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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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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:

Defence Force Remuneration Tribunal—Report for 2005-06.

Department of Education, Science and Training—Australian vocational and technical education system—Report for 2005.

Indigenous Business Australia—Report for 2005-06.

Migration Act 1958—Section 486O—Assessment of appropriateness of detention arrangements—Personal identifiers 074/06 to 081/06—

Commonwealth Ombudsman's reports.

Commonwealth Ombudsman's reports—Government response.

3 CRIMES LEGISLATION AMENDMENT (NATIONAL INVESTIGATIVE POWERS AND WITNESS PROTECTION) BILL 2006

The Minister for Justice and Customs (Senator Ellison), pursuant to notice, moved government business notice of motion no. 1—That the following bill be introduced:

A Bill for an Act to amend the law relating to the investigation of criminal activity and the protection of witnesses, and for related purposes.

Question put and passed.

Senator Ellison presented the bill and moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

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

Explanatory memorandum: Senator Ellison tabled an explanatory memorandum relating to the bill.

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

**4 INDEPENDENT CONTRACTORS BILL 2006
WORKPLACE RELATIONS LEGISLATION AMENDMENT (INDEPENDENT CONTRACTORS) BILL 2006**

Order of the day read for the adjourned debate on the motion of the Minister for Fisheries, Forestry and Conservation (Senator Abetz)—That these bills be now read a second time—and on the amendment moved by Senator Murray in respect of the *Independent Contractors Bill 2006*:

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

- (a) notes that this bill does not require contractors to provide for their superannuation payments, workers compensation, and for income insurance, normally mandated to be covered by an employer; and
- (b) calls on the Government:
 - (i) to investigate the issue of cost shifting from private to public as a result of shifts in labour markets away from employment relationships to contractual relationships, where the absence of a mandatory requirement for superannuation payments, for workers compensation, and for income insurance to be covered results in a significant new and long-term burden on taxpayers, and
 - (ii) to report to the Parliament within the next 12 months outlining what solutions it proposes to this problem”.

Debate resumed.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 32

Senators—

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

NOES, 34

Senators—

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

Question negatived.

Main question put.

The Senate divided—

AYES, 35

Senators—

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

NOES, 31

Senators—

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

Question agreed to.

Bills read a second time.

On the motion of Senator Abetz consideration of the bills in committee of the whole was made an order of the day for the next day of sitting.

5 COPYRIGHT AMENDMENT BILL 2006

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

Debate resumed.

Senator Ludwig moved the following amendment:

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

(a) notes:

- (i) the rushed and inadequate process for drafting this bill and its numerous amendments, allowing little time for detailed analysis of its provisions by industry, experts and consumers,
- (ii) the Government’s decision to not adopt a general ‘fair use’ provision, thereby focusing debate on the detailed exceptions and necessitating a stifling policy decision which limits format shifting to current, but not emerging technologies,
- (iii) the initial far reaching strict liability provisions, which the Government has itself recognised needed to be dropped, but flags concerns that other unintended consequences may unfairly penalise consumers,
- (iv) the concerns of the Internet industry about unintended consequences of this bill,
- (v) the need for a strong public education campaign about copyright laws, and
- (vi) notes the Government’s failure to include the recommended 2-year review in the legislation; and

(b) expresses grave reservations, despite a number of positive aspects of the bill, that the overall package is cumbersome, complex and confusing”.

Debate ensued.

At 12.45 pm: Debate was interrupted.

6 MATTERS OF PUBLIC INTEREST

Matters of public interest were discussed.

Suspension of sitting: On the motion of the Parliamentary Secretary to the Minister for Defence (Senator Sandy Macdonald) the sitting of the Senate was suspended at 1.55 pm till 2 pm.

At 2 pm—

7 QUESTIONS

Questions without notice were answered.

8 TRADE—IRAQ—AUSTRALIAN WHEAT BOARD—ANSWER TO QUESTION

Senator O'Brien 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 O'Brien today relating to the Australian Wheat Board and the United Nations Oil-for-Food Programme.

Debate ensued.

Question put and passed.

