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AND

FRIDAY, 17 AUGUST 2007

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1 MEETING OF SENATE

The Senate met at 9.30 am. The President (Senator the Honourable Alan Ferguson) took the chair and read prayers.

2 PETITION

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

From 3 petitioners, requesting that the Senate take action to adopt a 10-year moratorium on Muslim immigration and review immigration policy to ensure priority for Christians from all races, as both immigrants and refugees.

3 NOTICES

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

- (a) calls on the Government to ensure that, in the spirit of the open market, no subsidies, payments or escape of taxes or payments be given to the Gunns Limited's proposed pulp mill in Tasmania; and
- (b) prefers that if taxpayer support for business is available it go to non-polluting, clean, green and environmentally-sustainable business. (*general business notice of motion no. 878*)

Senator Milne: To move on the next day of sitting—That the Senate calls on the Government to pursue a reduction in emissions of synthetic greenhouse gases in the Australian refrigeration and air conditioning industry by:

- (a) requiring end-of-life recovery and recycling or destruction of substances;
- (b) introducing financial measures, such as a tax or a refundable levy on synthetic greenhouse gases, to achieve an increased use of alternative substances with a reduced or negligible global warming potential;
- (c) introducing phase-out dates for the use of hydrochlorofluorocarbons and hydrofluorocarbons in particular sectors with high emissions; and
- (d) instigating measures which require the adoption of not-in-kind technologies. (*general business notice of motion no. 879*)

4 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 13 OF 2007

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

SELECTION OF BILLS COMMITTEE

REPORT NO. 13 OF 2007

- 1. The committee met in private session on Wednesday, 15 August 2007 at 4.17 pm.
- 2. The committee resolved to recommend—That—
 - (a) the Australian Securities and Investments Commission (Fair Bank and Credit Card Fees) Amendment Bill 2007 be *referred immediately* to the Economics Committee for inquiry and report by 17 September 2007;
 - (b) the National Market Driven Energy Efficiency Target Bill 2007 be *referred immediately* to the Economics Committee for inquiry and report by 22 October 2007;

- (c) the *provisions* of the Trade Practices Amendment (Small Business Protection) Bill 2007 be *referred immediately* to the Economics Committee for inquiry and report by 5 September 2007;
 - (d) the Offshore Petroleum Amendment (Miscellaneous Measures) Bill 2007 be *referred immediately* to the Economics Committee for inquiry and report by 11 September 2007;
 - (e) the *provisions* of the National Greenhouse and Energy Reporting Bill 2007 be *referred immediately* to the Environment, Communications, Information Technology and the Arts Committee for inquiry and report by 6 September 2007; and
 - (f) the *provisions* of the Defence Legislation Amendment Bill 2007 be *referred immediately* to the Foreign Affairs, Defence and Trade Committee for inquiry and report by 5 September 2007.
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
- APEC Public Holiday Bill 2007
 - Maritime Legislation Amendment Bill 2007
 - National Health Amendment (Pharmaceutical Benefits) Bill 2007.

The committee recommends accordingly.

4. The committee considered proposals to refer the Migration Legislation Amendment (Restoration of Rights and Procedural Fairness) Bill 2007 and the Same-Sex: Same Entitlements Bill 2007 to the Legal and Constitutional Affairs Committee, but **was unable to reach agreement on whether the bills should be referred.**
5. The committee agreed to reconvene to consider bills to be introduced on 16 August 2007, with a view to reporting again to the Senate later today.

Stephen Parry
Chair
16 August 2007.

Senator Parry moved—That the report be adopted.

Senator Bartlett moved the following amendment:

At the end of the motion, add “and, in respect of the following bills, the bills be referred to the Legal and Constitutional Affairs Committee:

- (a) Same-Sex: Same Entitlements Bill 2007 for inquiry and report by 13 September 2007; and
- (b) Migration Legislation Amendment (Restoration of Rights and Procedural Fairness) Bill 2007 for inquiry and report by 10 September 2007”.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 30

Senators—

| | | | |
|-------------------|----------|---------|---------------|
| Allison | Hogg | Milne | Siewert |
| Bartlett | Hurley | Moore | Sterle |
| Brown, Bob | Kirk | Murray | Stott Despoja |
| Campbell (Teller) | Ludwig | Nettle | Webber |
| Conroy | Lundy | O'Brien | Wong |
| Crossin | Marshall | Polley | Wortley |
| Faulkner | McEwen | Ray | |
| Forshaw | McLucas | Sherry | |

NOES, 35

Senators—

| | | | |
|------------|-------------------|------------------|----------------|
| Abetz | Colbeck | Humphries | Nash |
| Adams | Cormann | Johnston | Parry (Teller) |
| Barnett | Eggleston | Joyce | Patterson |
| Bernardi | Ferguson | Kemp | Payne |
| Birmingham | Fielding | Lightfoot | Ronaldson |
| Boswell | Fierravanti-Wells | Macdonald, Ian | Scullion |
| Boyce | Fifield | Macdonald, Sandy | Trood |
| Calvert | Fisher | Mason | Watson |
| Chapman | Heffernan | McGauran | |

Question negatived.

Main question put and passed.

5 ECONOMICS—STANDING COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Parry, by leave and at the request of the Chair of the Economics Committee (Senator Ronaldson), moved—That the time for the presentation of the report of the Economics Committee on private equity markets be extended to 20 August 2007.

Question put and passed.

6 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Faulkner for today, proposing the reference of a matter to the Foreign Affairs, Defence and Trade Committee, postponed till 10 September 2007.

General business notice of motion no. 877 standing in the name of Senator Stott Despoja for today, relating to Hearing Awareness Week, postponed till 10 September 2007.

7 ADDRESS BY PRIME MINISTER OF CANADA

A message from the House of Representatives was reported informing the Senate of a resolution of that House:

Message no. 623, dated 15 August 2007, inviting senators to attend a meeting of the House for an address by the Right Honourable Stephen Harper, Prime Minister of Canada.

8 NUCLEAR WEAPONS

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. 872—That the Senate—

- (a) notes that 14 August 2007 was the parliamentary launch of *Securing our Survival (SOS): The Case for a Nuclear Weapons Convention*, published by the International Campaign to Abolish Nuclear Weapons;
- (b) considers that a nuclear weapons convention would offer the international community the best way to prevent proliferation and nuclear terrorism and achieve disarmament; and
- (c) urges the Government to actively pursue multinational negotiations, leading to a nuclear weapons convention.

Document: Senator Allison, by leave, tabled the following document:

Nuclear weapons—*Securing our Survival (SOS): The Case for a Nuclear Weapons Convention*, published by the International Campaign to Abolish Nuclear Weapons (2007).

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

9 HOURS OF MEETING—PROPOSED VARIATION

Motion determined as not formal: The Minister for Fisheries, Forestry and Conservation (Senator Abetz) requested that government business notice of motion no. 1 standing in his name for today, relating to the hours of meeting for today and Friday, 17 August 2007, be taken as formal.

An objection was raised and the motion was not proceeded with as a formal motion.

10 HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION

The Minister for Fisheries, Forestry and Conservation (Senator Abetz), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 2—That, on Tuesday, 11 September 2007:

- (a) the hours of meeting shall be 2.30 pm to adjournment; and
- (b) the routine of business shall be:
 - (i) questions without notice, and
 - (ii) the items specified in standing order 57(1)(b)(iii) to (xii).

Statements by leave: The Leader of the Australian Greens (Senator Bob Brown) and Senator Abetz, by leave, made statements relating to the motion.

Question put and passed.

11 IMMIGRATION—SIEV X

Senator Campbell, at the request of Senator Lundy and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 873—That the Senate—

(a) notes that:

- (i) 19 October 2007 is the sixth anniversary of the sinking of the boat known as the Suspected Illegal Entry Vessel X (SIEV X), which was bound for Australia and sank with the loss of 353 lives, including 146 children and 142 women,
- (ii) a temporary memorial to the SIEV X victims, featuring painted timber poles to represent the children, women and men who drowned, will be erected on 2 September 2007 at Weston Park, in the Australian Capital Territory, on the Canberra lakeshore and will stay in place for 6 weeks, with the approval of the National Capital Authority (NCA) and the Australian Capital Territory Government,
- (iii) this memorial is supported by people from church, school and community groups from every state and territory in Australia, by the families of the victims, and by the Australian Capital Territory Government, and
- (iv) approval for a permanent memorial to the SIEV X victims is ultimately the responsibility of the Canberra National Memorials Committee (CNMC), chaired by the Prime Minister (Mr Howard);

(b) calls on the NCA and the CNMC to give permission for the SIEV X memorial project to be established as a permanent memorial on the Canberra lakeshore; and

(c) expresses its regret and sympathy at the tragic loss of so many innocent lives.

