RELATION TO THE UN OIL-FOR-FOOD PROGRAMME—COMMISSION OF INQUIRY—MINISTERIAL STATEMENT—DOCUMENTS

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

Commission of inquiry into certain Australian companies in relation to the UN Oil-for-Food Programme—

Ministerial statement by the Attorney-General (Mr Ruddock), dated 27 November 2006.

Report by Commissioner the Honourable TRH Cole, AO, RFD, QC, dated 24 November 2006—

Volume 1—Summary, recommendations and background.

Volume 2—Negotiations and sales: July 1999 to December 2000.

Volume 3—Sales, allegations and inquiries: January 2001 to December 2005.

Volume 4—Findings.

Volume 5—Appendices.

The Leader of the Opposition in the Senate (Senator Evans), by leave, moved—That the Senate take note of the documents.

Debate ensued.

Time expired: The debate reached the limit of 30 minutes.

Leave was granted for the time for the debate to be extended for 5 minutes.

Debate continued.

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

20 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—INTERIM REPORT—COPYRIGHT AMENDMENT BILL 2006

The Acting Deputy President (Senator Moore) tabled the following report received on 10 November 2006:

Legal and Constitutional Affairs—Standing Committee—Copyright Amendment Bill 2006 [Provisions]—Interim report, dated 10 November 2006.

21 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—COPYRIGHT AMENDMENT BILL 2006

The Acting Deputy President (Senator Moore) tabled the following report and documents received on 13 November 2006:

Legal and Constitutional Affairs—Standing Committee—Copyright Amendment Bill 2006 [Provisions]—Report, dated November 2006, Hansard record of proceedings, documents presented to the committee and submissions [74].

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

22 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS—STANDING COMMITTEE—REPORT—ENVIRONMENT AND HERITAGE LEGISLATION AMENDMENT BILL (NO. 1) 2006

The Acting Deputy President (Senator Moore) tabled the following report and documents received on 21 November 2006:

Environment, Communications, Information Technology and the Arts—Standing Committee—Environment and Heritage Legislation Amendment Bill (No. 1) 2006 [Provisions]—Report, dated November 2006, Hansard record of proceedings, documents presented to the committee and submissions [71].

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

23 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (2006 BUDGET MEASURES) BILL 2006

The Acting Deputy President (Senator Moore) tabled the following report and documents received on 22 November 2006:

Legal and Constitutional Affairs—Standing Committee—Families, Community Services and Indigenous Affairs and Veterans' Affairs Legislation Amendment (2006 Budget Measures) Bill 2006 [Provisions]—Report, dated November 2006, Hansard record of proceedings, documents presented to the committee and submissions [16].

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

24 GOVERNMENT DOCUMENTS

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

Australian Communications and Media Authority—Communications—Report for 2005-06. [*Received 20 November 2006*]

Australian Sports Commission—Report for 2005-06. [*Received 20 November 2006*]

Official visit to the United States of America—Report on the visit by the Minister for Ageing (Senator Santoro), 8 to 16 June 2006, dated 29 October 2006. [*Received 10 November 2006*]

Gene Technology Act 2000—Statutory review of the *Gene Technology Act 2000* and the Gene Technology Agreement 2001—State, Territory and Australian governments' response, November 2006. [*Received 16 November 2006*]

Veterans' Review Board—Report for 2005-06. [*Received 17 November 2006*]

25 AUDITOR-GENERAL—AUDIT REPORT NO. 36 OF 2005-06—DOCUMENT

The Acting Deputy President (Senator Moore) tabled the following document received on 21 November 2006:

Auditor-General—Audit report no. 36 of 2005-06—Performance audit—Management of the Tiger Armed Reconnaissance Helicopter Project – Air 87: Department of Defence and Defence Materiel Organisation—Corrigendum.

**26 COMMUNITY AFFAIRS—STANDING COMMITTEE—ADDITIONAL INFORMATION—
LEGISLATIVE RESPONSES TO RECOMMENDATIONS OF THE LOCKHART REVIEW**

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

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

**27 ASEAN INTER-PARLIAMENTARY ORGANISATION—26TH GENERAL ASSEMBLY—
DOCUMENT**

Senator Carol Brown, by leave, tabled the following document:

ASEAN Inter-Parliamentary Organisation (AIPO)—Report of the Australian parliamentary delegation to the 26th General Assembly, Laos, 17 to 23 September 2005 and bilateral visit to Pakistan, 24 to 29 September 2005, dated November 2006.

