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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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1 MEETING OF SENATE

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

2 GOVERNMENT DOCUMENTS

The following government documents were tabled:

Aboriginal Land Commissioner—Report for 2006-07.

Airservices Australia—Report for 2006-07.

Anglo-Australian Telescope Board—Anglo-Australian Observatory (AAO)—Report for 2006-07.

Australian Competition and Consumer Commission (ACCC)—Report for 2006-07, incorporating the report of the Australian Energy Regulator (AER).

Australian Radiation Protection and Nuclear Safety Agency—Quarterly reports for the periods—

1 January to 31 March 2007.

1 April to 30 June 2007.

1 July to 30 September 2007.

Australian Reinsurance Pool Corporation—Report for 2006-07.

Australian Securities and Investments Commission (ASIC)—Report for 2006-07.

Companies Auditors and Liquidators Disciplinary Board (CALDB)—Report for 2006-07.

Corporations and Markets Advisory Committee—Report for 2006-07.

Department of Defence—Special purpose flights—Schedule for the period 1 January to 30 June 2007.

Department of the Prime Minister and Cabinet—Expenditure on travel by former Governors-General paid by the department for the period 1 January to 30 June 2007.

Financial Reporting Council—Report for 2006-07 on auditor independence.

Financial Reporting Council, Australian Accounting Standards Board and Auditing and Assurance Standards Board—Reports for 2006-07.

Financial Reporting Panel—Report for 2006-07.

High Court of Australia—Report for 2006-07.

Human Rights and Equal Opportunity Commission—Reports—

No. 38—Report of an inquiry into a complaint by Mr Frank Ottaviano of discrimination in employment on the basis of criminal record against South Australia Police (State of South Australia).

No. 39—Complaint by Mr Huong Nguyen and Mr Austin Okoye against the Commonwealth of Australia (Department of Immigration and Citizenship, formerly the Department of Immigration and Multicultural and Indigenous Affairs) and GSL (Australia) Pty Ltd.

Medical Training Review Panel—Report for 2006-07.

National Competition Council—Report for 2006-07.

National Crime Authority Legislation Amendment Act 2001—Review for the period 12 October 2001 to 12 October 2006 of provisions of the *Australian Crime Commission Act 2002*—Report by Mark Trowell, QC, March 2007.

National Environment Protection Council (NEPC)—Report for 2006-07, including financial statements for the National Environment Protection Council Service Corporation.

Productivity Commission—Report for 2006-07.

Services Trust Funds—Royal Australian Navy Relief Trust Fund, Royal Australian Air Force Welfare Trust Fund and Australian Military Forces Relief Trust Fund—Reports for 2006-07.

Social Security Appeals Tribunal—Report for 2006-07.

Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 July to 30 September 2007.

Takeovers Panel (TP)—Report for 2006-07.

3 **CROSS-BORDER INSOLVENCY BILL 2008**

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

Debate resumed.

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 Superannuation and Corporate Law (Senator Sherry) the bill was read a third time.

4 **GOVERNOR-GENERAL'S OPENING SPEECH—ADDRESS-IN-REPLY**

Order of the day read for the adjourned debate on the motion of Senator Wortley—That the address-in-reply be agreed to (*see entry no. 4, 13 February 2008*).

Debate resumed.

At 2 pm: Debate was interrupted.

5 **QUESTIONS**

Questions without notice were answered.

Documents: The Minister for Climate Change and Water (Senator Wong) tabled the following documents:

Environment—Kyoto Protocol—

‘Australia’s national greenhouse accounts: The Australian Government’s initial report under the Kyoto Protocol’—Submission to the secretariat of the United Nations Framework Convention on Climate Change.

‘Tracking to the Kyoto target: Australia’s greenhouse emissions trends 1990 to 2008-2012 and 2020’—Report prepared by the Department of Climate Change.

Further questions without notice were answered.

6 QUESTION TIME—MINISTERS—STATEMENT BY PRESIDENT

The President made a statement in response to a question without notice asked by Senator Ian Macdonald on 14 February 2008 relating to ministers providing corrections to answers to questions without notice (*see entry no. 31, 14 February 2008*).

Senator Ian Macdonald, by leave, moved—That the Senate take note of the statement.

Question put and passed.