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 |
| Campbell (Teller) | Kirk | Murray | Stott Despoja |
| Crossin | Ludwig | Nettle | Webber |
| Faulkner | Lundy | O'Brien | Wong |
| Fielding | Marshall | Polley | Wortley |

NOES, 33

Senators—

| | | | |
|------------|-------------------|------------------|-----------|
| Abetz | Colbeck | Johnston | Patterson |
| Adams | Cormann | Joyce | Payne |
| Barnett | Eggleston | Kemp | Ronaldson |
| Bernardi | Ferguson | Macdonald, Ian | Scullion |
| Birmingham | Fierravanti-Wells | Macdonald, Sandy | Trood |
| Boswell | Fifield | Mason | Watson |
| Boyce | Fisher | McGauran | |
| Calvert | Heffernan | Nash (Teller) | |
| Chapman | Humphries | Parry | |

Question negatived.

12 NATIONAL LIBRARY OF AUSTRALIA

Senator Campbell, at the request of Senator Lundy and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 875—That the Senate—

(a) notes that:

- (i) legal deposit is a statutory provision found in the legislation of most countries requiring producers of publications to deposit gratis copies of their works in libraries, usually the national library,
- (ii) in Australia, the *Copyright Act 1968* requires Australian publishers to deposit one copy of every publication with the National Library of Australia (NLA),
- (iii) the *National Library Act 1960* requires the NLA to develop and maintain a national collection of library material relating to Australia and the Australian people and legal deposit is a major factor enabling the NLA to meet this requirement,
- (iv) legal deposit has ensured that an outstanding collection of Australian publications in print form has been acquired by the NLA on behalf of the nation,
- (v) the NLA is seeking revision of the legal deposit section within the *Copyright Act 1968* to encompass publications in non-print form due to the impact of new technologies and the Internet on the creation, publication and dissemination of information, which has been profound in recent years,
- (vi) a significant amount of Australia's documentary heritage is now published in electronic form and unless the NLA is given a mandate through legal deposit to collect non-print publications, many of these works will be lost to future generations, especially as many electronic works have a very short life-span on the Internet, and
- (vii) the NLA is collecting a very small proportion of Australian electronic publications, as this endeavour requires seeking permission on a publication-by-publication basis, which is very resource intensive and unsustainable into the future;

(b) calls on the Government, as a matter of urgency, to introduce legislation to extend legal deposit to non-print publications, as such legislation is of strategic importance to the future collection and preservation role of the NLA; and

(c) recognises that other countries have already acknowledged this and legal deposit legislation has been amended in the United Kingdom, Canada, New Zealand, South Africa, France, Japan and the Scandinavian countries.

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 |
| Campbell (Teller) | Kirk | Murray | Stott Despoja |
| Crossin | Ludwig | Nettle | Webber |
| Faulkner | Lundy | O'Brien | Wong |
| Fielding | Marshall | Polley | Wortley |

NOES, 33

| | | | |
|------------|-------------------|------------------|-----------|
| Senators— | | | |
| Abetz | Colbeck | Johnston | Patterson |
| Adams | Cormann | Joyce | Payne |
| Barnett | Eggleston | Kemp | Ronaldson |
| Bernardi | Ferguson | Macdonald, Ian | Scullion |
| Birmingham | Fierravanti-Wells | Macdonald, Sandy | Trood |
| Boswell | Fifield | Mason | Watson |
| Boyce | Fisher | McGauran | |
| Calvert | Heffernan | Nash (Teller) | |
| Chapman | Humphries | Parry | |

Question negatived.

13 ECONOMICS—AGED PENSION

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. 876—That the Senate—

- (a) notes that:
 - (i) Australia is experiencing a period of record economic growth, and
 - (ii) the 2007-08 Federal Budget provided tax cuts to those earning more than \$75 000, at a cost of \$3.5 billion per year; and
- (b) calls on the Government to invest approximately \$3 billion per year to lift the aged pension by \$60 per fortnight.

Question put.

The Senate divided—

AYES, 8

| | | | |
|-----------|------------|--------|------------------|
| Senators— | | | |
| Allison | Brown, Bob | Milne | Siewert (Teller) |
| Bartlett | Fielding | Nettle | Stott Despoja |

NOES, 54

| | | | |
|------------|-------------------|----------------|-----------|
| Senators— | | | |
| Abetz | Faulkner | Kirk | Payne |
| Adams | Ferguson | Ludwig | Polley |
| Barnett | Fierravanti-Wells | Lundy | Ray |
| Bernardi | Fifield | Macdonald, Ian | Ronaldson |
| Birmingham | Fisher | Marshall | Scullion |
| Bishop | Forshaw | Mason | Stephens |
| Boyce | Heffernan | McEwen | Sterle |
| Calvert | Hogg | McGauran | Trood |
| Campbell | Humphries | McLucas | Watson |
| Chapman | Hurley | Moore | Webber |
| Colbeck | Hutchins | Nash (Teller) | Wong |
| Cormann | Johnston | O'Brien | Wortley |
| Crossin | Joyce | Parry | |
| Eggleston | Kemp | Patterson | |

Question negatived.

14 FAMILY AND COMMUNITY SERVICES—JOBS, EDUCATION AND TRAINING CHILD CARE FEE ASSISTANCE

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 874—That the Senate—

(a) notes:

- (i) that the policy of restricting Jobs, Education and Training (JET) Child Care Fee Assistance funding to 12 months limits the capacity of single parents to complete most courses of study,
- (ii) the importance of further education opportunities to advance the earning capacity and living standards of single parent families, and
- (iii) that the new restrictions on the JET program are hurting single parents; and

(b) calls on the Government to lift the restriction of 12 months funding for JET assistance in order to enable single parents to better access education opportunities.

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 |
| Campbell (Teller) | Kirk | Murray | Stott Despoja |
| Crossin | Ludwig | Nettle | Webber |
| Faulkner | Lundy | O'Brien | Wong |
| Fielding | Marshall | Polley | Wortley |

NOES, 33

Senators—

| | | | |
|------------|-------------------|----------------|-----------|
| Abetz | Colbeck | Johnston | Patterson |
| Adams | Cormann | Joyce | Payne |
| Barnett | Eggleston | Kemp | Ronaldson |
| Bernardi | Ferguson | Lightfoot | Scullion |
| Birmingham | Fierravanti-Wells | Macdonald, Ian | Trood |
| Boswell | Fifield | Mason | Watson |
| Boyce | Fisher | McGauran | |
| Calvert | Heffernan | Nash (Teller) | |
| Chapman | Humphries | Parry | |

Question negatived.

15 PRIVACY (DATA SECURITY BREACH NOTIFICATION) AMENDMENT BILL 2007

Senator Stott Despoja, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 869—That the following bill be introduced:

A Bill for an Act to amend the *Privacy Act 1988* to require organisations and agencies to notify affected individuals of a breach of data security where their personal information is accessed by, or disclosed to, an unauthorised person, and for related purposes.

Question put and passed.

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

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

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

16 PUBLICATIONS—STANDING COMMITTEE—23RD REPORT

Senator Nash, at the request of the Chair of the Standing Committee on Publications (Senator McGauran), tabled the following report:

PUBLICATIONS COMMITTEE
23RD REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the House of Representatives.

The Committee, having considered documents presented to the Parliament since 21 June 2007, recommends that the following be printed:

Australian Land Transport Development Programme—Progress report for 2004-05.

Defence Force Discipline Act—Judge Advocate General—Report for 2006.

Human Rights and Equal Opportunity Commission—Report—Same-sex: Same entitlements—National inquiry into discrimination against people in same-sex relationships: Financial and work-related entitlements and benefits—May 2007.

Wreck Bay Aboriginal Community Council—Report for 2005-06.

Senator McGauran

Chair

16 August 2007.

Senator Nash moved—That the report be adopted.

Question put and passed.

17 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—REPORT—OPTIONS FOR ADDITIONAL WATER SUPPLIES FOR SOUTH EAST QUEENSLAND

The Chair of the Rural and Regional Affairs and Transport Committee (Senator Heffernan) tabled the following report and documents:

Rural and Regional Affairs and Transport—Standing Committee—Options for additional water supplies for South East Queensland—Report, dated August 2007, Hansard record of proceedings, documents presented to the committee, additional information and submissions [246].

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

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

Debate ensued.

Time expired: The time for the consideration of committee reports reached the limit of 60 minutes.

Question put and passed.

18 TREATIES—JOINT STANDING COMMITTEE—86TH, 87TH AND 88TH REPORTS

Senator Wortley, on behalf of the Joint Standing Committee on Treaties, tabled the following reports:

Treaties—Joint Standing Committee—

86th report—Treaties tabled on 27 March and 9 May 2007, dated August 2007.