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

Debate ensued.

Question put and passed.

28 DOCUMENTS

The following documents were tabled by the Clerk:

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

Acts Interpretation Act and Environment Protection and Biodiversity Conservation Act—Repeal of Recovery Plan for Forty-Spotted Pardalote (*Pardalotus quadragintus*) 1991-1997; and Adoption of State Plans as Recovery Plans. [F2006L03783]*.

Admiralty Act—Select Legislative Instrument 2006 No. 287—Admiralty Amendment Rules 2006 (No. 1) [F2006L03716]*.

Aged Care Act—Determination of amount of flexible care subsidy—ACA Ch. 3 No. 21/2006.

Air Services Act—Air Services Regulations—Instruments Nos—

AERU 06-053—Determination of Controlled Aerodromes [F2006L03798]*.

AERU 06-054—Determination of Flight Information Regions [F2006L03814]*.

AERU 06-055—Determination of Flight Information Areas [F2006L03815]*.

AERU 06-056—Determination of Class C Airspace [F2006L03817]*.

AERU 06-057—Determination of Class C Control Zones [F2006L03819]*.

AERU 06-058—Determination of Class D Airspace [F2006L03821]*.

AERU 06-059—Determination of Class D Control Zones [F2006L03816]*.

AERU 06-060—Determination of Class E Airspace [F2006L03818]*.

AERU 06-061—Determination of Class G Airspace [F2006L03820]*.

Australian Meat and Live-stock Industry Act—

Australian Meat and Live-stock (Beef Export to the USA – Quota Year 2007) Order 2006 [F2006L03600]*.

Australian Meat and Live-stock Industry (Sheepmeat and Goatmeat Export to the European Union – Quota Year 2007) Order 2006 [F2006L03604]*.

Australian Nuclear Science and Technology Organisation Act—Statement under section 7—Disclosure of the Australian Nuclear Science and Technology Organisation's interests in company.

Broadcasting Services Act—Variations to Licence Area Plans for—

Griffith and the Murrumbidgee Irrigation Area Television – No. 1 of 2006 [F2006L03638]*.

Regional Victoria Television – No. 1 of 2006 [F2006L03637]*.

Charter of the United Nations Act—Select Legislative Instruments 2006 Nos—

283—Charter of United Nations (Sanctions – Democratic People's Republic of Korea) Regulations 2006 [F2006L03619]*.

299—Charter of the United Nations (Sanctions) Amendment Regulations 2006 (No. 1) [F2006L03699]*.

300—Charter of the United Nations (Sanctions – Lebanon) Regulations 2006 [F2006L03701]*.

301—Charter of the United Nations (Sanctions – Rwanda) Regulations 2006 [F2006L03700]*.

302—Charter of the United Nations (Sanctions – Somalia) Regulations 2006 [F2006L03702]*.

Civil Aviation Act—

Civil Aviation Regulations—Civil Aviation Order 40.3.0 Amendment Order (No. 2) 2006 [F2006L03683]*.

Civil Aviation Safety Regulations—Airworthiness Directives—Part—

105—

AD/B737/138 Amdt 1—Fuel Boost Pump Wiring [F2006L03804]*.

AD/B737/297—De-Icing Fluids and Main Wheel Well Electrical Connectors [F2006L03802]*.

AD/CIRRUS/6—Brake Caliper Piston O-Ring Seals [F2006L03801]*.

AD/ECUREUIL/122—Emergency Floatation Gear [F2006L03739]*.

AD/SA 315/13—Horizontal Stabiliser Spar [F2006L03811]*.

107—

AD/PMC/40—Blade Counterweight Bolt Replacement [F2006L03800]*.

AD/RAD/64 Amdt 1—Skywatch SKY497 [F2006L03799]*.

Class Rulings CR 2006/110-CR 2006/114.

Commonwealth Authorities and Companies Act—

Notice under paragraphs 45(1)(a) and (b)—Formation of, and acquisition of shares in, National Health Call Centre Network Ltd.

Select Legislative Instrument 2006 No. 298—Commonwealth Authorities and Companies Amendment Regulations 2006 (No. 2) [F2006L03738]*.

Corporations Act—Accounting Standard AASB 101—Presentation of Financial Statements [F2006L03644]*.