7 MOTIONS TO TAKE NOTE OF ANSWERS

Senator Ronaldson moved—That the Senate take note of the answers given by the Minister for Immigration and Citizenship (Senator Evans) to questions without notice asked by Senator Ronaldson today relating to the code of conduct of members of Parliament.

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

Parliament—Code of conduct—Copy of advertisement for Chris Trevor & Associates, *Property Week, The Observer* (Gladstone), 23 February 2008.

Debate ensued.

Question put and passed.

The Leader of the Australian Democrats (Senator Allison) moved—That the Senate take note of the answer given by the Minister for Immigration and Citizenship (Senator Evans) to a question without notice asked by Senator Allison today relating to drug use and abuse.

Question put and passed.

8 DEATH OF FORMER SENATOR SIEGFRIED EMIL (SID) SPINDLER

The Deputy President (Senator Hogg) informed the Senate of the death, on 1 March 2008, of Siegfried Emil (Sid) Spindler, a senator for the state of Victoria from 1990 to 1996.

The Leader of the Government in the Senate (Senator Evans), by leave, moved—That the Senate records its deep regret at the death, on 1 March 2008, of Siegfried Emil (Sid) Spindler, former senator for Victoria, and places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his family in their bereavement.

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

Question passed.

9 PETITIONS

The following 3 petitions, lodged with the Clerk by the senators indicated, were received:

Senator Allison, from 20 petitioners, requesting that the Senate reject legislation that would undermine a woman's right to access abortion.

Senator Ronaldson, from 18 petitioners, requesting that the Senate 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.

Senator Troeth, from 57 petitioners, requesting that the Senate take action to ban the production, transfer, importation and use of anti-vehicle mines.

10 NOTICES

The Leader of the Australian Democrats (Senator Allison): To move on the next day of sitting—That there be laid on the table by the Minister for Broadband, Communications and the Digital Economy, no later than 4.30 pm on Thursday, 20 March 2008, a copy of the KPMG *ABC Funding Adequacy and Efficiency Review* report. (*general business notice of motion no. 28*)

The Leader of the Australian Democrats (Senator Allison): To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Education, no later than 4.30 pm on Thursday, 20 March 2008, a copy of the Department of Education, Science and Training review of private school funding report. (*general business notice of motion no. 29*)

The Chair of the Select Committee on State Government Financial Management (Senator Ian Macdonald): To move on the next day of sitting—That the time for the presentation of the report of the Select Committee on State Government Financial Management be extended to 18 June 2008. (*general business notice of motion no. 30*)

Senator Murray: To move on the next day of sitting—

- (1) That the Senate, noting concern in the community at the abuse of alcohol, asks that the Government refer the following matter to a parliamentary committee, an appropriate body or a specially-established task force for inquiry and report:

The need to significantly reduce alcohol abuse in Australia, especially in geographic or demographic hot spots, and what the Commonwealth, states and territories should separately and jointly do with respect to:

 - (a) the pricing of alcohol, including taxation;
 - (b) the marketing of alcohol; and
 - (c) regulating the distribution, availability and consumption of alcohol.
- (2) That, in undertaking the inquiry, regard is to be had to:
 - (a) economic as well as social issues;
 - (b) alcohol rehabilitation and education;
 - (c) the need for a flexible, responsive and adaptable regulatory regime; and
 - (d) the need for a consistent, harmonised Australian approach. (*general business notice of motion no. 31*)

Senator Murray: To move on the next day of sitting—That, in view of:

- (a) the instances of developers being identified in investigations into corrupt influence in local government, and other levels of government;
 - (b) public and media perceptions of improper conduct and influence by developers; and
 - (c) calls for donations, loans, gifts and favours from developers to be prohibited,
- the Senate calls on the Prime Minister (Mr Rudd) to put this matter before the Council of Australian Governments, with a view to designing amendments to all federal, state and territory electoral laws no later than 1 December 2008 either:

- (a) prohibiting donations, loans, or gifts by developers, either directly or indirectly, to candidates or political parties at any level of government; or
- (b) significantly improving and harmonising law, regulation and governance in this area. (*general business notice of motion no. 32*)