87th report—Treaties tabled on 13 June 2007, dated August 2007.

88th report—Treaty tabled on 7 August 2007, dated August 2007.

Senator Wortley, by leave, moved—That the Senate take note of the reports.

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

19 COMMITTEES—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2005-06 AND 2007-08 AND ADDITIONAL ESTIMATES 2006-07

Senator Nash, at the request of the chairs of the respective committees, tabled the following documents:

Budget estimates 2005-06—Rural and Regional Affairs and Transport—Standing Committee—Additional information—Transport and Regional Services portfolio.

Budget estimates 2006-07 (Supplementary)—

Economics—Standing Committee—Additional information received between 1 March and 15 August 2007—Treasury portfolio.

Rural and Regional Affairs and Transport—Standing Committee—Additional information received between 19 June and 14 August 2007—Transport and Regional Services portfolio.

Additional estimates 2006-07—

Economics—Standing Committee—Additional information received between 10 May and 15 August 2007—

Industry, Tourism and Resources portfolio.

Treasury portfolio.

Finance and Public Administration—Standing Committee—Additional information received between 21 June and 15 August 2007—Prime Minister and Cabinet portfolio.

Rural and Regional Affairs and Transport—Standing Committee—Additional information received between 19 June and 14 August 2007—Transport and Regional Services portfolio.

Budget estimates 2007-08—

Community Affairs—Standing Committee—Additional information received between 10 July and 15 August 2007—Health and Ageing portfolio.

Economics—Standing Committee—Additional information received between 28 May and 15 August 2007—Industry, Tourism and Resources portfolio.

Environment, Communications, Information Technology and the Arts—Standing Committee—Additional information received between 20 June and 14 August 2007—

Communications, Information Technology and the Arts portfolio.

Environment and Water Resources portfolio.

Finance and Public Administration—Standing Committee—Additional information received between 21 June and 15 August 2007—

Finance and Administration portfolio.

Human Services portfolio.

Parliamentary departments.

Prime Minister and Cabinet portfolio.

Rural and Regional Affairs and Transport—Standing Committee—Additional information received between 25 May and 10 August 2007—

Agriculture, Fisheries and Forestry portfolio.

Transport and Regional Services portfolio.

20 TELECOMMUNICATIONS (INTERCEPTION AND ACCESS) AMENDMENT BILL 2007

MARITIME LEGISLATION AMENDMENT BILL 2007

AUSTRALIAN TECHNICAL COLLEGES (FLEXIBILITY IN ACHIEVING AUSTRALIA'S SKILLS NEEDS) AMENDMENT BILL (NO. 2) 2007

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS LEGISLATION AMENDMENT (FURTHER 2007 BUDGET MEASURES) BILL 2007

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

Message no. 627, dated 15 August 2007—A Bill for an Act to amend the *Telecommunications (Interception and Access) Act 1979*, and for other purposes.

Message no. 628, dated 15 August 2007—A Bill for an Act to amend maritime legislation, and for other purposes.

Message no. 630, dated 15 August 2007—A Bill for an Act to amend the *Australian Technical Colleges (Flexibility in Achieving Australia's Skills Needs) Act 2005*, and for related purposes.

Message no. 631, dated 15 August 2007—A Bill for an Act to amend the law in relation to social security, veterans' affairs and family assistance, and for related purposes.

The Minister for Human Services (Senator Ellison) 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 Ellison moved—That these bills be now read a second time.

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

Senator Ellison moved—That the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

21 AVIATION LEGISLATION AMENDMENT (2007 MEASURES NO. 1) BILL 2007

A message from the House of Representatives was reported agreeing to the following bill without amendment:

Message no. 629, dated 15 August 2007—Aviation Legislation Amendment (2007 Measures No. 1) Bill 2007.

**22 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—REPORT—
AUSTRALIA’S PUBLIC DIPLOMACY**

Pursuant to order, the Chair of the Foreign Affairs, Defence and Trade Committee (Senator Payne) tabled the following report and documents:

Foreign Affairs, Defence and Trade—Standing Committee—Australia’s public diplomacy: building our image—Report, dated August 2007, Hansard record of proceedings, document presented to the committee, additional information and submissions [31].

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

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

Debate ensued.

Question put and passed.

23 HOURS OF MEETING—VARIATION

The Minister for Fisheries, Forestry and Conservation (Senator Abetz), pursuant to notice, moved government business notice of motion no. 1—That, if the Senate is sitting at midnight on Thursday, 16 August 2007, the sitting of the Senate shall be suspended till 9.30 am on Friday, 17 August 2007.

Debate ensued.

Question put and passed.

**24 SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (WELFARE PAYMENT
REFORM) BILL 2007
NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE BILL 2007
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER
LEGISLATION AMENDMENT (NORTHERN TERRITORY NATIONAL EMERGENCY
RESPONSE AND OTHER MEASURES) BILL 2007
APPROPRIATION (NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE) BILL
(No. 1) 2007-2008
APPROPRIATION (NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE) BILL
(No. 2) 2007-2008**

Order of the day read for the further consideration of the bills in committee of the whole.

In the committee

NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE BILL 2007—

Consideration resumed of clauses 90 and 91.

Clauses 90 and 91 further debated and agreed to.

Bill further debated.

Question—That the bill be agreed to—divided in respect of Parts 3 to 6.

Parts 3 to 6 debated.

Document: The Minister for Community Services (Senator Scullion) tabled the following document:

Northern Territory National Emergency Response Bill 2007—Copy of letter from the Minister for Families, Community Services and Indigenous Affairs (Mr Brough) to the Chairman of the Standing Committee for the Scrutiny of Bills (Senator Ray), dated 15 August 2007.

Question—That Parts 3 to 6 stand as printed—put.

The committee divided—

AYES, 49

Senators—

| | | | |
|------------|-------------------|------------------|-----------|
| Adams | Crossin | Kemp | Ray |
| Barnett | Eggleston | Kirk | Ronaldson |
| Bernardi | Evans | Macdonald, Sandy | Scullion |
| Birmingham | Faulkner | Marshall | Stephens |
| Boswell | Fierravanti-Wells | McEwen | Sterle |
| Boyce | Fifield | McLucas | Trood |
| Calvert | Fisher | Moore | Watson |
| Campbell | Forshaw | Nash (Teller) | Webber |
| Carr | Hogg | O'Brien | Wong |
| Chapman | Humphries | Parry | Wortley |
| Colbeck | Hurley | Patterson | |
| Conroy | Hutchins | Payne | |
| Cormann | Joyce | Polley | |

NOES, 8

Senators—

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

Parts agreed to.

Question—That the bill be agreed to—divided in respect of Part 7, Division 4.

Part 7, Division 4 debated.

At 2 pm: The President resumed the chair and the Temporary Chair of Committees (Senator Watson) reported progress.

25 QUESTIONS

Questions without notice were answered.

26 SCIENCE AND TECHNOLOGY—NUCLEAR ENERGY—ANSWERS TO QUESTIONS

Senator Carr moved—That the Senate take note of the answers given by the Minister for Communications, Information Technology and the Arts (Senator Coonan) and the Minister for Justice and Customs (Senator Johnston) to questions without notice asked by the Leader of the Opposition in the Senate (Senator Evans) and Senator Carr today relating to nuclear energy.

Debate ensued.

Question put and passed.

27 ANSWERS TO QUESTIONS

The Leader of The Nationals in the Senate (Senator Boswell) moved—That the Senate take note of the answers given by ministers to questions without notice asked today.

Question put and passed.

28 ASIO, ASIS AND DSD—JOINT STATUTORY COMMITTEE—GOVERNMENT RESPONSE—REVIEW OF THE LISTING OF TERRORIST ORGANISATIONS

The Minister for the Arts and Sport (Senator Brandis) tabled the following document:

ASIO, ASIS and DSD—Joint Statutory Committee—Reports—Review of the listing of four terrorist organisations [and] Review of the listing of six terrorist organisations—Government response.

29 INTELLIGENCE AND SECURITY—JOINT STATUTORY COMMITTEE—GOVERNMENT RESPONSE—REVIEW OF RE-LISTING OF AL-QA'IDA AND JEMAAH ISLAMIYAH AS TERRORIST ORGANISATIONS

The Minister for the Arts and Sport (Senator Brandis) tabled the following document:

Intelligence and Security—Joint Statutory Committee—Report—Review of the re-listing of Al-Qa'ida and Jemaah Islamiyah as terrorist organisations—Government response.