Crimes Act—Select Legislative Instrument 2006 No. 288—Crimes Amendment Regulations 2006 (No. 2) [F2006L03649]*.

Customs Act—

Select Legislative Instrument 2006 No. 289—Customs (Prohibited Exports) Amendment Regulations 2006 (No. 4) [F2006L03705]*.

Tariff Concession Orders—

0509438 [F2006L03654]*.

0609671 [F2006L03750]*.
0610789 [F2006L03751]*.
0611081 [F2006L03752]*.
0613083 [F2006L03726]*.
0613257 [F2006L03660]*.
0613315 [F2006L03661]*.
0613316 [F2006L03672]*.
0613365 [F2006L03681]*.
0613388 [F2006L03675]*.
0613389 [F2006L03662]*.
0613390 [F2006L03680]*.
0613412 [F2006L03674]*.
0613415 [F2006L03753]*.
0613426 [F2006L03663]*.
0613479 [F2006L03664]*.
0613480 [F2006L03730]*.
0613481 [F2006L03673]*.
0613482 [F2006L03676]*.
0613541 [F2006L03754]*.
0613542 [F2006L03755]*.
0613545 [F2006L03678]*.
0613546 [F2006L03682]*.
0613547 [F2006L03728]*.
0613649 [F2006L03756]*.
0613749 [F2006L03757]*.
0613750 [F2006L03727]*.
0613834 [F2006L03758]*.
0613835 [F2006L03759]*.
0613836 [F2006L03760]*.
0613888 [F2006L03665]*.
0613889 [F2006L03729]*.
0613890 [F2006L03761]*.
0613891 [F2006L03762]*.
0613892 [F2006L03732]*.
0613893 [F2006L03679]*.
0613896 [F2006L03731]*.
0613897 [F2006L03734]*.
0613933 [F2006L03735]*.
0613934 [F2006L03733]*.
0613954 [F2006L03736]*.
0613955 [F2006L03737]*.
0613956 [F2006L03777]*.
0616001 [F2006L03781]*.
0616089 [F2006L03780]*.
0616090 [F2006L03775]*.
0616091 [F2006L03779]*.
0616137 [F2006L03782]*.
0616334 [F2006L03773]*.

Tariff Concession Revocation Instruments—

93/2006 [F2006L03655]*.
94/2006 [F2006L03656]*.

95/2006 [F2006L03657]*.
 96/2006 [F2006L03658]*.
 97/2006 [F2006L03659]*.
 98/2006 [F2006L03745]*.
 99/2006 [F2006L03746]*.
 100/2006 [F2006L03747]*.
 101/2006 [F2006L03748]*.
 102/2006 [F2006L03749]*.

Defence Act—Determinations under sections—

58B—Defence Determinations—

2006/58 – Overseas conditions of service – post indexes.
 2006/59 – Overseas conditions of service – amendment.
 2006/60 – Career Transition Scheme allowance rates.
 2006/61 – Deployment allowance – Lebanon.
 2006/62 – Member with dependants (unaccompanied).
 2006/63 – Annual review of accommodation contributions.
 2006/64 – Miscellaneous conditions – amendment.
 2006/65 – Class of travel – amendment.
 2006/66 – Defence Collective Agreement – consequential amendments.
 2006/67 – Navy – Aircrew retention and completion bonus scheme.
 2006/68 – Deployment allowance and extra risk insurance – amendment.

58H—Defence Force Remuneration Tribunal Determinations Nos—

7 of 2006—Reserve Remuneration Review.
 16 of 2006—ADF Workplace Remuneration Arrangement 2006-2009; and
 ADF Star Ranks Remuneration Arrangement 2006-2009.
 17 of 2006—Salary Rates for Senior Officers 07 and 08 Salaries.

Environment Protection and Biodiversity Conservation Act—

Amendment of list of specimens taken to be suitable for live import, dated
 7 November 2006 [F2006L03717]*.

Notice of proposed accreditation of the Western Tuna and Billfish Fishery
 Management Plan Amendment 2006 (No. 1), dated 14 November 2006.

Export Control Act—Export Control (Orders) Regulations—

Export Control (Animals) Amendment Order 2006 (No. 3) [F2006L03685]*.
 Export Control (Fees) Amendment Orders 2006 (No. 3) [F2006L03694]*.

Extradition Act—Select Legislative Instrument 2006 No. 290—Extradition
 (Malaysia) Regulations 2006 [F2006L03650]*.

