

2008

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 41

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**1 MEETING OF SENATE**

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

**2 DEPUTY LEADER OF THE AUSTRALIAN GREENS—STATEMENT BY LEAVE**

The Leader of the Australian Greens (Senator Bob Brown), by leave, informed the Senate of the election of Senator Milne as Deputy Leader of the Australian Greens.

**3 FAMILY LAW AMENDMENT (DE FACTO FINANCIAL MATTERS AND OTHER MEASURES) BILL 2008**

A message from the House of Representatives was reported indicating that the House had made the amendments requested by the Senate to the following bill:

Message no. 176, dated 21 October 2008—Family Law Amendment (De Facto Financial Matters and Other Measures) Bill 2008.

The Minister for Human Services (Senator Ludwig) moved—That this bill be now read a third time.

Debate ensued.

Question put and passed. The Leader of the Family First Party (Senator Fielding) recorded his vote for the noes.

Bill read a third time.

**4 TRADE PRACTICES LEGISLATION AMENDMENT BILL 2008**

A message from the House of Representatives was reported as follows:

Message no. 173, dated 16 October 2008—Trade Practices Legislation Amendment Bill 2008, agreeing to amendments nos 1, 3, 4, 6 and 7 made by the Senate, disagreeing to amendments nos 2 and 5, and making further amendments.

Ordered, on the motion of the Minister for Human Services (Senator Ludwig), that the message be considered in committee of the whole immediately.

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*In the committee*

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE TO WHICH THE  
HOUSE OF REPRESENTATIVES HAS DISAGREED

**(2) Opp (2) [Sheet 5572 Revised]**

Schedule 1, item 3, page 3 (lines 17 and 18), omit the item.

**(5) Opp (5) [Sheet 5572 Revised]**

Schedule 2, item 3, page 5 (lines 17 and 18), omit the item.

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SCHEDULE OF THE FURTHER AMENDMENTS MADE BY  
THE HOUSE OF REPRESENTATIVES

- (1) Schedule 1, page 3 (before line 6), before item 1, insert:

**1A After subsection 46(1)**

Insert:

- (1AAA) If a corporation supplies goods or services for a sustained period at a price that is less than the relevant cost to the corporation of supplying the goods or services, the corporation may contravene subsection (1) even if the corporation cannot, and might not ever be able to, recoup losses incurred by supplying the goods or services.

- (2) Schedule 1, item 4, page 3 (lines 19 and 20), omit the item.

- (3) Schedule 1, page 3 (before line 21), before item 5, insert:

**4A Subsection 46(4A)**

Omit “Court” (wherever occurring), substitute “court”.

- (4) Schedule 2, page 5 (before line 6), before item 1, insert:

**1A After subsection 46(1) of the Schedule**

Insert:

- (1AAA) If a person supplies goods or services for a sustained period at a price that is less than the relevant cost to the person of supplying the goods or services, the person may contravene subsection (1) even if the person cannot, and might not ever be able to, recoup losses incurred by supplying the goods or services.

- (5) Schedule 2, item 4, page 5 (lines 19 and 20), omit the item.

- (6) Schedule 2, page 5 (before line 21), before item 5, insert:

**4A Subsection 46(4A) of the Schedule**

Omit “Court” (wherever occurring), substitute “court”.

Senator Ludwig moved—That the committee does not insist on its amendments nos 2 and 5 to which the House of Representatives has disagreed and agrees to the further amendments made by the House.

Question put and passed.

Resolution to be reported.

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The Acting Deputy President (Senator Marshall) resumed the chair and the Temporary Chair of Committees reported that the committee had considered message no. 173 from the House of Representatives relating to the Trade Practices Legislation Amendment Bill 2008 and had resolved not to insist on amendments nos 2 and 5 made by the Senate to which the House had disagreed and had agreed to the further amendments made by the House.

On the motion of Senator Ludwig the report from the committee was adopted.

## 5 SAFE WORK AUSTRALIA BILL 2008

A message from the House of Representatives was reported disagreeing to the amendments made by the Senate to the following bill:

Message no. 175, dated 21 October 2008—Safe Work Australia Bill 2008.

Ordered, on the motion of the Minister for Human Services (Senator Ludwig), that the message be considered in committee of the whole immediately.

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*In the committee*

Senator Ludwig moved—That the committee does not insist on its amendments to which the House of Representatives has disagreed.

Debate ensued.

Question put.

The committee divided—

**AYES, 27**

Senators—

Arbib	Faulkner	Ludwig	Pratt
Bilyk	Feeney	Lundy	Sherry
Cameron	Forshaw	Marshall	Stephens
Collins	Furner	McEwen	Sterle
Conroy	Hogg	McLucas	Wong
Crossin	Hurley	Moore	Wortley
Farrell (Teller)	Hutchins	Polley	

**NOES, 39**

Senators—

Adams (Teller)	Cormann	Joyce	Payne
Birmingham	Eggleston	Kroger	Ronaldson
Boswell	Ellison	Ludlam	Ryan
Boyce	Ferguson	Macdonald	Scullion
Brandis	Fielding	Mason	Siewert
Brown, Bob	Fifield	McGauran	Troeth
Bushby	Fisher	Milne	Trood
Cash	Hanson-Young	Minchin	Williams
Colbeck	Heffernan	Nash	Xenophon
Coonan	Johnston	Parry	

Question negatived.