9 INDIGENOUS AUSTRALIANS—PETROL SNIFFING—EDUCATION CAMPAIGN—FUNDING—ANSWER TO QUESTION

Senator Siewert moved—That the Senate take note of the answer given by the Minister for Ageing (Senator Santoro) to a question without notice asked by Senator Siewert today relating to funding for an education campaign concerning Opal fuel and petrol sniffing.

Question put and passed.

10 NOTICES

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

(a) notes:

- (i) the maturing relationship between Vietnam and Australia, the high-level contacts between Prime Ministers, Australia's development cooperation program of approximately \$81 million per year, and the strong people to people links,
- (ii) continuing international concern about human rights issues in Vietnam, including gaoling, administrative detention, harassment of human rights activists for their advocacy of democracy, and religious freedom,
- (iii) the importance of addressing the cases of individuals such as the Most Venerable Thich Quang Do and Thich Huyen Quang, Hoa Hao Elderly Mr Le Quang Liem, Pastor Nguyen Cong Chinh, Dr Pham Hong Son, journalists Nguyen Khac Toan and Nguyen Vu Binh and many ethnic Montagnard people such as Siu Boch, A Brih, and Y Tim Bya, and
- (iv) the Australian Government's active support and promotion of democratic freedoms and human rights in Vietnam, including through the annual human rights dialogue, and other cooperation programs, and encourages the Government to continue these efforts; and

(b) calls on the Vietnamese Government to observe its international obligations on human rights, including the provision of free and fair elections. (*general business notice of motion no. 649*)

Senators Murray and Siewert: To move on the next day of sitting—That the Senate—

(a) notes that:

- (i) the Government will need time to consider possible legislative changes to the wheat export regime, following the report of the Cole Commission of Inquiry, but
- (ii) from a cash flow and revenue perspective, Western Australian wheat growers need urgent resolution in 2006 to present export impediments; and

(b) asks the Government to consider introducing legislation into the Senate in the sitting week commencing 4 December 2006 to provide that, for a period of 15 months or two seasons, the final approval power for wheat export licences be transferred to the Treasurer. (*general business notice of motion no. 650*)

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

(a) notes:

- (i) there have been calls by landowners in the Ramsar-listed Gwydir Wetlands for it to be de-listed as a Ramsar site due to its degraded condition, and
- (ii) the declining condition of Gwydir Wetlands, Macquarie Marshes, the Coorong and other Ramsar Wetlands of International Importance; and

(b) calls on the Federal Government to establish an independent review of the health and management of Ramsar wetlands in Australia. (*general business notice of motion no. 651*)

Senator Siewert: To move on 5 December 2006—That the 2006/07 SBT Australian National Catch Allocation Determination, made under subclause 17(2) of the Southern Bluefin Tuna Fishery Management Plan 1995, be disallowed.

Senator Bartlett: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to remove the privative clause in the *Migration Act 1958*, and for related purposes. ***Migration Legislation Amendment (Restoration of Fair Process) Bill 2006***. (*general business notice of motion no. 652*)

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

(a) notes that:

- (i) 3 December marks the International Day of People with Disability,
- (ii) the International Day of People with Disability was established in 1992 by the United Nations General Assembly to promote an understanding of disability issues and mobilise support for the dignity, rights and well-being of persons with disabilities and to increase awareness of gains to be derived from the integration of persons with disabilities in every aspect of political, social, economic and cultural life,
- (iii) one in 5 Australians (approximately 3.95 million people) has a reported disability and, of those who have a disability, only 53 per cent are in the workforce, compared with 81 per cent of people without a disability, while the unemployment rate among people with disability is 8.6 per cent, compared with 5 per cent for people without a disability, and
- (iv) there are more than 2.5 million Australians who take on a caring role and provide some assistance to people who require help because of their disability or age; and

- (b) calls on the Government to recognise that advocacy for people with disability is an essential service and that people with disability need access to advocates to speak on their behalf and direction both individually and systemically. (*general business notice of motion no. 653*)

The Chair of the Economics Committee (Senator Brandis): To move on the next day of sitting—That the time for the presentation of the report of the Economics Committee on petrol pricing in Australia be extended to 7 December 2006. (*general business notice of motion no. 654*)