30 INTELLIGENCE AND SECURITY—JOINT STATUTORY COMMITTEE—GOVERNMENT RESPONSE—REVIEW OF RE-LISTING OF ASG, JUA, GIA AND GSPC

The Minister for the Arts and Sport (Senator Brandis) tabled the following document:

Intelligence and Security—Joint Statutory Committee—Report—Review of the re-listing of ASG, JuA, GIA and GSPC—Government response.

31 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—REVIEW OF THE GRIFFIN LEGACY AMENDMENTS

The Minister for the Arts and Sport (Senator Brandis) tabled the following document:

National Capital and External Territories—Joint Standing Committee—Report—Review of the Griffin Legacy amendments—Government response, dated July 2007.

32 AUDITOR-GENERAL—AUDIT REPORT NO. 5 OF 2007-08—DOCUMENT

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

Auditor-General—Audit report no. 5 of 2007-08—Performance audit—National cervical screening program follow-up: Department of Health and Ageing.

33 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 14 OF 2007

Senator McGauran, by leave and at the request of the Chair of the Selection of Bills Committee (Senator Parry), tabled the following report:

SELECTION OF BILLS COMMITTEE

REPORT NO. 14 OF 2007

1. The committee met in private session on Thursday, 16 August 2007 at 11.07 am.

2. The committee resolved to recommend—That—
- (a) the *provisions* of the Tax Laws Amendment (2007 Measures No. 5) Bill 2007 be *referred immediately* to the Economics Committee for inquiry and report by 5 September 2007;
 - (b) the *provisions* of the Indigenous Education (Targeted Assistance) Amendment (Cape York Measures) Bill 2007 be *referred immediately* to the Employment, Workplace Relations and Education Committee for inquiry and report by 5 September 2007;
 - (c) the *provisions* of the Higher Education Endowment Fund Bill 2007 and the Higher Education Endowment Fund (Consequential Amendments) Bill 2007 be *referred immediately* to the Employment, Workplace Relations and Education Committee for inquiry and report by 5 September 2007;
 - (d) the *provisions* of the Health Insurance Amendment (Medicare Dental Services) Bill 2007 be *referred immediately* to the Community Affairs Committee for inquiry and report by 5 September 2007; and
 - (e) the *provisions* of the Commonwealth Electoral Amendment (Democratic Plebiscites) Bill 2007 be *referred immediately* to the Finance and Public Administration Committee for inquiry and report by 4 September 2007.

The committee recommends accordingly.

Stephen Parry
Chair
16 August 2007.

Senator McGauran moved—That the report be adopted.

Question put and passed.

34 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2007-08

Senator McGauran, at the request of the Chair of the Foreign Affairs, Defence and Trade Committee (Senator Payne), tabled the following document:

Foreign Affairs, Defence and Trade—Standing Committee—Budget estimates 2007-08—Additional information received between 26 July and 16 August 2007—Foreign Affairs and Trade portfolio.

35 DOCUMENTS

The following documents were tabled by the Clerk:

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

Australian War Memorial Act—Select Legislative Instrument 2007 No. 238—Australian War Memorial Amendment Regulations 2007 (No. 1) [F2007L02340]*.

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

AD/ENST 28/39—Main Rotor Blade Retention Pin [F2007L02481]*.

AD/F406/17—Landing Gear Emergency Blowdown Bottle [F2007L02563]*.

AD/HU 369/118—Landing Gear Fairing Support Assembly [F2007L02564]*.

AD/SD3-60/68 Amdt 2—Elevator Trim Tab Balance Weight Brackets [F2007L02565]*.

AD/SF340/101—Wing Upper Panel Fuel Tank Access Doors [F2007L02566]*.

AD/TBM 700/47—Passenger Door Locking Handle [F2007L02567]*.

AD/TECNAM/2—Seat Rail Stops [F2007L02568]*.

AD/TECNAM/3—Rudder Pedal Torque Tube [F2007L02569]*.

AD/TECNAM/4—Rudder Pedal Torque Tube Steering Levers [F2007L02570]*.

AD/TECNAM/5—Rudder Interference [F2007L02571]*.

AD/X-TS/8—Flap Hinge and Flap Hinge Support Bracket [F2007L02573]*.

Customs Act—

Select Legislative Instrument 2007 No. 234—Customs (Prohibited Exports) Amendment Regulations 2007 (No. 2) [F2007L02476]*.

Tariff Concession Orders—

0618078 [F2007L02533]*.

0702241 [F2007L02529]*.

0703032 [F2007L02534]*.

0704678 [F2007L02530]*.

0705495 [F2007L02493]*.

0705862 [F2007L02489]*.

0706070 [F2007L02501]*.

0706138 [F2007L02535]*.

0706216 [F2007L02512]*.

0706221 [F2007L02536]*.

0706228 [F2007L02497]*.

0706456 [F2007L02539]*.

0706512 [F2007L02541]*.

0706737 [F2007L02545]*.

0706739 [F2007L02521]*.

0706915 [F2007L02520]*.

0707017 [F2007L02546]*.

0707023 [F2007L02548]*.

0707036 [F2007L02549]*.

0707037 [F2007L02550]*.

0707143 [F2007L02551]*.

0707246 [F2007L02522]*.

0707310 [F2007L02523]*.

0707395 [F2007L02525]*.

0707645 [F2007L02527]*.

0707661 [F2007L02528]*.

0707863 [F2007L02526]*.

Tariff Concession Revocation Instruments—

124/2007 [F2007L02552]*.

125/2007 [F2007L02553]*.

126/2007 [F2007L02556]*.

127/2007 [F2007L02557]*.

128/2007 [F2007L02558]*.

129/2007 [F2007L02559]*.

Electronic Transactions Act—Select Legislative Instrument 2007 No. 235—
Electronic Transactions Amendment Regulations 2007 (No. 2) [F2007L02443]*.

Financial Management and Accountability Act—Adjustments of Appropriations on Change of Agency Functions—Directions Nos—

3 of 2007-2008 [F2007L02544]*.

4 of 2007-2008 [F2007L02543]*.

Medicare Australia Act—Medicare Australia (Functions of Chief Executive Officer) Amendment Direction 2007 (No. 2) [F2007L02583]*.

Migration Act—

Instrument IMMI 07/048—Substantive Visa Classes [F2007L02531]*.

Migration Regulations—Instrument IMMI 07/059—Travel Agents for PRC Citizens applying for Tourist Visas [F2007L02581]*.

National Environment Protection Council Act—Variation to the National Environment Protection (National Pollutant Inventory) Measure 2007 (No. 1) [F2007L02572]*.

Primary Industries (Customs) Charges Act—Select Legislative Instruments 2007 Nos—

230—Primary Industries (Customs) Charges Amendment Regulations 2007 (No. 6) [F2007L02466]*.

231—Primary Industries (Customs) Charges Amendment Regulations 2007 (No. 7) [F2007L02474]*.

Primary Industries (Excise) Levies Act—Select Legislative Instrument 2007 No. 232—Primary Industries (Excise) Levies Amendment Regulations 2007 (No. 8) [F2007L02465]*.

Quarantine Act—Select Legislative Instrument 2007 No. 233—Quarantine Amendment Regulations 2007 (No. 2) [F2007L02427]*.

Social Security Act—

Social Security (Personal Care Support — Direct Payments Project) (DEWR) Determination 2007 [F2007L02555]*.

Social Security (Personal Care Support — Direct Payments Project) (FaCSIA) Determination 2007 [F2007L02532]*.

* Explanatory statement tabled with legislative instrument.

36 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

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

Departmental and agency contracts for 2006-07—Letters of advice—

Attorney-General's portfolio agencies.

Australian Research Council.

Finance and Administration portfolio agencies.

37 SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (WELFARE PAYMENT REFORM) BILL 2007
NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE BILL 2007
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER
LEGISLATION AMENDMENT (NORTHERN TERRITORY NATIONAL EMERGENCY
RESPONSE AND OTHER MEASURES) BILL 2007
APPROPRIATION (NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE) BILL
(NO. 1) 2007-2008
APPROPRIATION (NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE) BILL
(NO. 2) 2007-2008

Order of the day read for the further consideration of the bills in committee of the whole.

In the committee

NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE BILL 2007—

Consideration resumed of Part 7, Division 4.

Part 7, Division 4 further debated and agreed to.

Senator Bartlett moved the following amendment:

Clause 93, page 71 (after line 3), after paragraph (1)(a), insert:

(aa) the community store's capacity to train locally employed community members;

Debate ensued.