Resolution to be reported.

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The Acting Deputy President (Senator Ellison) resumed the chair and the Chair of Committees (Senator Ferguson) reported that the committee had considered message no. 175 from the House of Representatives relating to the Safe Work Australia Bill 2008 and had resolved to insist on the amendments made by the Senate to which the House had disagreed.

On the motion of the Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas) the report from the committee was adopted.

- 6 **OFFSHORE PETROLEUM AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**  
**OFFSHORE PETROLEUM (ANNUAL FEES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**  
**OFFSHORE PETROLEUM (REGISTRATION FEES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**  
**OFFSHORE PETROLEUM (SAFETY LEVIES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**

Order of the day read for the adjourned debate on the motions of the Minister for Superannuation and Corporate Law (Senator Sherry) and the Minister for Human Services (Senator Ludwig)—That these bills be now read a second time.

Debate resumed.

Question put and passed.

Bills read a second time.

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At 2 pm—

7 **QUESTIONS**

Questions without notice were answered.

8 **MOTION TO TAKE NOTE OF ANSWER**

Senator Coonan 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 Coonan today relating to the disclosure of an alleged conversation between the Prime Minister and the President of the United States of America, President Bush.

Debate ensued.

Question put and passed.

9 **PETITION**

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

From 14 petitioners, requesting that the Senate amend the *Marriage Act 1961* to invalidate present or future relationship registers.

10 **NOTICES**

*Notices of motion:*

The Chair of the Environment, Communications and the Arts Committee (Senator McEwen): To move on the next day of sitting—That the Environment, Communications and the Arts Committee be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 12 November 2008, from 12.30 pm to 2 pm, to take evidence for the committee's inquiry into the Broadcasting Legislation Amendment (Digital Television Switch-over) Bill 2008. (*general business notice of motion no. 255*)

The Chair of the Community Affairs Committee (Senator Moore): To move on the next day of sitting—That the time for the presentation of the report of the Community Affairs Committee on the Protecting Children from Junk Food Advertising (Broadcasting Amendment) Bill 2008 be extended to 2 December 2008. (*general business notice of motion no. 256*)

The Chair of the Community Affairs Committee (Senator Moore): To move on the next day of sitting—That the Community Affairs Committee be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 11 November 2008, from 4.30 pm, to take evidence for the committee's inquiry into Government expenditure on Indigenous affairs and social services in the Northern Territory. (*general business notice of motion no. 257*)

Senator Hutchins: To move on the next day of sitting—That the Joint Standing Committee on Electoral Matters be authorised to hold public meetings during the sittings of the Senate, from 12.30 pm to 2 pm, to take evidence for the committee's inquiry into the 2007 Federal Election, including the Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008, as follows:

Tuesday, 11 November and 25 November 2008

Tuesday, 2 December 2008. (*general business notice of motion no. 258*)

The Chair of the Economics Committee (Senator Hurley): To move on the next day of sitting—That the Economics Committee be authorised to hold public meetings during the sitting of the Senate on Tuesday, 11 November 2008, as follows:

- (a) from 6.30 pm, to take evidence for the committee's inquiry into disclosure regimes for charities and not-for-profit organisations; and
- (b) from 7 pm, to take evidence for the committee's inquiry into the joint marketing arrangements on the North West Shelf project. (*general business notice of motion no. 259*)

The Chair of the Rural and Regional Affairs and Transport Committee (Senator Sterle): To move on the next day of sitting—That the Rural and Regional Affairs and Transport Committee be authorised to hold public meetings during the sittings of the Senate on Wednesday, 12 November 2008, and Thursday, 13 November 2008, from 3.30 pm, to take evidence for the committee's inquiry into the provisions of the Water Amendment Bill 2008. (*general business notice of motion no. 260*)

The Chair of the Select Committee on the National Broadband Network (Senator Fisher): To move on the next day of sitting—That the Select Committee on the National Broadband Network be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 11 November 2008, from 7 pm. (*general business notice of motion no. 261*)

The Chair of the Economics Committee (Senator Hurley): To move on the next day of sitting—That the time for the presentation of the report of the Economics Committee on matters relating to the gas explosion at Varanus Island, Western Australia be extended to 3 December 2008. (*general business notice of motion no. 262*)

The Chair of the Select Committee on Agricultural and Related Industries (Senator Heffernan): To move on the next day of sitting—That the Select Committee on Agricultural and Related Industries be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 11 November 2008, from 3.30 pm, to take evidence for the committee's inquiry into pricing and supply arrangements in the Australian and global fertiliser market. (*general business notice of motion no. 263*)

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

- (a) notes the Horsham physician Dr Bernhard Moeller, his wife Isabella and their children Lukas, Felix and Sarah have been refused permanent residency in Australia because Lukas Moeller has Down Syndrome;
- (b) rejects the notion that those with Down Syndrome are a burden on society;



