THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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Contents

1 Meeting of Senate ................................................................. 3935
2 Great Barrier Reef Marine Park Amendment Bill 2007 ...................... 3935
3 Questions .............................................................................. 3935
4 Communications—Broadband—Answers to Questions ..................... 3935
5 Law and Justice—Hand Guns—Answer to Question .......................... 3936
6 Petition ................................................................................ 3936
7 Notices .................................................................................. 3936
8 Postponements ...................................................................... 3937
9 Peace and Non-Violence Commission Bill 2007 ................................. 3938
10 Trade Practices Amendment (Predatory Pricing) Bill 2007 ................. 3938
11 Foreign Affairs—Israel and Palestine .......................................... 3938
12 Foreign Affairs—Russia .......................................................... 3939
13 Law and Justice—Sexuality Discrimination—Adoption Rights ........ 3940
14 Environment, Communications, Information Technology and the Arts—
   Standing Committee—Report—Great Barrier Reef Marine Park
   Amendment Bill 2007 ............................................................... 3940
15 Vacancy in the Representation of South Australia—Choice of Mary
   Josephine Fisher—Document .................................................. 3941
16 Parliamentary Zone—Capital Works Proposal—Documents .............. 3941
17 Electoral Matters—Joint Standing Committee—Report—Civics and
   Electoral Education ............................................................... 3941
18 Australian Parliamentary Observer Delegation to East Timor—Document 3941
19 Documents ........................................................................... 3941
20 Community Affairs—Standing Committee—Report—National Health
   Amendment (Pharmaceutical Benefits Scheme) Bill 2007 ................. 3943
21 Rural and Regional Affairs and Transport—Standing Committee—
   Report—Fisheries Legislation Amendment Bill 2007 and Fisheries Levy
   Amendment Bill 2007 .............................................................. 3943
22 Order of Business—Rearrangement .......................................... 3943
23 Workplace Relations Amendment (A Stronger Safety Net) Bill 2007 .... 3943
24  Adjournment ......................................................................................................... 3944
25  Attendance.......................................................................................................... 3944
1 **MEETING OF SENATE**

The Senate met at 12.30 pm. The President (Senator the Honourable Paul Calvert) took the chair and read prayers.

2 **GREAT BARRIER REEF MARINE PARK AMENDMENT BILL 2007**

Order of the day read for the adjourned debate on the motion of the Minister for Community Services (Senator Scullion)—That this bill be now read a second time. Debate resumed.

Senator McLucas moved the following amendment:

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

(a) affirms the object of the principal Act – the protection of the Great Barrier Reef – but notes that the future of the reef is threatened by both short-term and longer-term factors, including climate change;

(b) notes that the United Nations Intergovernmental Panel on Climate Change stated in 2007 that by 2050, 97 per cent of the Great Barrier Reef could be bleached every year as a result of climate change;

(c) condemns the Government’s incompetent handling of the structural adjustment package for the Great Barrier Reef Representative Areas Plan, which has seen the budget blow out from $31 million to more than $87 million;

(d) calls on the Government to develop and implement an action plan to help protect the Great Barrier Reef from the effects of coral bleaching and protect Australian jobs and industries dependent on a healthy reef, as part of a national climate change strategy; and

(e) calls on the Government to prohibit mineral, oil and gas exploration in Australian waters adjacent to the Great Barrier Reef Marine Park”.

Debate ensued.

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

Main question put and passed.

Bill read a second time.

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3 **QUESTIONS**

Questions without notice were answered.

4 **COMMUNICATIONS—BROADBAND—ANSWERS TO QUESTIONS**

Senator Conroy moved—That the Senate take note of the answers given by the Minister for Communications, Information Technology and the Arts (Senator Coonan) to questions without notice asked today relating to broadband telecommunications infrastructure.

Debate ensued.

Question put and passed.
LAW AND JUSTICE—HAND GUNS—ANSWER TO QUESTION

The Leader of the Australian Greens (Senator Bob Brown) 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 Bob Brown today relating to hand guns.

Question put and passed.

PETITION

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

From 974 petitioners, requesting that the Senate acknowledge the need for any legislation restricting the use of firearms to be based upon robust, peer reviewed evidence.