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

The Leader of the Opposition in the Senate (Senator Evans) moved the following amendment:

Clause 132, page 93 (lines 12 to 17), omit subclauses (1) and (2), substitute:

- (1) Subject to subsection (3), the provisions of this Act, and any acts done under or for the purposes of those provisions, are, for the purposes of the *Racial Discrimination Act 1975*, special measures and are consistent with Part 2 of the *Racial Discrimination Act 1975*.
- (2) Subject to subsection (3), the provisions of this Act, and any acts done under or for the purposes of those provisions, are not laws as described by subsection 10(3) of the *Racial Discrimination Act 1975*.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 31

Senators—

| | | | |
|------------|----------|---------|-----------------|
| Allison | Forshaw | McLucas | Siewert |
| Bartlett | Hogg | Milne | Stephens |
| Bishop | Hurley | Moore | Sterle |
| Brown, Bob | Hutchins | Murray | Stott Despoja |
| Campbell | Kirk | Nettle | Webber (Teller) |
| Conroy | Lundy | Polley | Wong |
| Evans | Marshall | Ray | Wortley |
| Fielding | McEwen | Sherry | |

NOES, 33

Senators—

| | | | |
|------------|-------------------|------------------|-----------|
| Abetz | Colbeck | Joyce | Patterson |
| Barnett | Cormann | Kemp | Payne |
| Bernardi | Eggleston | Lightfoot | Ronaldson |
| Birmingham | Ferguson | Macdonald, Ian | Scullion |
| Boswell | Fierravanti-Wells | Macdonald, Sandy | Trood |
| Boyce | Fisher | Mason | Watson |
| Brandis | Heffernan | McGauran | |
| Calvert | Humphries | Nash (Teller) | |
| Chapman | Johnston | Parry | |

Question negatived.

Question—That the bill be agreed to—divided in respect of clause 132.

Clause 132 debated and agreed to.

Question—That the bill be agreed to—divided in respect of Part 8.

Part 8 debated.

Question—That Part 8 stand as printed—put.

The committee divided—

AYES, 51

Senators—

| | | | |
|------------|-------------------|------------------|-----------|
| Adams | Evans | Lundy | Polley |
| Barnett | Fielding | Macdonald, Ian | Ray |
| Bernardi | Fierravanti-Wells | Macdonald, Sandy | Ronaldson |
| Birmingham | Fifield | Marshall | Scullion |
| Bishop | Fisher | Mason | Sherry |
| Boyce | Forshaw | McEwen | Stephens |
| Campbell | Hogg | McGauran | Sterle |
| Chapman | Humphries | McLucas | Trood |
| Colbeck | Hurley | Moore | Watson |
| Conroy | Hutchins | Nash | Webber |
| Cormann | Kemp | Parry (Teller) | Wong |
| Crossin | Kirk | Patterson | Wortley |
| Eggleston | Lightfoot | Payne | |

NOES, 8

Senators—

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

Part agreed to.

Question—That the bill be agreed to—divided in respect of Schedules 1 to 4.

Schedules 1 to 4 agreed to.

Question—That the bill be agreed to—put and passed. All Australian Greens senators, by leave, recorded their votes for the noes.

**FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER
LEGISLATION AMENDMENT (NORTHERN TERRITORY NATIONAL EMERGENCY
RESPONSE AND OTHER MEASURES) BILL 2007—**

Bill taken as a whole by leave.

Senator Evans moved the following amendment:

Clause 4, page 3 (lines 11 to 17), omit subclauses (1) and (2), substitute:

- (1) Subject to subsection (3), the provisions of this Act, and any acts done under or for the purposes of those provisions, are, for the purposes of the *Racial Discrimination Act 1975*, special measures and are consistent with Part 2 of the *Racial Discrimination Act 1975*.
- (2) Subject to subsection (3), the provisions of this Act, and any acts done under or for the purposes of those provisions, are not laws as described by subsection 10(3) of the *Racial Discrimination Act 1975*.

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

Question—That the bill be agreed to—divided in respect of clause 4.

Clause 4 debated and agreed to.

Question—That the bill be agreed to—divided in respect of clauses 3 to 5.

Clauses 3 to 5 debated and agreed to.

Senator Evans moved the following amendments together by leave:

Schedule 4, item 12, page 41 (after line 12), insert:

70AB Designated persons

- (1) For the purposes of sections 70B to 70F inclusive, a designated person refers to:
 - (a) a person referred to in section 70(2A);
 - (b) a journalist acting in their professional capacity; or
 - (c) a person performing functions as an agent of the Commonwealth government or of the Northern Territory government on official business;

journalist means a member of a professional organisation recognised by the regulations for the purposes of this subsection.

Schedule 4, item 12, page 41 (line 13) to page 43 (line 30), section 70B, omit “a person” (twice occurring), substitute “a designated person”.

Schedule 4, item 12, page 44 (line 3) to page 45 (line 26), section 70C, omit “a person” (three times occurring), substitute “a designated person”.

Schedule 4, item 12, page 44 (line 1) to page 45 (line 26), section 70C, omit “the person” (three times occurring), substitute “the designated person”.

Schedule 4, item 12, page 46 (line 1) to page 47 (line 23), section 70D, omit “a person” (three times occurring), substitute “a designated person”.

Schedule 4, item 12, page 46 (line 1) to page 47 (line 23), section 70D, omit “the person” (twice occurring), substitute “the designated person”.

Schedule 4, item 12, page 47 (line 24) to page 50 (line 9), section 70E, omit “a person” (twice occurring), substitute “a designated person”.

Schedule 4, item 12, page 50 (line 10) to page 53 (line 5), section 70F, omit “a person” (twice occurring), substitute “a designated person”.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 28

Senators—

| | | | |
|-------------------|----------|---------|---------|
| Allison | Evans | McEwen | Ray |
| Bartlett | Forshaw | McLucas | Sherry |
| Bishop | Hogg | Milne | Siewert |
| Brown, Bob | Hurley | Moore | Sterle |
| Campbell (Teller) | Hutchins | Murray | Webber |
| Conroy | Kirk | Nettle | Wong |
| Crossin | Marshall | Polley | Wortley |

NOES, 31

Senators—

| | | | |
|------------|-------------------|------------------|---------------|
| Abetz | Chapman | Heffernan | Minchin |
| Adams | Colbeck | Humphries | Nash (Teller) |
| Bernardi | Cormann | Johnston | Parry |
| Birmingham | Eggleston | Joyce | Patterson |
| Boswell | Ferguson | Kemp | Ronaldson |
| Boyce | Fielding | Macdonald, Sandy | Scullion |
| Brandis | Fierravanti-Wells | Mason | Watson |
| Calvert | Fisher | McGauran | |

Question negatived.

Senator Evans moved the following amendment:

Schedule 4, item 14, page 53 (after line 29), at the end of section 74AA, add:

- (2) A Land Council may, by writing, request that the Minister revoke a permit issued to a person under subsection 70(2BB) where there are, in the opinion of the Council, reasonable grounds to believe that the person is of bad character.

Debate ensued.

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

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

Schedule 4 debated.

Question—That Schedule 4 stand as printed—put.

The Senate divided—

AYES, 45

Senators—

| | | | |
|------------|-------------------|------------------|-----------|
| Adams | Eggleston | Macdonald, Sandy | Ray |
| Bernardi | Fielding | Marshall | Ronaldson |
| Birmingham | Fierravanti-Wells | Mason | Scullion |
| Bishop | Fifield | McEwen | Sherry |
| Boyce | Fisher | McLucas | Sterle |
| Brandis | Hogg | Minchin | Watson |
| Campbell | Humphries | Moore | Webber |
| Chapman | Hurley | Nash (Teller) | Wong |
| Colbeck | Hutchins | Parry | Wortley |
| Conroy | Johnston | Patterson | |
| Cormann | Joyce | Payne | |
| Crossin | Kirk | Polley | |

NOES, 6

Senators—

Allison

Bartlett (Teller)

Brown, Bob

Milne

Nettle

Siewert

Schedule agreed to.

Senator Bartlett moved the following amendment:

Schedule 4, item 12, page 52 (after line 31), after paragraph 70F(20)(b), insert:

(ba) land covering areas of cultural significance, ceremony or storage of sacred objects;

Debate ensued.

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

Question—That the bill be agreed to—divided in respect of Schedule 4, items 14 and 16.

Schedule 4, items 14 and 16 debated.

Document: The Minister for Community Services (Senator Scullion) tabled the following document:

Legal and Constitutional Affairs—Standing Committee—Report—Social Security and Other Legislation Amendment (Welfare Payment Reform) Bill 2007, Northern Territory National Emergency Response Bill 2007, Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Northern Territory National Emergency Response and Other Measures) Bill 2007, Appropriation (Northern Territory National Emergency Response) Bill (No. 1) 2007-2008 and Appropriation (Northern Territory National Emergency Response) Bill (No. 2) 2007-2008—Government response.

Question—That Schedule 4, items 14 and 16 stand as printed—put and passed.

Question—That the bill be agreed to—divided in respect of Schedules 2 to 5.