The Chair of the Economics Committee (Senator Brandis): To move on the next day of sitting—That the Economics Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 7 December 2006, from 3.30 pm, to further consider the 2006-07 supplementary Budget estimates. (*general business notice of motion no. 655*)

Senators Payne and Stott Despoja: To move on the next day of sitting—That the Senate—

- (a) recognises that 1 December is World AIDS Day, and the theme for 2006 is ‘HIV/AIDS: Let’s talk about it: many faces, different stories’;
- (b) notes:
 - (i) the efforts of those who work to raise consciousness in the community about HIV/AIDS issues and the need for ongoing development of education and prevention initiatives, and
 - (ii) that according to UNAIDS, the Joint United Nations Programme on HIV/AIDS, there are 39.3 million people globally living with HIV, including 4.3 million new infections in 2006, 960 000 of which are in east, south and south-east Asia, and 7 100 in the Oceania region;
- (c) recognises that the Australian Government spends approximately \$48 million directly each year on HIV/AIDS initiatives and supports steps to combat the effects of HIV/AIDS through the Asia-Pacific Business Coalition on HIV/AIDS, the AusAID-Clinton Foundation Partnership, and the Asia Pacific Leadership Forum on HIV/AIDS and Development; and
- (d) notes the work of private and public institutions and non-government organisations in the fight against HIV/AIDS. (*general business notice of motion no. 656*)

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

- (a) notes:
 - (i) the decision of the Land and Environment Court of New South Wales to require climate change impacts to be considered in environmental assessments of new projects such as coal mines,
 - (ii) that coal from the proposed Anvil Hill mine in the Hunter Valley when burnt will cause 27 000 000 tonnes of greenhouse gas emissions, the equivalent of 4 million extra cars on our roads,
 - (iii) the growing community opposition to the mine, including miners, wine makers and farmers, and
 - (iv) the 42 per cent growth in coal exports in the 2005-06 financial year; and
- (b) calls on the Government to:
 - (i) ensure that the impact of major projects on climate change be a requirement of all future environmental assessments and federal government decisions, and

- (ii) recognise that the continued expansion of the coal industry is not compatible with curbing climate change. (*general business notice of motion no. 657*)

11 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 14 OF 2006

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

SELECTION OF BILLS COMMITTEE

REPORT NO. 14 OF 2006

1. The committee met in private session on Tuesday, 28 November 2006 at 4.28 pm.
2. The committee resolved to recommend—That the following bills not be referred to committees:
 - Migration Legislation Amendment (Duration of Detention) Bill 2006
 - Migration Legislation Amendment (Restoration of Human Rights) Bill 2006
 - Tax Laws Amendment (2006 Measures No. 6) Bill 2006.

The committee recommends accordingly.

Jeannie Ferris

Chair

29 November 2006.

Senator Ferris moved—That the report be adopted.

Question put and passed.

12 POSTPONEMENTS

The following items of business were postponed:

General business notice of motion no. 608 standing in the name of Senator Nettle for 30 November 2006, relating to water resources of the Murray-Darling Basin, postponed till 4 December 2006.

General business notice of motion no. 646 standing in the name of Senator Murray for today, relating to donations, loans and gifts from developers to political parties, postponed till 30 November 2006.

General business notice of motion no. 647 standing in the name of the Leader of the Australian Democrats (Senator Allison) for today, relating to carbon dioxide emissions, postponed till 30 November 2006.

**13 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—
EXTENSIONS OF TIME TO REPORT**

Senator Ferris, at the request of the Chair of the Rural and Regional Affairs and Transport Committee (Senator Heffernan) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 645—That the time for the presentation of reports of the Rural and Regional Affairs and Transport Committee be extended as follows:

- (a) water policy initiatives—to 5 December 2006; and
- (b) Australia's future oil supply—to 7 December 2006.

Question put and passed.