- (c) acknowledges the important role that Dr Moeller fulfils as a doctor in a regional community and in the Wimmera Base Hospital which serves more than 50 000 people;
- (d) calls on the Rudd Government to expedite the decision-making process with regard to Dr Moeller and his family's application for permanent residency; and
- (e) condemns the lack of action, advocacy, commonsense and compassion given to the Moeller family by the Rudd Government. (*general business notice of motion no. 264*)

Senator Heffernan: To move on the next day of sitting—That the following matter be referred to the Community Affairs Committee for inquiry and report by the last sitting day of 2009:

The impact of the granting of patent monopolies in Australia over human and microbial genes and non-coding sequences, proteins, and their derivatives, including those materials in an isolated form, with particular reference to:

- (a) the impact which the granting of patent monopolies over such materials has had, is having, and may have on:
  - (i) the provision and costs of healthcare,
  - (ii) the provision of training and accreditation for healthcare professionals,
  - (iii) the progress in medical research, and
  - (iv) the health and wellbeing of the Australian people;
- (b) identifying measures that would ameliorate any adverse impacts arising from the granting of patent monopolies over such materials;
- (c) the patentability of such materials under current Australian and international law; and
- (d) whether the *Patents Act 1990* should be amended so as to expressly prohibit the grant of patent monopolies over such materials.

Senator Coonan: To move on the next day of sitting—That, on Thursday, 13 November 2008, the Independent Reviewer of Terrorism Laws Bill 2008 [No. 2] have precedence over all other business till determined. (*general business notice of motion no. 265*)

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

- (a) notes that:
  - (i) the week beginning 9 November 2008 is National Cleft Awareness Week,
  - (ii) one in every 700 babies born in Australia is born with a cleft, either a cleft lip or a cleft palate or a combination of both,
  - (iii) children with a cleft will usually require a range of dental, orthodontic, speech pathology and surgical therapies throughout their lives to support their full participation in society,
  - (iv) in some states there are waiting lists of between 6 months and 2 years for speech pathology services and children face ongoing educational challenges unless their speech and language needs are addressed, and
  - (v) the shortfall in public speech pathology services has forced families to seek services in the private sector which many families are unable to afford; and
- (b) calls on the Government to:
  - (i) provide better support to publicly-funded speech pathology services, and

- (ii) investigate the costs of including speech pathology services within the existing Medicare Cleft Lip and Cleft Palate Scheme. (*general business notice of motion no. 266*)

Senator Hanson-Young: To move on the next day of sitting—That the Senate—

- (a) notes:
  - (i) the Government's recent announcement of a \$22 million package to keep ABC Learning open until the end of 2008, following months of financial woes, and
  - (ii) ABC Learning accounts for more than 100 000 long day-care places;
- (b) recognises that the expertise and experience of those in the sector should be included in planning the response to this crisis; and
- (c) calls on the Government to hold an emergency summit of the key child care providers from around the country, to open up the lines of communication and learn from those who are caring for children, in determining how best to stabilise and improve child care within Australia. (*general business notice of motion no. 267*)

Senator Milne: To move on the next day of sitting—That general business order of the day no. 53, relating to the Renewable Energy (Electricity) Amendment (Feed-in-Tariff) Bill 2008, be discharged from the *Notice Paper*. (*general business notice of motion no. 268*)

Senator Milne: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Renewable Energy (Electricity) Act 2000* to support the greater commercialisation of renewable energy technologies, and for related purposes. ***Renewable Energy Amendment (Feed-in-Tariff for Electricity) Bill 2008***. (*general business notice of motion no. 269*)

*Intention to withdraw:* The Chairman of the Standing Committee on Regulations and Ordinances (Senator Wortley), pursuant to standing order 78, gave notice of her intention, at the giving of notices on the next day of sitting, to withdraw notices of motion standing in her name as follows:

Business of the Senate notice of motion no. 1 for 9 sitting days after today for the disallowance of the Private Health Insurance (Benefit Requirements) Rules 2008 (No. 2), made under item 3A of the table in section 333-20 of the *Private Health Insurance Act 2007*.

Business of the Senate notices of motion nos 1 and 2 for 10 sitting days after today for the disallowance of the following instruments:

Determination of Fees for Water and Sewerage Services No. 1 of 2008, made under section 9 of the *Christmas Island Act 1958*.

Determination of Fees for Water and Sewerage Services No. 1 of 2008, made under section 12 of the *Cocos (Keeling) Islands Act 1955*.

Business of the Senate notice of motion no. 2 for 11 sitting days after today for the disallowance of the Livestock Export (Merino) Orders (Amendment) No. 1 of 2008, made under regulation 3 of the Export Control (Orders) Regulations 1982.

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

**11 LEAVE OF ABSENCE**

Senator McEwen, by leave, moved—That leave of absence be granted to Senator Carol Brown for today, on account of parliamentary business interstate.

Question put and passed.

**12 ECONOMICS—STANDING COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator McEwen, by leave and at the request of the Chair of the Economics Committee (Senator Hurley), moved—That the time for the presentation of reports of the Economics Committee be extended as follows:

- (a) joint marketing arrangements on the North West Shelf project—to 1 December 2008; and
- (b) the provisions of bills relating to economic regeneration funds—to 24 November 2008.