Schedules 2 to 5 debated and agreed to.

Bill agreed to.

SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (WELFARE PAYMENT REFORM) BILL 2007—

Bill taken as a whole by leave.

Senator Evans moved the following amendments together by leave:

Clause 4, page 2 (lines 21 to 28), omit subclauses (2) and (3), substitute:

- (2) To the extent that this subsection applies, the provisions referred to in paragraph (1)(a), and any acts referred to in paragraph (1)(b), are, for the purposes of the *Racial Discrimination Act 1975*, special measures and are consistent with Part 2 of the *Racial Discrimination Act 1975*.

- (3) To the extent that this subsection applies, the provisions referred to in paragraph (1)(a), and any acts referred to in paragraph (1)(b), are not laws as described by subsection 10(3) of the *Racial Discrimination Act 1975*.

Clause 6, page 4 (line 33) to page 5 (line 2), omit subclauses 6(2) and 6(3), substitute:

- (2) Any such implementation, or other acts, are, for the purposes of the *Racial Discrimination Act 1975*, special measures and are consistent with Part 2 of the *Racial Discrimination Act 1975*.
- (3) Any such implementation, or other acts, are not laws as described by subsection 10(3) of the *Racial Discrimination Act 1975*.

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

Question—That the bill be agreed to—divided in respect of clauses 4 to 6.

Clauses 4 to 6 debated and agreed to.

Question—That the bill be agreed to—divided in respect of clauses 4 to 7.

Clauses 4 to 7 debated.

Question—That clauses 4 to 7 stand as printed—put.

The committee divided—

AYES, 46

Senators—

| | | | |
|------------|-------------------|----------------|-----------|
| Adams | Ferguson | Kirk | Ray |
| Barnett | Fielding | Lundy | Ronaldson |
| Bernardi | Fierravanti-Wells | Macdonald, Ian | Scullion |
| Birmingham | Fifield | McEwen | Sherry |
| Bishop | Fisher | McLucas | Stephens |
| Boyce | Forshaw | Minchin | Sterle |
| Calvert | Hogg | Moore | Trood |
| Chapman | Humphries | Nash (Teller) | Watson |
| Colbeck | Hurley | Parry | Webber |
| Cormann | Hutchins | Patterson | Wortley |
| Crossin | Joyce | Payne | |
| Evans | Kemp | Polley | |

NOES, 7

Senators—

| | | | |
|----------|------------|--------|------------------|
| Allison | Brown, Bob | Murray | Siewert (Teller) |
| Bartlett | Milne | Nettle | |

Clauses agreed to.

Senator Evans moved the following amendment:

Page 6 (after line 27), after clause 7, insert:

8 Review

The Minister must cause to be conducted, as soon as practicable after the first anniversary of the day on which this Act receives the Royal Assent, a review of the provisions of Part 3B of the *Social Security (Administration) Act 1999* regarding the application of income management to persons by reason of their being persons in a relevant Northern Territory area.

Debate ensued.

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

Senator Bartlett moved the following amendment:

Schedule 1, item 17, page 27 (after line 33), at the end of section 123UA, add:

- (2) Notwithstanding any other provisions of this Division 2, a person subject to the income management regime is entitled to access the appeal mechanisms of this Act relating to income management devices.

Debate ensued.

Suspension of sitting: At midnight the sitting of the Senate was suspended till 9.30 am on Friday, 17 August 2007.

FRIDAY, 17 AUGUST 2007

At 9.30 am—

The sitting of the committee resumed.

Senator Scullion moved—That the committee report progress and ask leave to sit again.

Question put and passed.

The President resumed the chair and the Chair of Committees (Senator Hogg) reported that the committee had considered the bills, made progress and asked leave to sit again.

Senator Scullion moved—That the committee have leave to sit again at a later hour.

Debate ensued.

Question put and passed.

38 PRAYERS

The President, with the concurrence of the Senate, read prayers.

39 SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (WELFARE PAYMENT REFORM) BILL 2007

NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE BILL 2007

**FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER
LEGISLATION AMENDMENT (NORTHERN TERRITORY NATIONAL EMERGENCY
RESPONSE AND OTHER MEASURES) BILL 2007**

**APPROPRIATION (NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE) BILL
(No. 1) 2007-2008**

**APPROPRIATION (NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE) BILL
(No. 2) 2007-2008**

Order of the day read for the further consideration of the bills in committee of the whole.

In the committee

SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (WELFARE PAYMENT REFORM) BILL 2007—

Consideration resumed of the bill—and of the amendment moved by Senator Bartlett (see entry no. 37).

Debate resumed.

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

Question—That the bill be agreed to—divided in respect of Schedules 1 to 3.

Schedules 1 to 3 debated.

Question—That Schedules 1 to 3 stand as printed—put.

The committee divided—

AYES, 46

Senators—

| | | | |
|-----------|-------------------|----------------|-----------|
| Adams | Fielding | Lundy | Polley |
| Barnett | Fierravanti-Wells | Macdonald, Ian | Ray |
| Bernardi | Fifield | Marshall | Ronaldson |
| Bishop | Fisher | Mason | Scullion |
| Boyce | Forshaw | McEwen | Sherry |
| Chapman | Hogg | McLucas | Sterle |
| Colbeck | Humphries | Moore | Trood |
| Cormann | Hurley | Nash (Teller) | Watson |
| Crossin | Hutchins | O'Brien | Webber |
| Eggleston | Joyce | Parry | Wortley |
| Evans | Kemp | Patterson | |
| Ferguson | Kirk | Payne | |

NOES, 6

Senators—

| | | |
|----------|------------|------------------|
| Allison | Brown, Bob | Nettle |
| Bartlett | Milne | Siewert (Teller) |

Schedules agreed to.

Bill agreed to.

APPROPRIATION (NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE) BILL (NO. 1) 2007-2008

APPROPRIATION (NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE) BILL (NO. 2) 2007-2008

Bills, taken together and as a whole by leave, debated and agreed to.

Bills to be reported without amendments.

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

On the motion of the Minister for Community Services (Senator Scullion) the report from the committee was adopted.

Senator Scullion moved—That these bills be now read a third time.

Debate ensued.

The question was divided—

Question—That Appropriation (Northern Territory National Emergency Response) Bill (No. 1) 2007-2008 and Appropriation (Northern Territory National Emergency Response) Bill (No. 2) 2007-2008 be now read a third time—put and passed.

Question—That the remaining bills be now read a third time—put.

The Senate divided—

AYES, 56

Senators—

| | | | |
|-----------|-------------------|------------------|-----------|
| Abetz | Evans | Kemp | Parry |
| Adams | Ferguson | Kirk | Patterson |
| Barnett | Fielding | Lundy | Payne |
| Bernardi | Fierravanti-Wells | Macdonald, Ian | Polley |
| Bishop | Fifield | Macdonald, Sandy | Ray |
| Boswell | Fisher | Marshall | Ronaldson |
| Boyce | Forshaw | Mason | Scullion |
| Calvert | Heffernan | McEwen | Sherry |
| Campbell | Hogg | McGauran | Stephens |
| Chapman | Humphries | McLucas | Sterle |
| Colbeck | Hurley | Minchin | Trood |
| Cormann | Hutchins | Moore | Watson |
| Crossin | Johnston | Nash (Teller) | Webber |
| Eggleston | Joyce | O'Brien | Wortley |

NOES, 6

Senators—

| | | |
|-------------------|------------|---------|
| Allison | Brown, Bob | Nettle |
| Bartlett (Teller) | Milne | Siewert |

Question agreed to.

Bills read a third time.

40 WATER BILL 2007

WATER (CONSEQUENTIAL AMENDMENTS) 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 these bills be now read a second time.

Debate resumed.