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

- (a) notes that at the first ever global forum to fight the crime of human trafficking, the Vienna Forum to Fight Human Trafficking was held from 13 February to 15 February 2008 and convened by the United Nations (UN) Global Initiative to Fight Human Trafficking, an initiative launched by UN Office on Drugs and Crime and several UN partners in 2007; and
- (b) urges the new Government to continue the initiatives of the previous Government to combat human trafficking:
 - (i) by ensuring that Australian agencies are properly funded in the upcoming budget to fight human trafficking and continues to be a world leader in this important area,
 - (ii) developing initiatives with regional partners to address this important issue, and
 - (iii) requiring the new Government to report to the Senate on the measures it will take to ensure that Australia is at the forefront of combating human trafficking. (*general business notice of motion no. 33*)

The Minister for Broadband, Communications and the Digital Economy (Senator Conroy): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the law relating to communications, and for related purposes. ***Communications Legislation Amendment (Miscellaneous Measures) Bill 2008.***

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

- (a) notes that:
 - (i) 8 March was International Women's Day,
 - (ii) Australia trails other comparable economies in the area of gender equity,
 - (iii) despite achieving the universal right to equal pay more than 35 years ago, Australian women still experience a pay gap of 16 per cent compared with their male counterparts, and
 - (iv) the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was established more than 8 years ago to ensure the full and equal enjoyment by women of all human rights and fundamental freedoms; and
- (b) calls on the Government to stand by its promise and ratify the Optional Protocol to the CEDAW as a matter of urgency. (*general business notice of motion no. 34*)

The Leader of the Australian Greens (Senator Bob Brown): To move on 18 March 2008—That the Senate:

- (a) having regard to:
 - (i) the 11th Australia-China Human Rights Dialogue held in Beijing on 30 July 2007,
 - (ii) the United Nations (UN) Olympics Truce, as passed by the UN General Assembly on 31 October 2007 (A/RES/62/4),
 - (iii) the 49th anniversary of the Tibetan Uprising of 10 March 1959,

- (iv) the 60th anniversary of the Universal Declaration of Human Rights, with particular attention to Article 9, concerning arbitrary arrest and detention, Article 13 on the right to freedom of movement and Article 18 on the rights to freedom of thought, conscience and religion,
 - (v) the establishment of diplomatic relations between Australia and the Peoples Republic of China on 21 December 1972 resulting in Australia-China relations developing strongly, politically and economically, and
 - (vi) the Australia-China Strategic Partnership, established on 7 September 2007, which is of great importance for the relationship between Australia and China;
- (b) regrets that there have been no further rounds of the Sino-Tibetan dialogue since February 2006 and that the five rounds of talks between Chinese officials and representatives of the Dalai Lama from 2002 to 2006, led by his Special Envoy Lodi Gyari, brought no substantive results;
 - (c) calls on the parties to make every effort to continue the dialogue and on the Chinese Government to engage in substantive negotiations, taking into due consideration the Dalai Lama's Middle Way Approach to the resolution of the Tibet issue; and
 - (d) reiterates its concern over the reports of continuing human rights violations in Tibet, including torture, arbitrary arrest and detention, repression of religious freedom, 'patriotic re-education' including forcing Tibetans to denounce the Dalai Lama, arbitrary restrictions on free movement, rehabilitation through labour camps and coercive resettlement. (*general business notice of motion no. 35*)

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

- (1) The following matter be referred to the Environment, Communications and the Arts Committee for inquiry and report by 23 June 2008:
 - The sexualisation of children in the contemporary media environment, including radio and television, children's magazines, other print and advertising material and the Internet.
- (2) In undertaking the inquiry, the committee, in particular:
 - (a) examine the sources and beneficiaries of premature sexualisation of children in the media;
 - (b) review the evidence on the short- and long-term effects of viewing or buying sexualising and objectifying images and products and their influence on cognitive functioning, physical and mental health, sexuality, attitudes and beliefs; and
 - (c) examine strategies to prevent and/or reduce the sexualisation of children in the media and the effectiveness of different approaches in ameliorating its effects, including the role of school-based sexuality and reproductive health education and change in media and advertising regulation such as the Commercial Television Industry Code of Practice and the Commercial Radio Codes of Practice.