The question was divided—

Question—That the motion in respect of paragraph (a) be agreed to—put and passed.

Question—That the motion in respect of paragraph (b) be agreed to—put.

The Senate divided—

AYES, 26

Senators—

Bilyk	Faulkner	Ludwig	Pratt
Bishop	Feeny	Lundy	Sherry
Cameron	Forshaw	Marshall	Stephens
Collins	Furner	McEwen (Teller)	Sterle
Conroy	Hogg	McLucas	Wortley
Crossin	Hurley	Moore	
Farrell	Hutchins	Polley	

NOES, 38

Senators—

Abetz	Cormann	Joyce	Payne
Adams	Eggleston	Kroger	Ryan
Bernardi	Ferguson	Ludlam	Scullion
Birmingham	Fielding	Macdonald	Siewert
Boswell	Fierravanti-Wells	Mason	Troeth
Boyce	Fifield	McGauran	Trood
Brandis	Fisher	Milne	Williams
Brown, Bob	Hanson-Young	Minchin	Xenophon
Colbeck	Heffernan	Nash	
Coonan	Humphries	Parry (Teller)	

Question negatived.

**13 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator McEwen, by leave and at the request of the Chair of the Rural and Regional Affairs and Transport Committee (Senator Sterle), moved—That the Rural and Regional Affairs and Transport Committee be authorised to hold a public meeting during the sitting of the Senate today, from 3.30 pm, to take evidence for the committee's inquiry into the provisions of the Interstate Road Transport Charge Amendment Bill (No. 2) 2008 and the Road Charges Legislation Repeal and Amendment Bill 2008.

Question put and passed.

**14 POSTPONEMENTS**

The following items of business were postponed:

General business notice of motion no. 183 standing in the name of Senator Milne for today, proposing the introduction of the Energy Efficiency Opportunities Amendment (Mandatory Implementation) Bill 2008, postponed till 1 December 2008.

General business notice of motion no. 233 standing in the name of Senator Xenophon for today, proposing an order for the production of a report by the Productivity Commission, postponed till 24 November 2008.

**15 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INDUSTRY—AUTOMOTIVE INDUSTRY**

The Deputy President (Senator Ferguson) informed the Senate that Senator Abetz had proposed that the following matter of public importance be submitted to the Senate for discussion:

The serious threats facing Australia's car dealers and car industry as a result of the Rudd Labor Government's bungled unlimited deposit guarantee.

The proposal was supported by four senators and the matter was discussed.

**16 CULTURE AND THE ARTS—AUSTRALIA'S RESALE ROYALTY RIGHT—MINISTERIAL STATEMENT—DOCUMENT**

The Special Minister of State (Senator Faulkner) tabled the following document:

Culture and the arts—Australia's resale royalty right—Ministerial statement by the Minister for the Environment, Heritage and the Arts (Mr Garrett), dated 21 October 2008.

**17 FOREIGN AFFAIRS—FINANCIAL SANCTIONS ON BURMA—MINISTERIAL STATEMENT—DOCUMENT**

The Special Minister of State (Senator Faulkner) tabled the following document:

Foreign affairs—Financial sanctions on Burma—Ministerial statement by the Minister for Foreign Affairs (Mr Smith), dated 22 October 2008.

**18 ADMINISTRATION—NORFOLK ISLAND GOVERNANCE—MINISTERIAL STATEMENT—DOCUMENT**

The Special Minister of State (Senator Faulkner) tabled the following document:

Administration—Norfolk Island governance—Ministerial statement by the Minister for Home Affairs (Mr Debus), dated 23 October 2008.

**19 ECONOMICS—STANDING COMMITTEE—REPORT—TAX LAWS AMENDMENT (POLITICAL CONTRIBUTIONS AND GIFTS) BILL 2008**

The Acting Deputy President (Senator Trood) tabled the following report received on 20 October 2008:

Economics—Standing Committee—Tax Laws Amendment (Political Contributions and Gifts) Bill 2008 [Provisions]—Report, dated October 2008.

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

**20 PUBLIC WORKS—JOINT STATUTORY COMMITTEE—8TH REPORT OF 2008**

The Acting Deputy President (Senator Trood) tabled the following report received on 22 October 2008:

Public Works—Joint Statutory Committee—8th report of 2008—Australian super hornet facilities project, RAAF Base Amberley, dated October 2008.

**21 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—INTERIM REPORT—MIGRATION LEGISLATION AMENDMENT (WORKER PROTECTION) BILL 2008**

The Acting Deputy President (Senator Trood) tabled the following report received on 7 November 2008:

Legal and Constitutional Affairs—Standing Committee—Migration Legislation Amendment (Worker Protection) Bill 2008—Interim report, dated 7 November 2008.

**22 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—INTERIM GOVERNMENT RESPONSE—CIVICS AND ELECTORAL EDUCATION**

The Acting Deputy President (Senator Trood) tabled the following document received on 30 October 2008:

Electoral Matters—Joint Standing Committee—Report—Civics and electoral education—Interim government response, dated October 2008.