Senator O'Brien moved the following amendment in respect of the Water Bill 2007:

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

- (a) notes that modern national water reform began with the *Murray-Darling Basin Act 1993* and the historic Council of Australian Governments agreement on water reform in 1994 led by the Keating Labor government;
- (b) regrets that, despite clear warning signals about the health of the river system, it has taken 13 more years to see the next stage of Commonwealth action to address the problems of the Murray-Darling Basin;
- (c) is concerned that the legislation before the Senate represents a second best solution on national water reform;

- (d) deplores the Government's failure to consult in good faith with state governments and other stakeholders over the Water Bill 2007 and the related intergovernmental agreement;
- (e) believes the water reform process must continue so we properly fix the over-allocation of water licences in the Murray-Darling Basin, ensure harmony between the environment and consumptive use, and help address the impact of drought and climate change on water supply; and
- (f) notes that:
 - (i) climate change will have a significant impact on water supply generally and the health of the Murray-Darling Basin in particular,
 - (ii) the Commonwealth Scientific and Industrial Research Organisation will provide an important report in late 2007 on the hydrology of the Basin and what the sustainable extraction levels are for the Basin, and
 - (iii) the following is needed for national water reform:
 - (A) a cooperative and constructive approach with state governments to assist water reform and investment in urban and rural water infrastructure,
 - (B) full implementation of the national water initiative principles agreed to in 2004,
 - (C) fixing of the over-allocation of water licences once and for all, and the establishment of coherent, streamlined rules which ensure the problem of over-allocation never recurs,
 - (D) recognition that economic instruments, including water trading, are necessary to address the fact that water has been over-allocated, undervalued and misdirected,
 - (E) proper consultation with key stakeholders in the Murray-Darling Basin, including all water users, farmers, water scientists, environment groups and the broader community to ensure the adoption and consistent use of efficient agricultural practices,
 - (F) returning sufficient water to the rivers in the Murray-Darling Basin to ensure the long-term health of all rivers, wetlands and all connected groundwater systems in the Basin and, as a result, ensure the health of the communities and businesses that rely on the health of those rivers, and
 - (G) measures to ensure industrial and urban water users adapt to maximise water efficiency".

Debate ensued.

Declaration of interest: Senator Heffernan declared an interest in relation to the bill.

Debate continued.

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

Main question put and passed.

Bills read a second time.

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

In the committee

WATER BILL 2007—

Bill taken as a whole by leave.

Senator Siewert moved the following amendments together by leave:

Clause 3, page 4 (line 1), after “to provide for the”, insert “regular and systematic”.

Clause 3, page 4 (line 4), at the end of paragraph (3)(h), add:

; and (iii) the long-term health, resilience and sustainability of Australia’s rivers, wetlands and estuaries.

Debate ensued.

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

Senator Siewert moved the following amendments together by leave:

Clause 20, page 36 (line 5), after “quantities of”, insert “and shares of”.

Clause 22, page 41 (table item 6, column 2), after “quantities of water”, insert “or share of water”.

Clause 22, page 41 (table item 7, column 2), after “quantities of water”, insert “or share of water”.

Debate ensued.

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

Senator Siewert moved the following amendment:

Clause 20, page 36 (after line 7), after paragraph (b), insert:

(ba) the maintenance of essential ecosystem functions by ensuring that minimum flows of water regularly pass through the Basin’s river systems; and

Debate ensued.

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

Senator Siewert moved the following amendments together by leave:

Clause 21, page 36 (lines 23 to 28), omit subclause (1), substitute:

(1) The Basin Plan (including any environmental watering plan or water quality and salinity management plan included in the Basin Plan) must be prepared so as to provide for giving effect (to the extent to which they are relevant to the use and management of the Basin water resources) to:

(a) relevant international agreements;

(b) the Australian Ramsar management principles as prescribed by section 335 of the *Environment Protection and Biodiversity Conservation Act 1999*; and

(c) plans and strategies developed for implementing commitments under relevant Agreements in accordance with the *Environment Protection and Biodiversity Conservation Act 1999* including:

(i) any management plans for a Ramsar wetland under section 328 or section 333 of that Act;

- (ii) any recovery plan or threat abatement plan prepared by the Commonwealth under Chapter 5 of that Act or any recovery plan or threat abatement plan developed by a State or Territory;
- (iii) the China Australia and Japan Migratory Birds agreements and any wildlife conservation plans under section 285 of that Act.

Clause 55, page 71 (after line 16), at the end of the clause, add:

- (4) A water resource plan must be prepared to give effect (to the extent to which they are relevant to the use and management of the Basin water resources) to:
 - (a) relevant international agreements;
 - (b) the Australian Ramsar management principles as prescribed by section 335 of the *Environment Protection and Biodiversity Conservation Act 1999*; and
 - (c) plans and strategies developed for implementing commitments under relevant Agreements in accordance with the *Environment Protection and Biodiversity Conservation Act 1999* including:
 - (i) any management plans for a Ramsar wetland under section 328 or section 333 of that Act;
 - (ii) any recovery plan or threat abatement plan prepared by the Commonwealth under Chapter 5 of that Act or any recovery plan or threat abatement plan developed by a State or Territory;
 - (iii) the China Australia and Japan Migratory Birds agreements and any wildlife conservation plans under section 285 of that Act.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 4

Senators—

| | | | |
|---------|------------|-------|------------------|
| Allison | Brown, Bob | Milne | Siewert (Teller) |
|---------|------------|-------|------------------|

NOES, 48

Senators—

| | | | |
|----------|-------------------|------------------|----------------|
| Abetz | Eggleston | Kirk | Parry (Teller) |
| Adams | Evans | Lundy | Patterson |
| Barnett | Ferguson | Macdonald, Ian | Payne |
| Bernardi | Fielding | Macdonald, Sandy | Polley |
| Bishop | Fierravanti-Wells | Marshall | Ray |
| Boyce | Fifield | Mason | Ronaldson |
| Brandis | Fisher | McEwen | Sherry |
| Campbell | Forshaw | McLucas | Stephens |
| Chapman | Hogg | Minchin | Sterle |
| Colbeck | Humphries | Moore | Trood |
| Cormann | Hurley | Nash | Webber |
| Crossin | Hutchins | O'Brien | Wortley |

Question negatived.

Senator Siewert moved the following amendment:

Clause 21, page 37 (after line 3), after subparagraph 2(a)(ii), insert:

- (iii) the need to take precautionary measures to anticipate, prevent or minimise the causes of climate change and mitigate its adverse effects; and
- (iv) the need for sustainable management, conservation and enhancement of sinks and reservoirs of all greenhouse gases including biomass, forests and oceans as well as other terrestrial, coastal and marine ecosystems; and
- (v) the need for adaptation to the impacts of climate change including appropriate and integrated plans for water resources and agriculture; and

Debate ensued.

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

Senator Siewert moved the following amendments together by leave:

Clause 44, page 61 (lines 1 to 3), omit subparagraph (3)(b)(ii).

Clause 44, page 61 (line 12), omit subparagraph (5)(b)(i), substitute:

- (i) items 1, 2, 3, 6, 8, 9 or 10 of the table in subsection 22(1);
- or

Clause 175, page 167 (line 29), after “directions”, insert “, which must be consistent with the objects of this Act,”.

Clause 175, page 168 (line 13), at the end of subclause (2), add:

; or (e) those aspects of the Basin Plan excluded from Ministerial direction under subsection 44(5).

Debate ensued.

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

Question—That the bill be agreed to—divided in respect of clauses 38 and 62.

Clauses 38 and 62 agreed to.

Senator Siewert moved the following amendment:

Page 97 (after line 15), after clause 77, insert:

77A Acquisition on just terms

In order to maintain the reliability of water access rights and water access entitlements or return water use to sustainable limits, the Minister may acquire a proportion of every water access entitlement and water access right in a water resource area on just terms.

Note: This would mean that water could be acquired only in a manner that is consistent with the principles established under the *Lands Acquisition Act 1989*.

Debate ensued.

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

Question—That the bill be agreed to—divided in respect of clause 255.

Clause 255 agreed to.

The Leader of the Australian Greens (Senator Bob Brown) moved the following amendment:

Page 106 (after line 12), at the end of Part 2, add:

Division 5—Investments

86A Investment decisions

The Minister, in making investment decisions related to the Murray-Darling Basin, including but not limited to investments relating to modernising on-farm and off-farm irrigation infrastructure, major engineering works and the purchase of water allocations, must:

- (a) ensure consistency of the investment with the Basin Plan; and
- (b) ensure consistency of the investment with the National Water Initiative commitments, giving effect to the principles of full-cost recovery, user pays and pricing transparency; and
- (c) provide transparency and accountability in the expenditure of funds; and
- (d) monitor and measure the effectiveness of the investment in meeting the objectives of the Basin Plan; and
- (e) assess the cost effectiveness of the proposal.

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

Senator Siewert moved the following amendments together by leave:

Heading to Part 5, page 120 (line 3), at the end of the heading, add “**and Register**”.

Page 121 (after line 30), after clause 103, insert:

103A Progressively established Basin Water Register

- (1) The Authority may establish a guaranteed Water Rights Register in a manner that is consistent with the Basin Plan.
- (2) The Authority may establish a process enabling the voluntary transfer of registrable water rights issued by States to the Register established under subsection (1).

Debate ensued.

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

Senator Bob Brown moved the following amendment:

Clause 110, page 126 (line 1), before “using”, insert “acquiring, holding or”.

Debate ensued.