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

- (1) That so much of standing orders be suspended as would prevent this resolution having effect.
- (2) That the following bills be restored to the *Notice Paper* and that consideration of each bill resumed at the stage reached in the 41st Parliament:

Migration Legislation Amendment (Migration Zone Excision Repeal) Bill 2006
 Migration Legislation Amendment (Migration Zone Excision Repeal) (Consequential Provisions) Bill 2006
 Migration Legislation Amendment (Temporary Protection Visas Repeal) Bill 2006
 Migration Legislation Amendment (Provisions Relating to Character and Conduct) Bill 2006
 Migration Legislation Amendment (End of Mandatory Detention) Bill 2006
 Migration Legislation Amendment (Complementary Protection Visas) Bill 2006
 Migration Legislation Amendment (Access to Judicial Review of Migration Decisions) Bill 2006
 Migration Legislation Amendment (Restoration of Rights and Procedural Fairness) Bill 2007. (*general business notice of motion no. 36*)

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

(a) notes:

- (i) that Amnesty International, CARE International UK, CAFOD, Christian Aid, Medecins du Monde UK, Oxfam, Save the Children UK and Trocaire, in the week beginning 2 March 2008 said that the humanitarian situation in the Gaza Strip is now worse than it was at any time since Israel occupied the Palestinian territories in 1967,
- (ii) that those organisations in the week beginning 9 March 2008 described Israel's blockade of Gaza as a collective punishment of the entire Gazan population of 1.5 million and said it was unacceptable and illegal,
- (iii) that the situation has worsened since Israel imposed the severe restrictions over the Gaza Strip and hindered the movement of residents and goods,
- (iv) that poverty levels in the Gaza Strip are rising and that hospitals are suffering 12 hour power cuts each day while water and sewage systems are close to collapse,
- (v) that the United Nations (UN) emergency relief coordinator in Gaza says medical services are deteriorating, private industry has more or less collapsed, hospitals lack sufficient beds, drugs, resuscitation devices, needles and blood to meet the demand and more than 80 per cent of the population are receiving emergency rations from UN agencies as their main source of food,
- (vi) that 40 per cent of the Gaza population has access to water for only a few hours a day and that municipal authorities lack the fuel and spare parts needed to maintain water delivery infrastructure which could collapse at any time and that 40 million litres of raw or partially-treated sewage is being pumped into the Mediterranean Sea every day with long-term risks to the environment, and
- (vii) that the International Save the Children Alliance advised that hundreds of thousands of children are among those most at risk in the crisis in Gaza with increased levels of chronic disease, anaemia, diarrhoea and malnutrition in children under 5 years of age;

- (b) urges the Government to work with the international community and parties to the conflict to, as a matter of urgency:
 - (i) establish procedures to manage the crossings and re-establish full humanitarian and commercial access to Gaza,
 - (ii) enforce the full implementation of the 2005 Agreement on Movement and Access, which was announced by the United States Secretary of State, Condoleezza Rice, in Jerusalem on 15 November 2005,
 - (iii) develop a strategy that ensures the protection of children and other civilians in Gaza, while negotiations continue for an end to the violence and a comprehensive settlement of the conflict, and
 - (iv) increase the levels of humanitarian aid in Gaza to reflect the severity of need; and
- (c) considers that celebrating the 60th anniversary of Israel's statehood should not be interpreted as endorsement of action that gave rise to such crises or approval of the failure to deliver peace and a separate state for Palestinians, an objective that appears less likely now than at any time in the past 60 years. (*general business notice of motion no. 37*)

Senator Ronaldson: To move on the next day of sitting—

- (1) That the following matter be referred to the Joint Standing Committee on Electoral Matters for inquiry and report:

All aspects of the 2007 Federal Election and matters related thereto, with particular reference to:

 - (a) the level of donations, income and expenditure received by political parties, associated entities and third parties at recent local, state and federal elections;
 - (b) the extent to which political fundraising and expenditure by third parties is conducted in concert with registered political parties;
 - (c) the take up, by whom and by what groups, of current provisions for tax deductibility for political donations as well as other groups with tax deductibility that involve themselves in the political process without disclosing that tax deductible funds are being used;
 - (d) the provisions of the Act that relate to disclosure and the activities of associated entities, and third parties not covered by the disclosure provisions;
 - (e) the appropriateness of current levels of public funding provided for political parties and candidates contesting federal elections;
 - (f) the availability and efficacy of 'free time' provided to political parties in relation to federal elections in print and electronic media at local, state and national levels;
 - (g) the public funding of candidates whose eligibility is questionable before, during and after an election with the view to ensuring public confidence in the public funding system;
 - (h) the relationship between public funding and campaign expenditure; and
 - (i) the harmonisation of state and federal laws that relate to political donations, gifts and expenditure.
- (2) That in conducting the review the committee undertake hearings in all capital cities and major regional centres and call for submissions. (*general business notice of motion no. 38*)