**23 GOVERNMENT DOCUMENTS**

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

Aged Care Standards and Accreditation Agency Ltd—Report for 2007-08. [Received 30 October 2008]

Airservices Australia—Report for 2007-08. [Received 30 October 2008]

Albury-Wodonga Development Corporation—Report for 2007-08. [Received 5 November 2008]

Australia Business Arts Foundation Ltd—Financial statements for 2007-08. [Received 30 October 2008]

Australia Council for the Arts (Australia Council)—Report for 2007-08. [Received 29 October 2008]

Australian Centre for International Agricultural Research—Report for 2007-08. [Received 29 October 2008]

Australian Commission for Law Enforcement Integrity—Report of the Integrity Commissioner for 2007-08. [Received 30 October 2008]

Australian Communications and Media Authority—Report for 2007-08. [Received 29 October 2008]

Australian Customs Service—Report for 2007-08. [Received 30 October 2008]

Australian Government Solicitor (AGS)—Report for 2007-08. [Received 3 November 2008]

Australian Hearing Services (Australian Hearing)—Report for 2007-08. [Received 31 October 2008]

- Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)—Report for 2007-08. [*Received 30 October 2008*]
- Australian Learning and Teaching Council (formerly The Carrick Institute for Learning and Teaching in Higher Education Limited)—Report for 2007-08. [*Received 27 October 2008*]
- Australian Maritime Safety Authority—Report for 2007-08. [*Received 17 October 2008*]
- Australian National Maritime Museum—Report for 2007-08. [*Received 27 October 2008*]
- Australian Nuclear Science and Technology Organisation (ANSTO)—Report for 2007-08. [*Received 24 October 2008*]
- Australian Office of Financial Management (AOFM)—Report for 2007-08. [*Received 30 October 2008*]
- Australian Prudential Regulation Authority (APRA)—Report for 2007-08. [*Received 6 November 2008*]
- Australian Reinsurance Pool Corporation (ARPC)—Report for 2007-08. [*Received 29 October 2008*]
- Australian Reward Investment Alliance (ARIA)—Report for 2007-08, including financial statements for Commonwealth Superannuation Scheme, Public Sector Superannuation Scheme and Public Sector Superannuation Accumulation Plan. [*Received 29 October 2008*]
- Australian Securities and Investments Commission (ASIC)—Report for 2007-08. [*Received 28 October 2008*]
- Australian Sports Anti-Doping Authority—Report for 2007-08. [*Received 31 October 2008*]
- Australian Trade Commission (Austrade)—Report for 2007-08. [*Received 30 October 2008*]
- Australian War Memorial—Report for 2007-08. [*Received 29 October 2008*]
- Bundanon Trust Limited—Report for 2007-08. [*Received 30 October 2008*]
- Bureau of Meteorology—Report for 2007-08. [*Received 29 October 2008*]
- Cancer Australia—Report for 2007-08. [*Received 30 October 2008*]
- Coal Mining Industry (Long Service Leave Funding) Corporation—Report for 2007-08. [*Received 7 November 2008*]
- Comcare—Report for 2007-08. [*Received 30 October 2008*]
- Commissioner for Superannuation (ComSuper)—Report for 2007-08. [*Received 24 October 2008*]
- Commonwealth Grants Commission—Report for 2007-08. [*Received 28 October 2008*]
- Commonwealth Services Delivery Agency (Centrelink)—Report for 2007-08. [*Received 31 October 2008*]
- Companies Auditors and Liquidators Disciplinary Board (CALDB)—Report for 2007-08. [*Received 29 October 2008*]
- Corporations and Markets Advisory Committee—Report for 2007-08. [*Received 29 October 2008*]
- Dairy Adjustment Authority—Report for 2007-08. [*Received 28 October 2008*]

- Defence Force Remuneration Tribunal—Report for 2007-08. [*Received 31 October 2008*]
- Defence Housing Australia—Report for 2007-08. [*Received 28 October 2008*]
- Department of Climate Change—Report for period 3 December 2007 to 30 June 2008. [*Received 27 October 2008*]
- Department of Defence—Reports for 2007-08—  
Volume 1—Department of Defence, including report on the administration and operation of the *Defence Force (Home Loans Assistance) Act 1990*. [*Received 31 October 2008*]  
Volume 2—Defence Materiel Organisation. [*Received 31 October 2008*]
- Department of Education, Employment and Workplace Relations—Report for 2007-08—  
Volume 1. [*Received 31 October 2008*]  
Volume 2. [*Received 31 October 2008*]
- Department of Finance and Deregulation—Report for 2007-08. [*Received 30 October 2008*]
- Department of Foreign Affairs and Trade—Reports for 2007-08—  
Volume 1—Department of Foreign Affairs and Trade. [*Received 29 October 2008*]  
Volume 2—Australian Agency for International Development (AusAID). [*Received 29 October 2008*]
- Department of Health and Ageing—Report for 2007-08, including financial statements for the Therapeutic Goods Administration. [*Received 31 October 2008*]
- Department of Human Services—Report for 2007-08, including financial statements for CRS Australia. [*Received 29 October 2008*]
- Department of Immigration and Citizenship—Report for 2007-08, including report on the operation of the *Immigration (Education) Act 1971*. [*Received 31 October 2008*]
- Department of Infrastructure, Transport, Regional Development and Local Government—Report for 2007-08. [*Received 30 October 2008*]
- Department of Resources, Energy and Tourism—Report for the period 3 December 2007 to 30 June 2008. [*Received 31 October 2008*]
- Department of the Environment, Water, Heritage and the Arts—Reports for 2007-08—  
Volume 1—Department of the Environment, Water, Heritage and the Arts. [*Received 31 October 2008*]  
Volume 2—Legislation. [*Received 31 October 2008*]
- Department of the Treasury—Report for 2007-08. [*Received 28 October 2008*]
- Department of Veterans' Affairs—Data matching program—Report on progress 2007-08. [*Received 27 October 2008*]
- Director of National Parks—Report for 2007-08. [*Received 27 October 2008*]
- Family Law Council—Report for 2007-08. [*Received 31 October 2008*]
- Financial Reporting Council—Report for 2007-08 on auditor independence. [*Received 28 October 2008*]