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

Senator Siewert moved the following amendments together by leave:

Clause 140, page 142 (lines 5 to 9), omit subclause (1), substitute:

- (1) If a person has engaged, is engaging or is proposing to engage in conduct consisting of an act or omission that constituted, constitutes or would constitute a contravention to which this Part applies, an application to a Court for an injunction may be sought by:
 - (a) the appropriate enforcement agency; or
 - (b) an interested person (other than an unincorporated organisation); or
 - (c) a person acting on behalf of an unincorporated organisation that is an interested person.

Clause 140, page 143 (after line 18), at the end of the clause, add:

- (7) For the purposes of an application for an injunction relating to conduct or proposed conduct, an individual is an ***interested person*** if the individual is an Australian citizen or ordinarily resident in Australia or an external Territory, and:
 - (a) the individual's interests have been, are or would be affected by the conduct or proposed conduct; or
 - (b) the individual engaged in a series of activities for protection or conservation of, or research into, water resources or dependent ecosystems, at any time in the 2 years immediately before:
 - (i) the conduct; or
 - (ii) in the case of proposed conduct—making the application for the injunction.
- (8) For the purposes of an application for an injunction relating to conduct or proposed conduct, an organisation (whether incorporated or not) is an ***interested person*** if it is incorporated (or was otherwise established) in Australia or an external Territory and one or more of the following conditions are met:
 - (a) the organisation's interests have been, are or would be affected by the conduct or proposed conduct;
 - (b) if the application relates to conduct—at any time during the 2 years immediately before the conduct:
 - (i) the organisation's objects or purposes include the protection or conservation of, or research into, water resources or dependent ecosystems; and
 - (ii) the organisation has been engaged in a series of activities related to the protection or conservation of, or research into, water resources or dependent ecosystems; and
 - (c) if the application relates to proposed conduct—at any time during the 2 years immediately before the making of the application:
 - (i) the organisation's objects or purposes include the protection or conservation of, or research into, water resources or dependent ecosystems; and
 - (ii) the organisation has been engaged in a series of activities related to the protection or conservation of, or research into, water resources or dependent ecosystems.

Page 163 (after line 12), at the end of Part 8, add:

Division 10—Review of administrative decisions

170A Extended standing for judicial review

- (1) This section extends (and does not limit) the meaning of the term ***person aggrieved*** in the *Administrative Decisions (Judicial Review) Act 1977* for the purposes of the application of that Act in relation to:
 - (a) a decision made under this Act or the regulations; or
 - (b) a failure to make a decision under this Act or the regulations; or
 - (c) conduct engaged in for the purpose of making a decision under this Act or the regulations.

- (2) An individual is taken to be a person aggrieved by the decision, failure or conduct if:
 - (a) the individual is an Australian citizen ordinarily resident in Australia or an external Territory; and
 - (b) at any time in the 2 years immediately before the decision, failure or conduct, the individual has engaged in a series of activities in Australia or an external Territory for protection or conservation of, or research into, water resources or dependent ecosystems.
- (3) An organisation or association (whether incorporated or not) is taken to be a person aggrieved by the decision, failure or conduct if:
 - (a) the organisation or association is incorporated, or was otherwise established, in Australia or an external Territory; and
 - (b) at any time in the 2 years immediately before the decision, failure or conduct, the organisation or association has engaged in a series of activities in Australia or an external Territory for protection or conservation of, or research into, water resources or dependent ecosystems; and
 - (c) at the time of the decision, failure or conduct, the objects or purposes of the organisation or association included protection or conservation of, or research into, water resources or dependent ecosystems.
- (4) A term (except *person aggrieved*) used in this section and in the *Administrative Decisions (Judicial Review) Act 1977* has the same meaning in this section as it has in that Act.

170B Applications on behalf of unincorporated organisations

Applications for a review of decisions under the *Administrative Decisions (Judicial Review) Act 1977* may be applied for by a person acting on behalf of an unincorporated organisation that is a person aggrieved for the purposes of that Act by:

- (a) a decision made under this Act or the regulations; or
- (b) a failure to make a decision under this Act or the regulations; or
- (c) conduct engaged in for the purpose of making a decision under this Act or the regulations.

Debate ensued.

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

Senator Bob Brown moved the following amendments together by leave:

Clause 172, page 164 (after line 10), before paragraph (1)(a), insert:

- (aa) to pursue the objects of this Act as set out in section 3;

Clause 172, page 164 (line 17), after “quantity”, insert “and the threat to the long term health”.

Clause 172, page 165 (line 32), at the end of paragraph (1)(h), add “with specific attention to river, wetland and estuary health”.

Debate ensued.

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

Senator Siewert moved the following amendment:

Clause 178, page 170 (line 29), omit “must”, substitute “may”.

Debate ensued.

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

Bill agreed to.

WATER (CONSEQUENTIAL AMENDMENTS) BILL 2007—

Bill, taken as a whole by leave, agreed to.

Bills to be reported without amendments.

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

On the motion of the Minister for Fisheries, Forestry and Conservation (Senator Abetz) the report from the committee was adopted and the bills read a third time.

41 APEC PUBLIC HOLIDAY 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.

The Leader of the Opposition in the Senate (Senator Evans) moved the following amendment:

At the end of the motion, add “but the Senate condemns the Government’s failure to:

- (a) ensure fairness at work and fairness beyond work through its inherently unfair Work Choices laws;
- (b) provide proper protections from important Australian national public holidays, such as Anzac Day; and
- (c) recognise the adverse impacts these unfair laws have had on working Australians, their families and the wider Australian community”.

Debate ensued.

The Leader of the Australian Greens (Senator Bob Brown) moved the following amendment to Senator Evans’ proposed amendment:

At the end of the motion, add “and considers that businesses should be compensated by the Federal Government for the economic loss caused by holding the Asia-Pacific Economic Cooperation conference in Sydney”.

Debate ensued.

Question—That Senator Bob Brown’s amendment to Senator Evans’ proposed amendment be agreed to—put and negatived.

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

Senator Bob Brown moved the following amendment:

At the end of the motion, add “but given the enormous disruption and cost, the Asia-Pacific Economic Cooperation conference should not have been held in the central business district of Sydney”.

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 Minister for Fisheries, Forestry and Conservation (Senator Abetz) the bill was read a third time.

42 PRODUCT STEWARDSHIP (OIL) AMENDMENT BILL 2007

SOCIAL SECURITY AMENDMENT (2007 MEASURES NO. 1) BILL 2007

COMMUNICATIONS LEGISLATION AMENDMENT (INFORMATION SHARING AND DATACASTING) BILL 2007

INTERNATIONAL TRADE INTEGRITY BILL 2007

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

Message no. 632, dated 16 August 2007—A Bill for an Act to amend the *Product Stewardship (Oil) Act 2000*, and for related purposes.

Message no. 633, dated 16 August 2007—A Bill for an Act to amend the *Social Security Act 1991*, and for related purposes.

Message no. 634, dated 16 August 2007—A Bill for an Act to amend the law relating to communications, and for related purposes.

Message no. 635, dated 16 August 2007—A Bill for an Act to implement the Australian Government’s response to recommendations made by the Inquiry into Certain Australian Companies in relation to the United Nations Oil-for-Food Programme, and for other purposes.

The Minister for Fisheries, Forestry and Conservation (Senator Abetz) 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 Abetz moved—That these bills be now read a second time.

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

Senator Abetz moved—That the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

43 COMMITTEES—CHANGES IN MEMBERSHIP

The Acting Deputy President (Senator Moore) informed the Senate that the President had received letters requesting changes in the membership of committees.

The Minister for Fisheries, Forestry and Conservation (Senator Abetz), by leave, moved—That senators be discharged from and appointed to committees as follows:

Community Affairs—Standing Committee—

Appointed—substitute member: Senator McGauran to replace Senator Boyce for the committee's inquiry into the cost of living pressures on older Australians, on 23 August 2007

Finance and Public Administration—Standing Committee—

Appointed—

Substitute members: Senators Joyce and Ian Macdonald to replace Senators Fierravanti-Wells and Watson, respectively, for the committee's inquiry into the provisions of the Commonwealth Electoral Amendment (Democratic Plebiscites) Bill 2007

Participating members: Senators Fierravanti-Wells and Watson

Foreign Affairs, Defence and Trade—Joint Standing Committee—

Appointed—Senator Fifield

Foreign Affairs, Defence and Trade—Standing Committee—

Appointed—Senator Cormann

Intelligence and Security—Joint Statutory Committee—

Appointed—Senator Sandy Macdonald

Procedure—Standing Committee—

Appointed—Senator Nash

Publications—Standing Committee—

Appointed—Senator Fisher.

Question put and passed.

44 ADJOURNMENT

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

The Senate adjourned at 4.33 pm till Monday, 10 September 2007 at 12.30 pm.

45 ATTENDANCE

Present, all senators except Senator Troeth (on leave).

HARRY EVANS
Clerk of the Senate