The Leader of the Australian Democrats (Senator Allison): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to prohibit disruptive advertising in SBS television programs, and for related purposes. ***Special Broadcasting Service Amendment (Prohibition of Disruptive Advertising) Bill 2008.*** (general business notice of motion no. 39)

The Leader of the Family First Party (Senator Fielding): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to provide for product control and payment and refund of deposits in relation to certain drink containers in order to protect the environment, and for related purposes. ***Drink Container Recycling Bill 2008.*** (general business notice of motion no. 40)

Documents: The Minister for Superannuation and Corporate Law (Senator Sherry) tabled the following documents:

Wheat Export Marketing Bill 2008—Exposure draft.

Wheat Export Marketing (Repeal and Consequential Amendments) Bill 2008—Exposure draft.

The Minister for Superannuation and Corporate Law (Senator Sherry): To move on the next day of sitting—That the exposure drafts of the Wheat Export Marketing Bill 2008 and the Wheat Export Marketing (Repeal and Consequential Amendments) Bill 2008 be referred to the Rural and Regional Affairs and Transport Committee for inquiry and report by 11 April 2008.

The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Commonwealth Electoral Act 1918* to repeal provisions relating to group voting tickets and provide for preferential above-the-line voting, and for related purposes. ***Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008.*** (general business notice of motion no. 41)

11 LEAVE OF ABSENCE

Senator Bartlett, by leave, moved—That leave of absence be granted to Senator Stott Despoja from 11 March to 20 March 2008.

Question put and passed.

12 ECONOMICS—STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Webber, by leave and at the request of the Chair of the Economics Committee (Senator Hurley), moved—That the Economics Committee be authorised to hold a public meeting during the sitting of the Senate today, from 7.30 pm, to further consider the 2007-08 additional estimates for the Office of the Chief Scientist.

Question put and passed.

13 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Milne for today, proposing a reference to the Economics Committee, postponed till 18 March 2008.

General business notice of motion no. 26 standing in the name of Senator Bartlett for today, proposing the introduction of the National Commissioner for Children Bill 2008, postponed till 12 March 2008.

14 INDIGENOUS AUSTRALIANS—HEALTH—TRACHOMA

The Leader of the Australian Democrats (Senator Allison) amended general business notice of motion no. 17 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes that:
- (i) among Indigenous Australians, blindness and visual impairment is significantly higher than in other populations,
 - (ii) most blindness and vision loss is preventable or correctable and for each \$1 spent on eye care there is a \$5 return,
 - (iii) trachoma is the most common cause of infectious blindness and Australia is the only developed country that still has blinding endemic trachoma:
 - (A) the study *Surveillance report for active trachoma, 2006* for which Aboriginal children from most regions of the Northern Territory, Western Australia and South Australia were screened, showed prevalence rates of active trachoma of 16 per cent in rural Darwin, 30 per cent in Katherine, 21 per cent in Barkly, 18 per cent in Alice Springs Remote, 18 per cent in Nganampa, 18 per cent in Tullawon, 12 per cent in Pika Wiya, 18 per cent in Kimberley, 53 per cent in Pilbara, and 19 per cent in Western Australia's midwest and goldfields,
 - (B) rates of active trachoma are highest in young children and for children aged 0-5 who were for the most part not included in the survey and therefore rates could be expected to be higher,
 - (C) concerted trachoma control activities over the past 10 years have eliminated active trachoma in Morocco, Oman and Iran, and
 - (D) even in Niger, the poorest country in Africa, trachoma is being controlled by an active intervention program,
 - (iv) cataracts occur more commonly in Aboriginal people, and Indigenous Australians report vision loss from cataracts 50 per cent more commonly than mainstream Australia, and
 - (v) few Aboriginal people have access to refractive services, although 20 per cent of all children need glasses and there is an almost universal need for reading glasses over the age of 40;
- (b) according to the Centre for Eye Research Australia, trachoma can be eliminated in Australia, vision loss substantially reduced and equality in eye health for all Australians achieved within 5 years with relatively modest financial resources; and
- (c) urges the Government to prioritise Indigenous eye health care by supporting:
- (i) antibiotics for active trachoma, screening and programs promoting facial cleanliness, environmental improvement and trichiasis surgery for later stage trachoma to prevent irreversible blindness,
 - (ii) sustainable programs for screening for diabetic retinopathy and timely laser treatment,
 - (iii) regular eye examinations, and
 - (iv) up-to-date eye health data.