Families, Community Services and Indigenous Affairs and Other Legislation (2006
 Budget and Other Measures) Act—Veterans' Entitlements (Exemption Notices for
 Special Disability Trusts) Guidelines 2006 [F2006L03099]*.

Financial Management and Accountability Act—Financial Management and
 Accountability Determinations—

2006/73 – Australian Customs Service – Security Deposits Account Variation
 and Abolition 2006 [F2006L03715]*.
 2006/74 – Security Deposits Special Account Establishment 2006
 [F2006L03719]*.
 2006/75 – Industry Related Systems Development Account Variation and
 Abolition 2006 [F2006L03720]*.
 2006/76 – Industry Related Systems Development Special Account
 Establishment 2006 [F2006L03721]*.

2006/77 – Australian Customs Service – Trade Gate Fees Account Abolition 2006 [F2006L03742]*.

2006/78 – Australian Protective Service Account Variation and Abolition 2006 [F2006L03722]*.

2006/79 – Protective Services Special Account Establishment 2006 [F2006L03723]*.

2006/80 – Financial Action Task Force – Asia Pacific Group Secretariat Account Variation and Abolition 2006 [F2006L03724]*.

2006/81 – Asia/Pacific Group on Money Laundering Special Account Establishment 2006 [F2006L03725]*.

Fisheries Management Act—Western Tuna and Billfish Fishery Management Plan 2005—Western Tuna and Billfish Fishery Management Plan Amendment 2006 (No. 1) [F2006L03669]*.

Food Standards Australia New Zealand Act—Australia New Zealand Food Standards Code – Amendment No. 89 – 2006 [F2006L03647]*.

Foreign Acquisitions and Takeovers Act—Select Legislative Instrument 2006 No. 286—Foreign Acquisitions and Takeovers Amendment Regulations 2006 (No. 1) [F2006L03741]*.

Health Insurance Act—Select Legislative Instrument 2006 No. 303—Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2006 (No. 5) [F2006L03520]*.

Higher Education Support Act—

Guidelines for Commonwealth Scholarships [F2006L03667]*.

Higher Education Provider Guidelines—Amendment No. 1 [F2006L03704]*.

Other Grants Guidelines 2006 [F2006L03785]*.

Income Tax Assessment Act 1997—Select Legislative Instrument 2006 No. 306—Income Tax Assessment Amendment Regulations 2006 (No. 3) [F2006L03670]*.

Law Enforcement Integrity Commissioner Act—Select Legislative Instrument 2006 No. 291—Law Enforcement Integrity Commissioner Regulations 2006 [F2006L03711]*.

Marine Navigation Levy Collection Act—Select Legislative Instrument 2006 No. 305—Marine Navigation Levy Collection Amendment Regulations 2006 (No. 1) [F2006L03708]*.

Migration Act—

Migration Agent Regulations—MARA Notices—

MN47-06b of 2006—Migration Agents (Continuing Professional Development – Private Study of Audio, Video or Written Material) [F2006L03460]*.

MN47-06c of 2006—Migration Agents (Continuing Professional Development – Attendance at a Seminar, Workshop, Conference or Lecture) [F2006L03462]*.

MN47-06e of 2006—Migration Agents (Continuing Professional Development – Preparation of Material for Presentation) [F2006L03463]*.

Migration Regulations—Instruments—

IMMI 06/026—Areas for State and Territory Sponsored Business Owner Visa [F2006L01845]*.

IMMI 06/072—Travel Agents for PRC Citizens applying for Tourist Visas [F2006L03364]*.

Military Rehabilitation and Compensation Act—Military Rehabilitation and Compensation (Non-warlike Service) Determination 2006/2 [F2006L03712]*.

Miscellaneous Taxation Ruling—Notice of Withdrawal—MT 2039.

Mutual Assistance in Criminal Matters Act—Select Legislative Instrument 2006 No. 292—Mutual Assistance in Criminal Matters (Malaysia) Regulations 2006 [F2006L03651]*.

National Health Act—

Arrangements Nos—

PB 51 of 2006—Highly Specialised Drugs Program [F2006L03690]*.

PB 52 of 2006—Chemotherapy Pharmaceuticals Access Program [F2006L03692]*.

PB 53 of 2006—Special Authority Program (Imatinib Mesylate) [F2006L03693]*.