NOTICES

Notices of motion:

The Chair of the Economics Committee (Senator Ronaldson): To move on the next day of sitting—That the time for the presentation of the report of the Economics Committee on private equity markets be extended to 16 August 2007. (general business notice of motion no. 817)

Senator Faulkner: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Defence all documents including briefs to ministers concerning complaints and allegations made in 1997 and 1998 about substandard maintenance on Navy ships and the likely risks of harm, particularly with respect to the safety of HMAS Westralia, as well as responses and results of any investigations into those complaints and allegations subsequently conducted. (general business notice of motion no. 818)

Senator Murray: To move on the next day of sitting—That general business order of the day no. 16 relating to the Public Interest Disclosure (Protection of Whistleblowers) Bill 2002 [2004] be discharged from the Notice Paper. (general business notice of motion no. 819)

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

(a) notes that:

(i) the respected British Broadcasting Corporation journalist Mr Alan Johnston was abducted whilst on assignment in the Gaza Strip more than 3 months ago and his whereabouts remains unknown,

(ii) the Army of Islam group has claimed responsibility for that abduction, and

(iii) all factions in the Palestinian Parliament, including the Fatah and Hamas factions, have condemned the abduction; and

(b) calls on the Australian Government to:

(i) express its concern about the plight of Mr Johnston to the Palestinian authorities,

(ii) use whatever influence it may have with the Palestinian authorities to secure the safe return of Mr Johnston, and

(iii) use whatever influence it may have in the region to ensure that the release of Mr Johnston does not add to the bloodshed in the Palestinian territories. (general business notice of motion no. 820)
Senator Stephens: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) an estimated one million children are driven into the multi-billion dollar commercial sex trade every year,

(ii) more than 100 countries are parties to the United Nations (UN) ‘Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography’, which opposes the sale of children, child prostitution and child pornography and requires those offering or delivering or accepting children for the purposes of sexual exploitation, organ harvesting or forced labour to be punished,

(iii) while Australia ratified the optional protocol on 8 January 2007, some countries in our region that receive aid from Australia have signed the optional protocol but are yet to ratify it, while others are yet to sign the document, and

(iv) poverty is a key driver in fuelling child and adult trafficking; and

(b) calls on the Federal Government to:

(i) encourage countries in the region to sign to and ratify the UN ‘Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children’ and implement its requirements,

(ii) increase support for poverty alleviation programs directly targeted to assist poor communities particularly affected by people trafficking, and

(iii) enhance its responses to the needs of victims of trafficking into Australia by improving support services and access to visas and by assisting the repatriation of those who wish to return to their country of origin.


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 notices of motion nos 2 and 3 standing in his name for 8 sitting days after today for the disallowance of the following instruments:


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

8 Postponements

The following items of business were postponed:

- Business of the Senate notice of motion no. 1 standing in the name of Senator O’Brien for today, proposing the reference of a matter to the Rural and Regional Affairs and Transport Committee, postponed till 19 June 2007.
- General business notice of motion no. 814 standing in the name of Senator Nettle for today, proposing the introduction of the Migration (Climate Refugees) Amendment Bill 2007, postponed till 21 June 2007.
General business notice of motion no. 815 standing in the names of Senators Siewert and Nettle for today, relating to water resources in northern New South Wales, postponed till 19 June 2007.

9 PEACE AND NON-VIOLENCE COMMISSION BILL 2007
The Leader of the Australian Democrats (Senator Allison), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 792—That the following bill be introduced:

A Bill for an Act to establish a Commission for peace and non-violence, and for related purposes.

Question put and passed.
Senator Allison 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 Allison moved—That this bill be now read a second time.

Explanatory memorandum: Senator Allison, by leave, tabled an explanatory memorandum relating to the bill.

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

10 TRADE PRACTICES AMENDMENT (PREDATORY PRICING) BILL 2007
The Leader of the Family First Party (Senator Fielding), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 811—That the following bill be introduced:

A Bill for an Act to protect competitive markets by prohibiting predatory pricing.

Question put and passed.
Senator Fielding 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 Fielding moved—That this bill be now read a second time.
Debate adjourned till the next day of sitting, Senator Fielding in continuation.

11 FOREIGN AFFAIRS—ISRAEL AND PALESTINE
Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 810—That the Senate—

(a) notes that 10 June 2007 marks 40 years since the Israeli occupation of the West Bank, Gaza Strip and Golan Heights; and

(b) calls on the Australian Government to:

(i) take action to ensure that Israel complies with United Nations Security Council Resolution 242 passed unanimously in 1967 that calls for a ‘withdrawal of Israel armed forces from territories occupied in the recent conflict’,
(ii) ensure that humanitarian relief is provided to those who need it, particularly the children in Palestine,
(iii) stop providing arms to Israel, and
(iv) play a constructive role to ensure that peace and justice can be achieved in Palestine, Israel and the Middle East.

Question put and negatived. All Australian Greens senators, by leave, recorded their votes for the ayes.

Statement by leave: Senator Stott Despoja, by leave, made a statement relating to the motion.