**14 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—
LEAVE TO MEET DURING SITTINGS**

Senator Ferris, at the request of the Chair of the Parliamentary Joint Committee on Corporations and Financial Services (Senator Chapman) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 644—That the Parliamentary Joint Committee on Corporations and Financial Services be authorised to hold public meetings during the sittings of the Senate as follows:

- (a) on Thursday, 30 November 2006, from 5.30 pm, to take evidence for the committee's continuing oversight of the operations of the Australian Securities and Investments Commission; and
- (b) on Friday, 1 December 2006, from 9 am, to take evidence for the committee's inquiry into the exposure draft of the Corporations Amendment (Takeovers) Bill 2006.

Question put and passed.

15 WOMEN—INTERNATIONAL DAY FOR THE ELIMINATION OF VIOLENCE AGAINST WOMEN

Senator Stott Despoja, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 638—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.

Question put.

The Senate divided—

AYES, 32

Senators—

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

NOES, 34

Senators—

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

Question negatived.

16 ENVIRONMENT—TASMANIA—WELD RIVER VALLEY

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. 641—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.

Question put.

The Senate divided—

AYES, 8

Senators—

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

NOES, 53

Senators—

Abetz	Ellison	Ludwig	Ray
Adams	Ferguson	Lundy	Ronaldson
Barnett	Ferris (Teller)	Macdonald, Sandy	Scullion
Bernardi	Fielding	Marshall	Stephens
Bishop	Fierravanti-Wells	McEwen	Sterle
Brandis	Fifield	McGauran	Troeth
Brown, Carol	Forshaw	McLucas	Trood
Calvert	Hogg	Moore	Watson
Carr	Humphries	Nash	Webber
Chapman	Hurley	O'Brien	Wong
Colbeck	Johnston	Parry	Wortley
Coonan	Joyce	Patterson	
Crossin	Kemp	Payne	
Eggleston	Kirk	Polley	

Question negatived.

17 SCRUTINY OF BILLS—STANDING COMMITTEE—11TH REPORT AND ALERT DIGEST NO. 14 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—

11th report of 2006, dated 29 November 2006.

Alert Digest No. 14 of 2006, dated 29 November 2006.

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

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

Debate ensued.

Question put and passed.

18 PARLIAMENTARY ZONE—CAPITAL WORKS PROPOSAL—DOCUMENTS

The Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) tabled the following documents:

Parliament Act—Parliamentary Zone—Proposal, together with supporting documentation, relating to Parliamentary Zone directional and interpretive signage.

Notice of motion: Senator Colbeck, by leave, gave a notice of motion as follows: To move on the next day of sitting—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the National Capital Authority to provide directional and interpretive signage in the Parliamentary Zone.

19 AUSTRALIAN PARLIAMENTARY DELEGATION TO THE REPUBLIC OF KOREA AND THE UNITED STATES OF AMERICA—DOCUMENT

Senator Johnston, by leave, tabled the following document:

Republic of Korea and the United States of America—Report of the Australian parliamentary delegation, 13 to 24 September 2006, dated November 2006.

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

Debate ensued.

Question put and passed.

20 DOCUMENTS

The following documents were tabled by the Clerk:

Australian Research Council Act—Approvals of expenditure on research programs—Determinations Nos—

32—Linkage International Awards Round 1 commencing in 2006.

33—Linkage Learned Academies Special Projects funding commencing in 2006.

34—Discovery Indigenous Researchers Development commencing in 2007.

35—Discovery Projects commencing in 2007.

36—Linkage Infrastructure, Equipment and Facilities commencing in 2007.

37—Linkage International Awards Round 2 commencing in 2007.

38—Linkage International Fellowships commencing in 2007.

39—Linkage Projects Round 1 commencing in 2007.

21 FINANCIAL SECTOR LEGISLATION AMENDMENT (TRANS-TASMAN BANKING SUPERVISION) BILL 2006

JUDICIARY LEGISLATION AMENDMENT BILL 2006

PRIVACY LEGISLATION AMENDMENT (EMERGENCIES AND DISASTERS) BILL 2006

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

Message no. 439, dated 28 November 2006—Financial Sector Legislation Amendment (Trans-Tasman Banking Supervision) Bill 2006.

Message no. 437, dated 28 November 2006—Judiciary Legislation Amendment Bill 2006.

Message no. 438, dated 28 November 2006—Privacy Legislation Amendment (Emergencies and Disasters) Bill 2006.