- Financial Reporting Council, Australian Accounting Standards Board and Auditing and Assurance Standards Board—Reports for 2007-08. [*Received 28 October 2008*]
- Financial Reporting Panel—Report for 2007-08. [*Received 29 October 2008*]
- Food Standards Australia New Zealand—Report for 2007-08. [*Received 30 October 2008*]
- Gene Technology Regulator—  
Quarterly report for the period 1 April to 30 June 2008. [*Received 31 October 2008*]  
Report for 2007-08. [*Received 28 October 2008*]
- Grains Research and Development Corporation (GRDC)—Report for 2007-08. [*Received 31 October 2008*]
- Grape and Wine Research and Development Corporation—Report for 2007-08. [*Received 31 October 2008*]
- Industrial Chemicals (Notification and Assessment) Act 1989*—Report for 2007-08 on the operation of the National Industrial Chemicals Notification and Assessment Scheme (NICNAS). [*Received 31 October 2008*]
- Land and Water Resources Research and Development Corporation (Land & Water Australia)—Report for 2007-08. [*Received 28 October 2008*]
- Medicare Australia—Report for 2007-08. [*Received 30 October 2008*]
- Migration Review Tribunal and Refugee Review Tribunal—Report for 2007-08. [*Received 7 November 2008*]
- National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2007-08. [*Received 29 October 2008*]
- National Australia Day Council Limited—Report for 2007-08. [*Received 29 October 2008*]
- National Library of Australia—Report for 2007-08. [*Received 29 October 2008*]
- National Offshore Petroleum Safety Authority (NOPSA)—Report for 2007-08. [*Received 27 October 2008*]
- National Residue Survey—Report for 2007-08. [*Received 30 October 2008*]
- National Transport Commission (NTC Australia)—Report for 2007-08. [*Received 5 November 2008*]
- Office of the Director of Public Prosecutions (DPP)—Report for 2007-08. [*Received 31 October 2008*]
- Office of the Official Secretary to the Governor-General—Report for 2007-08. [*Received 31 October 2008*]
- Private Health Insurance Administration Council—Report for 2007-08. [*Received 7 November 2008*]
- Productivity Commission—Report for 2007-08. [*Received 31 October 2008*]
- Professional Services Review—Report for 2007-08. [*Received 30 October 2008*]
- Public Lending Right Committee—Report for 2007-08. [*Received 30 October 2008*]



Repatriation Commission, Military Rehabilitation and Compensation Commission, National Treatment Monitoring Committee and the Department of Veterans' Affairs—Reports for 2007-08, including financial statements for the Defence Service Homes Insurance Scheme. [Received 24 October 2008]

Royal Australian Mint—Report for 2007-08. [Received 29 October 2008]

Rural Industries Research and Development Corporation (RIRDC)—Report for 2007-08. [Received 28 October 2008]

Safety, Rehabilitation and Compensation Commission (SRCC)—Report for 2007-08. [Received 30 October 2008]

Seafarers Safety, Rehabilitation and Compensation Authority (Seacare)—Report for 2007-08. [Received 30 October 2008]

Social Security Appeals Tribunal—Report for 2007-08. [Received 28 October 2008]

Superannuation Complaints Tribunal—Report for 2007-08. [Received 30 October 2008]

Supervising Scientist—Report for 2007-08 on the operation of the *Environment Protection (Alligator Rivers Region) Act 1978*. [Received 31 October 2008]

Takeovers Panel—Report for 2007-08. [Received 30 October 2008]

Veterans' Review Board—Report for 2007-08. [Received 31 October 2008]

Wet Tropics Management Authority—Report for 2007-08, including State of the Wet Tropics report for 2007-08. [Received 30 October 2008]

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

Pursuant to the order of the Senate of 30 May 1996, as amended, the Acting Deputy President (Senator Trood) tabled the following document received on 29 October 2008:

Indexed lists of departmental and agency files for the period 1 January to 30 June 2008—Statement of compliance—Resources, Energy and Tourism portfolio agencies.

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

Pursuant to the order of the Senate of 20 June 2001, as amended, the Acting Deputy President (Senator Trood) tabled the following document received on 21 October 2008:

Departmental and agency contracts for 2008—Letter of advice—Human Services portfolio agencies.