Question put and passed.

15 FOREIGN AFFAIRS—COLOMBIA—MS INGRID BETANCOURT

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. 27—That the Senate—

- (a) notes that 23 February 2008 marked the 6th year that Ingrid Betancourt has been held hostage by the Revolutionary Armed Forces of Colombia (FARC); and
- (b) calls on the FARC to release Ms Betancourt and all its hostages.

Question put and passed.

16 ECONOMY—WAGE RESTRAINT

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. 13—That the Senate—

- (a) notes the Reserve Bank of Australia's concern about 'significant inflation pressures' and the Rudd Government's call for wage restraint from Australian workers; and
- (b) acknowledges that parliamentarians should lead by example in that wage restraint.

Question put and passed.

17 TRANSPORT—AUSTRALIA-UNITED STATES 'OPEN SKIES' AGREEMENT—MINISTERIAL STATEMENT—DOCUMENT

The Minister for Superannuation and Corporate Law (Senator Sherry) tabled the following document:

Transport—Australia-United States 'Open Skies' Agreement—Ministerial statement by the Minister for Infrastructure, Transport, Regional Development and Local Government (Mr Albanese).

18 DEFENCE—AFGHANISTAN—MINISTERIAL STATEMENT—DOCUMENT

The Minister for Superannuation and Corporate Law (Senator Sherry) tabled the following document:

Defence—Afghanistan—Ministerial statement by the Minister for Defence (Mr Fitzgibbon), dated 19 February 2008.

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

Debate ensued.

Question put and passed.

19 YOUTH 2020 SUMMIT—MINISTERIAL STATEMENT—DOCUMENT

The Minister for Superannuation and Corporate Law (Senator Sherry) tabled the following document:

Youth 2020 Summit—Ministerial statement by the Minister for Youth (Ms Ellis), dated 20 February 2008.

20 TRADE—REVIEW OF EXPORT POLICIES AND PROGRAM—MINISTERIAL STATEMENT—DOCUMENT

The Minister for Superannuation and Corporate Law (Senator Sherry) tabled the following document:

Trade—Review of export policies and program—Ministerial statement by the Minister for Trade (Mr Crean), dated 21 February 2008.

21 ENVIRONMENT—AUSTRALIA'S RATIFICATION OF THE KYOTO PROTOCOL—MINISTERIAL STATEMENT—DOCUMENT

The Minister for Superannuation and Corporate Law (Senator Sherry) tabled the following document:

Environment—Australia's ratification of the Kyoto Protocol—Ministerial statement by the Prime Minister (Mr Rudd), dated 11 March 2008.

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

Debate ensued.

Question put and passed.

22 ESTIMATES OF PROPOSED ADDITIONAL EXPENDITURE FOR 2007-08—PORTFOLIO ADDITIONAL ESTIMATES STATEMENTS—PORTFOLIOS AND EXECUTIVE DEPARTMENTS—DOCUMENT

The Acting Deputy President (Senator Troeth) tabled the following document received on 15 February 2008:

Estimates of proposed additional expenditure for 2007-08—Portfolio additional estimates statements—Portfolios and executive departments—Agriculture, Fisheries and Forestry portfolio—Correction.