PB 54 of 2006—Special Authority Program (Trastuzumab) [F2006L03696]*.

Declarations Nos—

PB 46 of 2006 [F2006L03668]*.

PB 49 of 2006 [F2006L03688]*.

Determinations Nos—

PB 47 of 2006 [F2006L03686]*.

PB 48 of 2006 [F2006L03687]*.

PB 50 of 2006 [F2006L03689]*.

Product Rulings—

Addendum—PR 2006/114.

PR 2006/152 and PR 2006/153.

Remuneration Tribunal Act—Select Legislative Instrument 2006 No. 296—Remuneration Tribunal (Members' Fees and Allowances) Amendment Regulations 2006 (No. 1) [F2006L03695]*.

Safety, Rehabilitation and Compensation Act—Select Legislative Instrument 2006 No. 297—Safety, Rehabilitation and Compensation Amendment Regulations 2006 (No. 1) [F2006L03691]*.

Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Act—Select Legislative Instrument 2006 No. 295—Schools Assistance (Learning Together – Achievement Through Choice and Opportunity) Amendment Regulations 2006 (No. 2) [F2006L03666]*.

Sydney Airport Curfew Act—Dispensation Report 08/06.

Taxation Determinations TD 2006/63-TD 2006/72.

Taxation Rulings—Old Series—Notices of Withdrawal—IT 134, IT 326, IT 2305, IT 2414, IT 2439 and IT 2470.

Telecommunications Act—

Telecommunications Labelling (Customer Equipment and Customer Cabling) Amendment Notice 2006 (No. 3) [F2006L03767]*.

Telecommunications Technical Standard (Customer Access Equipment for connection to a Telecommunications Network AS/ACIF S003:2006) 2006 [F2006L03764]*.

Telecommunications Technical Standard (Requirements for Customer Equipment for connection to a metallic local loop interface of a Telecommunications Network – Part 2: Broadband – AS/ACIF S043.2:2006) 2006 [F2006L03766]*.

Telecommunications Technical Standard (Voice frequency performance requirements for Customer Equipment AS/ACIF S004:2006) 2006 [F2006L03765]*.

Telecommunications (Interception and Access) Act—Select Legislative Instrument 2006 No. 293—Telecommunications (Interception and Access) Amendment Regulations 2006 (No. 2) [F2006L03703]*.

Trade Practices Act—Select Legislative Instrument 2006 No. 304—Trade Practices (Industry Codes – Oilcode) Regulations 2006 [F2006L03714]*.

Veterans' Entitlements Act—

Determination of Non-warlike Service—Operation RAMP [F2006L03709]*.

Select Legislative Instrument 2006 No. 294—Veterans' Entitlements (Special Assistance) Amendment Regulations 2006 (No. 1) [F2006L03710]*.

Veterans' Entitlements (Special Disability Trust Beneficiary Requirements) Nomination of Agreement 2006 [F2006L03097]*.

Veterans' Entitlements (Special Disability Trust) Guidelines 2006 [F2006L03098]*.

Veterans' Entitlements (Special Disability Trust – Trust Deed, Reporting and Audit Requirements) Determination 2006 [F2006L03100]*.

Governor-General's Proclamation—Commencement of provisions of an Act

Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act 2006—Items 17 to 19 of Schedule 1—21 November 2006 [F2006L03740].*

* Explanatory statement tabled with legislative instrument.

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

The following document was tabled pursuant to the order of the Senate of 20 June 2001, as amended:

Departmental and agency contracts for 2005-06—Letter of advice—Department of Health and Ageing portfolio agencies.

30 GOVERNOR-GENERAL'S MESSAGE—ASSENT TO LAWS

A message from His Excellency the Governor-General was reported, informing the Senate that he had assented to the following laws:

9 November 2006—Message No. 45—

Aged Care Amendment (Residential Care) Act 2006 (Act No. 133, 2006)

Financial Transaction Reports Amendment Act 2006 (Act No. 134, 2006).

**31 FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—
MEDIBANK PRIVATE SALE BILL 2006**

Pursuant to order, Senator McGauran, at the request of the Chair of the Finance and Public Administration Committee (Senator Fifield), tabled the following report and documents:

Finance and Public Administration—Standing Committee—Medibank Private Sale Bill 2006 [Provisions]—Report, dated November 2006, Hansard record of proceedings, documents presented to the committee, additional information and submissions [12].