22 ANTI-MONEY LAUNDERING AND COUNTER-TERRORISM FINANCING BILL 2006

ANTI-MONEY LAUNDERING AND COUNTER-TERRORISM FINANCING

(TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 2006

TELECOMMUNICATIONS AMENDMENT (INTEGRATED PUBLIC NUMBER DATABASE) BILL 2006

CUSTOMS LEGISLATION AMENDMENT (NEW ZEALAND RULES OF ORIGIN) BILL 2006

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

Message no. 434, dated 28 November 2006—A Bill for an Act to combat money laundering and the financing of terrorism, and for other purposes.

Message no. 435, dated 28 November 2006—A Bill for an Act to deal with transitional and consequential matters in connection with the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*, and for other purposes.

Message no. 436, dated 28 November 2006—A Bill for an Act to amend the *Telecommunications Act 1997*, and for related purposes.

Message no. 440, dated 28 November 2006—A Bill for an Act to amend the law relating to customs, and for related purposes.

The Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Colbeck moved—That these bills be now read a second time.

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

Consideration of legislation: Senator Colbeck moved—That the Telecommunications Amendment (Integrated Public Number Database) Bill 2006 and the Customs Legislation Amendment (New Zealand Rules of Origin) Bill 2006 be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

23 CRIMES AMENDMENT (BAIL AND SENTENCING) BILL 2006

A message from the House of Representatives was reported agreeing to the following bill with amendments:

Message no. 441, dated 29 November 2006—Crimes Amendment (Bail and Sentencing) Bill 2006.

On the motion of the Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck) consideration of the message in committee of the whole was made an order of the day for the next day of sitting.

24 COPYRIGHT 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 Ludwig (see entry no. 5).*

Debate resumed.

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

Main question put and passed.

Bill read a second time.

On the motion of the Minister for Justice and Customs (Senator Ellison) consideration of the bill in committee of the whole was made an order of the day for the next day of sitting.

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

Senator Carr moved the following amendment:

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

- (a) expresses its serious concern that:
 - (i) the bill is being rushed through the Parliament without proper consideration or consultation,
 - (ii) the Howard Government has failed to halt the decline in Australia’s natural environment and best agricultural land,
 - (iii) the bill contains no measures to cut Australia’s spiralling greenhouse pollution or protect Australia from dangerous climate change,
 - (iv) the bill will increase the Howard Government’s politicisation of environment and heritage protection, and
 - (v) many of the proposed changes in the bill will reduce ministerial accountability and opportunities for genuine public consultation; and therefore
- (b) calls on the Howard Government to:
 - (i) ensure climate change is properly factored into environmental decision-making under the *Environment Protection and Biodiversity Conservation Act 1999*,
 - (ii) establish a climate change trigger in the Act to ensure large scale greenhouse polluting projects are assessed by the Federal Government, and
 - (iii) allow greater time for public consultation and debate on the bill”.

Debate ensued.

At 6.50 pm: Debate was interrupted while the Leader of the Australian Greens (Senator Bob Brown) was speaking.

26 GOVERNMENT DOCUMENTS—CONSIDERATION

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

Indigenous Business Australia—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.

Migration Act 1958—Section 486O—Assessment of appropriateness of detention arrangements—Reports by the Commonwealth Ombudsman—Personal identifiers 074/06 to 081/06. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

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

Veterans' Review Board—Report for 2005-06. Motion to take note of document moved by Senator Bartlett and agreed to.

Human Rights and Equal Opportunity Commission—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.

Administrative Appeals Tribunal—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 147, 148, 150 to 155, 157 to 159 and 161 to 164 relating to government documents were called on but no motion was moved.

27 ADJOURNMENT

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

Debate ensued.

Document: Senator Stott Despoja, by leave, tabled the following document:

Foreign affairs—East Timor—Commission for Reception, Truth and Reconciliation in Timor-Leste (CAVR)—*Chega*—Executive summary to the final report, 2005.

Debate continued.

The Senate adjourned at 7.46 pm till Thursday, 30 November 2006 at 9.30 am.

28 ATTENDANCE

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

HARRY EVANS
Clerk of the Senate