12 FOREIGN AFFAIRS—RUSSIA

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 812—That the Senate—

(a) notes:
(i) the use of a nuclear by-product, polonium-210, sourced from the Russian Federation (Russia) in the murder of Alexander Litvinenko,
(ii) that Russia supplies nuclear materials to Iran,
(iii) that Russia is in talks with the military regime in Myanmar with a view to supplying nuclear materials to that regime, and
(iv) that, following attacks on freedom of the press and the murders of several journalists in Russia, the Committee to Protect Journalists rates Russia as the third most dangerous country in the world for journalists, after Iraq and Afghanistan; and

(b) calls on the Government not to sell uranium to Russia.

Question put.
The Senate divided—

AYES, 8

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

NOES, 49

Senators—
Abetz
Adams
Bernardi
Birmingham
Bishop
Boycy
Brown, Carol
Campbell
Carr
Chapman
Colbeck
Crossin

Eggleston
Faulkner
Fielding
Fierravanti-Wells
Fifield
Fisher
Forshaw
Hogg
Humphries
Hurley
Hutchins
Kemp

Kirk
Ludwig
Marshall
Mason
McEwen
Moore
Nash
O’Brien
Parry (Teller)
Payne
Polley
Ray
Scullion
Sherry
Stephens
Sterle
Trost
Trood
Watson
Webber
Wong
Wortley

Question negatived.
13 **LAW AND JUSTICE—SEXUALITY DISCRIMINATION—ADOPTION RIGHTS**

Senator Nettle amended general business notice of motion no. 816 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes the Victorian Law Reform Commission’s publication, *Assisted reproductive technology & adoption: final report*, recommending ‘that the requirement that women must be married or in relationships with men to access clinical services needs to be removed from the legislation’ and ‘that same sex couples should be allowed to apply to adopt children’ and stating that ‘research shows that having single, lesbian or gay parents does not pose a risk to children’s wellbeing’; and

(b) calls on the Federal Government to work with all states and territories to provide IVF treatment and adoption rights to all people, regardless of their sexuality.

Question put.

The Senate divided—

**AYES, 8**

- Allison
- Brown, Bob
- Murray
- Siewert (Teller)
- Stott Despoja

**NOES, 51**

- Abetz
- Adams
- Barnett
- Bernardi
- Birmingham
- Bishop
- Boswell
- Boyce
- Brown, Carol
- Campbell
- Carr
- Chapman
- Colbeck
- Crossin
- Eggleston
- Faulkner
- Ferguson
- Fielding
- Fierravanti-Wells
- Fifield
- Fisher
- Forshaw
- Humphries
- Hurley
- Hutchins
- Joyce
- Kemp
- Kirk
- Ludwig
- Lundy
- Marshall
- Mason
- McEwen
- Moore
- Nash
- O’Brien
- Parry (Teller)
- Payne
- Polley
- Ray
- Scullion
- Sherry
- Stephens
- Sterle
- Troed
- Troth
- Watson
- Webber
- Wong
- Wortley

Question negatived.

14 **ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS—STANDING COMMITTEE—REPORT—GREAT BARRIER REEF MARINE PARK AMENDMENT BILL 2007**

The Deputy President (Senator Hogg) tabled the following report and documents received on 15 June 2007:


Report ordered to be printed on the motion of Senator Parry.
15 **VACANCY IN THE REPRESENTATION OF SOUTH AUSTRALIA—CHOICE OF MARY JOSEPHINE FISHER—DOCUMENT**

The Deputy President (Senator Hogg) tabled the original certificate of the choice by the Parliament of South Australia of Mary Josephine Fisher to fill the vacancy caused by the resignation of Senator Vanstone (see entry no. 3, 12 June 2007).

16 **PARLIAMENTARY ZONE—CAPITAL WORKS PROPOSAL—DOCUMENTS**

The Minister for Fisheries, Forestry and Conservation (Senator Abetz) tabled the following documents:

- Parliament Act—Parliamentary Zone—Proposal, together with supporting documentation, relating to the construction of an extension to the National Gallery of Australia.

*Notice of motion:* Senator Abetz, by leave, gave a notice of motion as follows: To move on 20 June 2007—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the National Capital Authority for capital works within the Parliamentary Zone, being the construction of an extension to the National Gallery of Australia.

17 **ELECTORAL MATTERS—JOINT STANDING COMMITTEE—REPORT—CIVICS AND ELECTORAL EDUCATION**

Senator Fierravanti-Wells, on behalf of the Joint Standing Committee on Electoral Matters, tabled the following report:


Senator Fierravanti-Wells, by leave, moved—That the Senate take note of the report. Debate ensued.

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

18 **AUSTRALIAN PARLIAMENTARY OBSERVER DELEGATION TO EAST TIMOR—DOCUMENT**

Senator Moore, by leave, tabled the following document:


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

Question put and passed.