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

32 INDIGENOUS EDUCATION (TARGETED ASSISTANCE) AMENDMENT BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for Immigration and Multicultural Affairs (Senator Vanstone)—That this bill be now read a second time—*and on the amendment moved by Senator Wong (see entry no. 5).*

Debate ensued.

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

Main question put and passed.

Bill read a second time.

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

On the motion of the Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) the bill was read a third time.

33 EDUCATION SERVICES FOR OVERSEAS STUDENTS LEGISLATION AMENDMENT (2006 MEASURES NO. 1) BILL 2006

EDUCATION SERVICES FOR OVERSEAS STUDENTS LEGISLATION AMENDMENT (2006 MEASURES NO. 2) 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 these bills be now read a second time.

Debate resumed.

Question put and passed.

Bills read a second time.

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

In the committee

EDUCATION SERVICES FOR OVERSEAS STUDENTS LEGISLATION AMENDMENT (2006 MEASURES NO. 1) BILL 2006—

Bill taken as a whole by leave.

Senator Wong moved the following amendments together by leave:

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

1A Section 5

Insert:

Christmas Island has the same meaning as in section 4 of the *Christmas Island Act 1958*.

Schedule 1, page 3 (after line 12), after item 2, insert:

2A Section 5 (definition of State)

After “includes”, insert “Christmas Island,”.

Debate ensued.

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

Senator Wong moved the following amendment:

Schedule 1, page 5 (after line 30), after item 16, insert:

16A Section 23

Repeal the section, substitute:

23 Annual registration charge

- (1) The Secretary must give to each provider who is liable to pay an annual registration charge for a year a written notice stating the amount of the charge.
- (2) A notice under this section must be given to a provider by the last business day in the January of the relevant calendar year.
- (3) Subject to subsection (4), a registered provider must pay the annual registration charge for which the provider is liable by the last business day in the February of the relevant calendar year.
- (4) If the notice has not been given to a provider by the last business day in the January of the relevant calendar year, the annual registration charge for which the provider is liable must be paid within 28 days of the day on which the notice was given to the provider.

Debate ensued.

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

Bill agreed to.

EDUCATION SERVICES FOR OVERSEAS STUDENTS LEGISLATION AMENDMENT (2006 MEASURES NO. 2) BILL 2006—

Bill, taken as whole by leave, agreed to.

Bills to be reported without amendments.

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

On the motion of the Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) the report from the committee was adopted and the bills read a third time.

34 AUSTRALIAN NUCLEAR SCIENCE AND TECHNOLOGY ORGANISATION AMENDMENT BILL 2006

Order of the day read for the adjourned debate on the motion of the Minister for Ageing (Senator Santoro)—That this bill be now read a second time—*and on the amendment moved by Senator Stephens:*

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

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

Debate resumed.

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

Main question put and passed.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

The Leader of the Australian Democrats (Senator Allison) moved the following amendment:

Schedule 1, page 5 (after line 17), after item 8, insert:

8A After subsection 5(2)

Insert:

- (2A) The Organisation must not condition, manage or store high level radioactive material except material generated by, or associated with, the operation of the Lucas Heights Research Laboratories, or any health or medical facility operating within Australia.
- (2B) For the purposes of subsection (2A), *high level radioactive material* includes radioactive waste.

Note: **High level radioactive material** is defined in section 3 of the *Commonwealth Radioactive Waste Management Act 2005*.

At 9.50 pm: The Acting Deputy President (Senator Moore) resumed the chair and the Temporary Chair of Committees reported progress.

35 ADJOURNMENT

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

Debate ensued.

Documents: Senator Bartlett, by leave, tabled the following documents:

Environment—Queensland—Proposed Wyaralong Dam—

Wyaralong Dam: issues and alternatives—Report prepared by Dr G Bradd Witt and Katherine Witt, 2nd edition, October 2006.

Wyaralong Dam: century scale performance—Supplementary report to ‘Wyaralong Dam: issues and alternatives’—Prepared by Dr G Bradd Witt and Katherine Witt, November 2006.

Debate continued.

The Senate adjourned at 10.32 pm till Tuesday, 28 November 2006 at 12.30 pm.

36 ATTENDANCE

Present, all senators except Senators Bishop, George Campbell*, Conroy*, Kirk and Mason* (* on leave).

HARRY EVANS
Clerk of the Senate