23 GOVERNMENT DOCUMENTS

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

Commonwealth Grants Commission—Report on State revenue sharing relativities—2008 update. [*Received 4 March 2008*]

Superannuation (Government Co-contribution for Low Income Earners) Act 2003—Quarterly reports on the operation of the Government co-contribution scheme for the periods—

1 July to 30 September 2007. [*Received 5 March 2008*]

1 October to 31 December 2007. [*Received 5 March 2008*]

24 AUDITOR-GENERAL—AUDIT REPORTS NOS 24 TO 26 OF 2007-08—DOCUMENTS

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

Auditor-General—Audit reports for 2007-08—

No. 24—Performance audit—DIAC's management of the introduction of biometric technologies—Department of Immigration and Citizenship. [*Received 26 February 2008*]

No. 25—Performance audit—Administering round the clock Medicare grants—Department of Health and Ageing. [*Received 27 February 2008*]

No. 26—Performance audit—Tasmanian forest industry development and assistance programs—Department of Agriculture, Fisheries and Forestry. [Received 28 February 2008]

Senator Abetz, by leave, moved—That the Senate take note of report no. 26.
Debate adjourned till the next day of sitting, Senator Abetz in continuation.

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

Pursuant to the order of the Senate of 20 June 2001, as amended, the Acting Deputy President (Senator Troeth) tabled the following documents received on the dates indicated:

Departmental and agency contracts for 2007—Letters of advice—

Agriculture, Fisheries and Forestry portfolio agencies. [Received 3 March 2008]

Attorney-General's portfolio agencies. [Received 3 March 2008]

Broadband, Communications and the Digital Economy portfolio agencies. [Received 3 March 2008]

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26 AUDITOR-GENERAL—AUDIT REPORT NO. 23 OF 2007-08—DOCUMENT

The Acting Deputy President (Senator Troeth) tabled the following document:

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27 DOCUMENTS

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Spasmodic Torticollis No. 22 of 2008 [F2008L00573]*.

Governor-General's Proclamations—Commencement of Provisions of Acts

Aged Care Amendment (Residential Care) Act 2007—Schedule 1—20 March 2008 [F2008L00205]*.

Protection of the Sea (Harmful Anti-fouling Systems) Act 2006—Sections 3 to 25—17 September 2008 [F2008L00369]*.

* Explanatory statement tabled with legislative instrument.

28 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 2007—Letters of advice—

Defence.

Innovation, Industry, Science and Research portfolio agencies.

29 INDEXED LISTS OF DEPARTMENTAL AND AGENCY FILES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

The following document was tabled pursuant to the order of the Senate of 30 May 1996, as amended:

Indexed lists of departmental and agency files for the period 1 January to 30 June 2007—Statement of compliance—Australian Agency for International Development (AusAID).

30 PARLIAMENTARY ENTITLEMENTS—STATEMENT BY LEAVE

The Special Minister of State (Senator Faulkner), by leave, made a statement relating to the Parliamentary Entitlements Amendment Regulations tabled earlier today (*see entry no. 27*).

Senator Murray, by leave, moved—That the Senate take note of the statement.

Debate ensued.

Question put and passed.

31 COMMITTEE MEMBERSHIP

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

The Special Minister of State (Senator Faulkner), by leave, moved—That senators be discharged from and appointed to committees as follows:

Broadcasting of Parliamentary Proceedings—Joint Statutory Committee—

Discharged—Senator Parry

Appointed—Senator Cormann

Electoral Matters—Joint Standing Committee—

Discharged—Senator Fierravanti-Wells

Appointed—Senator Fifield

Treaties—Joint Standing Committee—

Discharged—Senator Cormann

Appointed—Senator Sandy Macdonald.

Question put and passed.

32 ADVISORY COUNCIL ON AUSTRALIAN ARCHIVES—SENATE MEMBER OF COUNCIL—PARLIAMENTARY RETIRING ALLOWANCES TRUST—TRUSTEE

The Acting Deputy President (Senator Troeth) informed the Senate that the President had received a letter from Senator Faulkner resigning his position as a member of the Advisory Council on Australian Archives and as a trustee on the Parliamentary Retiring Allowances Trust.

33 COMMITTEE MEMBERSHIP

Messages from the House of Representatives were reported informing the Senate of the appointment of members of the House of Representatives to joint committees, as follows:

Message no. 13, dated 18 February 2008—

Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—Mr Clare, Ms Parke and Mr Hayes

Australian Crime Commission—Joint Statutory Committee—Mr Hayes, Mr Gibbons and Mr Champion

Broadcasting of Parliamentary Proceedings—Joint Statutory Committee—Mr Hale, Mr Hayes and Mr Price

Corporations and Financial Services—Joint Statutory Committee—Mr Ripoll, Ms Owens and Ms Grierson