19 **DOCUMENTS**

The following documents were tabled by the Clerk:

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

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives—Part 105—
  AD/A109/57—Cargo Hook Installation – 2 [F2007L01749]*.
  AD/A119/9—Cargo Hook Installation [F2007L01748]*.
  AD/ATR 42/1—State of Design Airworthiness Directives [F2007L01729]*.
  AD/B727/205 Amdt 1—Fuel Boost Pump Wiring [F2007L01728]*.
Class Ruling CR 2007/49.
Corporations Act—
  Accounting Standard AASB 2007-4—Amendments to Australian Accounting Standards arising from ED 151 and Other Amendments [F2007L01669]*.
  ASIC Class Order [CO 07/386] [F2007L01697]*.
Customs Act—
  Tariff Concession Orders—
    0703294 [F2007L01645]*.
    0703305 [F2007L01642]*.
    0703430 [F2007L01651]*.
    0703432 [F2007L01707]*.
    0703438 [F2007L01650]*.
    0703439 [F2007L01708]*.
    0703447 [F2007L01640]*.
    0703448 [F2007L01639]*.
    0703463 [F2007L01628]*.
    0703653 [F2007L01709]*.
    0703655 [F2007L01627]*.
    0703663 [F2007L01641]*.
    0703664 [F2007L01649]*.
    0703687 [F2007L01629]*.
    0703743 [F2007L01647]*.
    0703744 [F2007L01648]*.
    0703745 [F2007L01656]*.
    0703749 [F2007L01657]*.
    0703930 [F2007L01659]*.
    0703951 [F2007L01663]*.
    0703990 [F2007L01660]*.
    0704052 [F2007L01661]*.
    0704153 [F2007L01740]*.
    0704155 [F2007L01741]*.
Defence Act—Determinations under section 58H—Defence Force Remuneration Tribunal Determinations Nos—
  1 of 2007—Navy Electronic Warfare Category.
  4 of 2007—Interim Pay Grade Placements Engineers.
Disability Services Act—Disability Services (Rehabilitation Services) Guidelines 2007 [F2007L01683]*.
Lands Acquisition Act—Statements describing property acquired by agreement for specified public purposes under sections—
  40.
  125.
Migration Act—Migration Regulations—Instrument IMMI 07/023—Addresses for Applications for the Subclass 420 (Entertainment) Visa [F2007L01737]*.
Sydney Airport Curfew Act—Dispensation Report 06/07.
Veterans’ Entitlements Act—Determination of Hazardous Service—Afghanistan [F2007L01654]*.
* Explanatory statement tabled with legislative instrument.

20 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—NATIONAL HEALTH AMENDMENT (PHARMACEUTICAL BENEFITS SCHEME) BILL 2007
Pursuant to order, Senator McGauran, at the request of the Chair of the Community Affairs Committee (Senator Humphries), tabled the following report and documents:
Report ordered to be printed on the motion of Senator McGauran.

Pursuant to order, Senator McGauran, at the request of the Chair of the Rural and Regional Affairs and Transport Committee (Senator Heffernan), tabled the following report and document:
Report ordered to be printed on the motion of Senator McGauran.

22 ORDER OF BUSINESS—REARRANGEMENT
The Parliamentary Secretary to the Minister for Health and Ageing (Senator Mason) moved—That intervening business be postponed till after consideration of government business order of the day no. 2 (Workplace Relations Amendment (A Stronger Safety Net) Bill 2007).
Question put and passed.

23 WORKPLACE RELATIONS AMENDMENT (A STRONGER SAFETY NET) BILL 2007
Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Finance and Administration (Senator Colbeck)—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 condemns the Government’s lack of honesty about:

(a) its plans for extreme industrial relations laws before the last election;
(b) the impact of its inherently unfair Work Choices laws, including the way these laws have:
   (i) caused the pay and conditions of individuals on Australian Workplace Agreements to be cut,
   (ii) allowed good workers to be dismissed for no reason at all,
   (iii) placed an unprecedented paperwork burden on small businesses,
   and
   (iv) destroyed the independent industrial umpire;
(c) the cost of the taxpayer-funded polling research which apparently led the Government to drop the term ‘Work Choices’ and bring this bill to the Senate;
(d) the magnitude of the taxpayer-funded advertising campaign to promote the Government’s political spin on industrial relations;
(e) the fact that this bill leaves Australians still overwhelmingly exposed to the harshness of Work Choices; and
(f) its intention to legislate even harsher laws if re-elected”.

Debate ensued.

At 9.50 pm: Debate was interrupted while Senator Hogg was speaking.

24 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 10.29 pm till Tuesday, 19 June 2007 at 12.30 pm.

25 ATTENDANCE

Present, all senators except Senator Patterson.

HARRY EVANS
Clerk of the Senate