**26 DEPARTMENTAL AND AGENCY APPOINTMENTS AND VACANCIES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT**

Pursuant to the order of the Senate of 24 June 2008, the Acting Deputy President (Senator Trood) tabled the following document received on 16 October 2008:

Departmental and agency appointments and vacancies—Supplementary budget estimates—Letter of advice—Water Resources portfolio agencies.

**27 DEPARTMENTAL AND AGENCY GRANTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT**

Pursuant to the order of the Senate of 24 June 2008, the Acting Deputy President (Senator Trood) tabled the following document received on 16 October 2008:

Departmental and agency grants—Supplementary budget estimates—Letter of advice—Water Resources portfolio agencies.

**28 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—MIGRATION LEGISLATION AMENDMENT (WORKER PROTECTION) BILL 2008**

Senator Moore, at the request of the Chair of the Legal and Constitutional Affairs Committee (Senator Crossin), tabled the following report and documents:

Legal and Constitutional Affairs—Standing Committee—Migration Legislation Amendment (Worker Protection) Bill 2008—Report, dated November 2008, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

**29 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—REPORT—COMMONWEALTH ELECTORAL AMENDMENT (POLITICAL DONATIONS AND OTHER MEASURES) BILL 2008**

Senator Moore, on behalf of the Joint Standing Committee on Electoral Matters, tabled the following report:

Electoral Matters—Joint Standing Committee—Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2008—Advisory report, dated October 2008.

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

Debate ensued.

Debate adjourned till the next day of sitting, the Special Minister of State (Senator Faulkner) in continuation.

**30 COMMONWEALTH PARLIAMENTARY ASSOCIATION—54TH CONFERENCE—DEPUTY PRESIDENT OF THE SENATE—OFFICIAL VISIT TO JAPAN—DOCUMENTS**

The Deputy President (Senator Ferguson) tabled the following documents:

Commonwealth Parliamentary Association—54th Commonwealth Parliamentary Conference, Kuala Lumpur, Malaysia, 4 to 10 August 2008 and bilateral visit to Thailand, 10 to 15 August 2008—Report, dated October 2008.

Official visit to Japan—Report by the Deputy President of the Senate, 28 July to 2 August 2008, dated 10 November 2008.

Senator Ferguson, by leave, moved—That the Senate take note of the documents.

Question put and passed.

## 31 DOCUMENTS

The following documents were tabled by the Clerk:

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

Aboriginal Land Rights (Northern Territory) Act—Select Legislative Instrument 2008 No. 208—Aboriginal Land Rights (Northern Territory) Amendment Regulations 2008 (No. 1) [F2008L03793]\*.

*Appropriation Act (No. 1) 2008-2009*—Advance to the Finance Minister—No. 1 of 2008-2009 [F2008L04299]\*.

*Appropriation Act (No. 2) 2008-2009*—Determination to reduce appropriations upon request (No. 5 of 2008-2009) [F2008L04292]\*.

Australian Meat and Live-stock Industry Act—

Australian Meat and Live-stock (Beef Exports to the USA – Quota Year 2009) Order 2008 [F2008L03832]\*.

Australian Meat and Live-stock Industry (Sheepmeat and Goatmeat Export to the European Union – Quota Year 2009) Order 2008 [F2008L03824]\*.

Australian Prudential Regulation Authority Act—Australian Prudential Regulation Authority (Confidentiality) Determination No. 12 of 2008—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 [F2008L04058]\*.

Australian Research Council Act—

Approval of Proposals—Determinations Nos—

58—Discovery Indigenous Researchers Development commencing in 2009.

59—Linkage International Fellowships commencing in 2009.

60—Linkage Projects Round 1 commencing in 2009.

61—Discovery Projects commencing in 2009.

Australian Laureate Fellowships Funding Rules for funding commencing in 2009 [F2008L04272]\*.

Future Fellowships Funding Rules for funding commencing in 2009 [F2008L04274]\*.

Banking Act—

Banking (Foreign Exchange) Regulations—

Direction relating to foreign currency transactions and to Burma—Amendment to the annex; and variation of exemptions—Amendment to the annexes, dated 16 October 2008 [F2008L03865]\*.

Direction relating to foreign currency transactions and to Iran, dated 13 October 2008 [F2008L03785]\*.

Variations of exemptions, dated 13 October 2008—  
[F2008L03787]\*.

[F2008L03788]\*.

Select Legislative Instrument 2008 No. 222—Banking Amendment Regulations 2008 (No. 1) [F2008L04286]\*.

Broadcasting Services Act—

Broadcasting Services (Amalgamated Remote Television Licence Areas – Geraldton and Remote and Regional Western Australia Determination 2008 [F2008L04260]\*.

Broadcasting Services (Amalgamated Remote Television Licence Areas – Kalgoorlie and Remote and Regional Western Australia) Determination 2008 [F2008L04255]\*.

Broadcasting Services (Amalgamated Remote Television Licence Areas – South South West and Remote and Regional Western Australia) Determination 2008 [F2008L04259]\*.

Broadcasting Services (Amalgamated Remote Television Licence Areas – Western Zone and Remote and Regional Western Australia) Determination 2008 [F2008L04258]\*.