Public Accounts and Audit—Joint Statutory Committee—Ms Grierson, Mr Bevis, Mr Neumann, Mr Bradbury, Mr Butler and Ms King

Public Works—Joint Statutory Committee—Mr Butler, Mr Hale and Mr Champion

Electoral Matters—Joint Standing Committee—Mr Melham, Mr Danby and Mr Sullivan

Foreign Affairs, Defence and Trade—Joint Standing Committee—Mr Bevis, Mr KJ Thomson, Mr Hale, Mr Danby, Mr Ripoll, Ms AL Ellis, Ms Vamvakinou, Ms Parke, Mr Gibbons, Ms Saffin, Ms Rea and Ms Grierson

Migration—Joint Standing Committee—Mr Danby, Ms D’Ath and Mr Zappia

National Capital and External Territories—Joint Standing Committee—Mr Adams, Mr Turnour and Ms AL Ellis

Parliamentary Library—Joint Standing Committee—Mr Adams, Ms Jackson and Mr Butler

Treaties—Joint Standing Committee—Mr KJ Thomson, Ms Neal, Mr Trevor, Ms Parke, Ms Hall and Ms Vamvakinou

Message no. 14, dated 19 February 2008—Parliamentary Library—Joint Standing Committee—Mr Perrett.

34 **APPROPRIATION BILL (NO. 3) 2007-2008**

APPROPRIATION BILL (NO. 4) 2007-2008

HIGHER EDUCATION SUPPORT AMENDMENT (VET FEE-HELP ASSISTANCE)

BILL 2008

SOCIAL SECURITY AND VETERANS’ AFFAIRS LEGISLATION AMENDMENT

(ENHANCED ALLOWANCES) BILL 2008

TAX LAWS AMENDMENT (2008 MEASURES NO. 1) BILL 2008

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

Message no. 15, dated 20 February 2008—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.

Message no. 16, dated 20 February 2008—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

Message no. 18, dated 20 February 2008—A Bill for an Act to amend the *Higher Education Support Act 2003*, and for related purposes.

Message no. 17, dated 20 February 2008—A Bill for an Act to amend the law relating to social security, veterans’ entitlements and military rehabilitation and compensation, and for related purposes.

Message no. 19, dated 21 February 2008—A Bill for an Act to amend the law relating to taxation, and for related purposes.

The Special Minister of State (Senator Faulkner) 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 Faulkner moved—That these bills be now read a second time.

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

Consideration of legislation: Senator Faulkner moved—That Appropriation Bill (No. 3) 2007-2008 and Appropriation Bill (No. 4) 2007-2008 be listed on the *Notice Paper* as one order of the day, and the remaining bills be listed as separate orders of the day.

Question put and passed.

35 GOVERNOR-GENERAL'S MESSAGE—ASSENT TO LAWS

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

18 February 2008—Message No. 1—

Aged Care Amendment (2008 Measures No. 1) Act 2008 (Act No. 1, 2008)

Appropriation (Drought and Equine Influenza Assistance) Act (No. 1) 2007-2008 (Act No. 2, 2008)

Appropriation (Drought and Equine Influenza Assistance) Act (No. 2) 2007-2008 (Act No. 3, 2008).

36 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Innovation, Industry, Science and Research (Senator Carr) moved—That intervening business be postponed till after consideration of government business order of the day no. 3 (Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill 2008).

Question put and passed.

37 FINANCIAL SECTOR LEGISLATION AMENDMENT (REVIEW OF PRUDENTIAL DECISIONS) BILL 2008

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

Debate resumed.

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 Innovation, Industry, Science and Research (Senator Carr) the bill was read a third time.

38 GOVERNOR-GENERAL'S OPENING SPEECH—ADDRESS-IN-REPLY

Order of the day read for the adjourned debate on the motion of Senator Wortley—That the address-in-reply be agreed to (*see entry no. 4, 13 February 2008*).

Debate resumed.

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

39 GOVERNMENT DOCUMENTS—CONSIDERATION

The government documents tabled earlier today (*see entry nos 2, 22 and 23*) were called on but no motion was moved.

40 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.20 pm till Wednesday, 12 March 2008 at 9.30 am.

41 ATTENDANCE

Present, all senators except Senators Milne and Stott Despoja* (* on leave).

HARRY EVANS
Clerk of the Senate