Charter of the United Nations Act—Charter of the United Nations (Designated Commonwealth Entity) Amendment Declaration (No. 1) [F2008L03609]\*.

Civil Aviation Act—

Civil Aviation Regulations—Instruments Nos CASA—

527/08—Instructions – GLS approach procedures [F2008L03776]\*.

528/08—Directions – for determining maximum weight [F2008L03784]\*.

EX59/08—Exemption – refuelling with passengers on board [F2008L03100]\*.

EX66/08—Exemption – navigation and anti-collision lights [F2008L03467]\*.

EX70/08—Exemption – use of radiocommunication systems in firefighting operations (Western Australia) [F2008L03710]\*.

EX73/08—Exemption – solo flight training using ultralight aeroplanes registered with RAA at Coffs Harbour Aerodrome [F2008L03907]\*.

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

AD/A320/11 Amdt 2—Engine Rear Mount Barrel Nuts [F2008L04175]\*.

AD/A320/178 Amdt 1—Trimmable Horizontal Stabilizer Actuator [F2008L03738]\*.

AD/A330/76 Amdt 4—Electrical Power/APU Generator Inspection [F2008L03969]\*.

AD/A330/84 Amdt 1—Flight Control Primary Computer Dispatch Limitations [F2008L03786]\*.

AD/B737/342—Lavatory Water Supply [F2008L03708]\*.

AD/B747/384—Number 3 Main Entry Doors [F2008L03683]\*.

AD/BEECH 90/62 Amdt 1—Horizontal Stabiliser Forward Spar Web Rivets – Inspection [F2008L03976]\*.

AD/BEECH 200/38 Amdt 5—Wing Front Spars [F2008L03978]\*.

AD/CASA/26 Amdt 2—Steering System Hydraulic Installation [F2008L04009]\*.

AD/CESSNA 206/19—Rudder Trim Chain [F2008L03740]\*.

AD/CESSNA 207/11—Rudder Trim Chain [F2008L03739]\*.

AD/DAUPHIN/98—Vertical Gyro Unit Data Output – Operational Limitation/Procedure [F2008L04174]\*.

AD/DH 104/20—Landing Gear Actuator Pistons – Inspections and Replacement [F2008L04013]\*.

AD/DHA-3/3—Wing Engine Mount Cross Brace Tube – Modification [F2008L04014]\*.

AD/DHA-3/4—Fuel Tank Vent – Modification [F2008L04015]\*.

AD/DHA-3/5—Windscreen Wiper – Modification [F2008L04016]\*.

AD/DHA-3/6—Fuel Filter – Modification [F2008L04017]\*.  
AD/DHA-3/7—Horizontal Tail Plane Attachments – Modification [F2008L04018]\*.  
AD/DHA-3/8—Electrical Cable Insulation – Modification [F2008L04019]\*.  
AD/DHA-3/9—Battery Master Switch Insulation – Modification [F2008L04020]\*.  
AD/DHA-3/10—Hand Brake Installation – Modification [F2008L04021]\*.  
AD/DHA-3/13—Horizontal Tailplane Attachments – Inspection [F2008L04022]\*.  
AD/DHA-3/14—Fairey-Reed Propellers – Spinner Removal [F2008L04023]\*.  
AD/DHA-3/15—Rear Fuselage – Elevator Quadrant Installation – Modification [F2008L04024]\*.  
AD/DHA-3/16 Amdt 1—Undercarriage Bolts P/N U3-129 – Inspection [F2008L04025]\*.  
AD/DHA-3/17—Fuselage at Wing Rear Pickups – Modification [F2008L04026]\*.  
AD/DHA-3/18—Fuselage – Cross Beam and Attachment Brackets at Firewall – Modification [F2008L04027]\*.  
AD/DHA-3/19—Fuselage – Installation of Strengthened Support Brackets – Lower Centre Engine Mounts [F2008L04028]\*.  
AD/DHA-3/20—Wing Rib No. 5 – Inspection [F2008L04029]\*.  
AD/DHA-3/22—Flap Link Attachment Bracket (Outer) – Inspection [F2008L04030]\*.  
AD/DHA-3/23—Flap Inner Link Attachment Brackets – Inspection [F2008L04031]\*.  
AD/DHA-3/24 Amdt 1—Tailplane Spar and Elevator Hinge Stiffener Bracket – Inspection [F2008L04032]\*.  
AD/DHA-3/27—Wing to Fuselage Attachments – Inspection [F2008L04033]\*.  
AD/DHC-1/6—Engine Mount Pick-Up Bolt – Inspection [F2008L03742]\*.  
AD/DHC-1/9—Rudder Torque Tube Flange – Inspection [F2008L03743]\*.  
AD/DHC-1/22 Amdt 3—Tailplane Structure [F2008L03744]\*.  
AD/DHC-3/17—Engine Cooling [F2008L04035]\*.  
AD/DHC-3/19—Fuel Line Chafing [F2008L04036]\*.  
AD/DHC-3/20—Mixture Control Lever Quadrant [F2008L04038]\*.  
AD/DHC-3/21—Rudder Pedal Support [F2008L04039]\*.  
AD/DHC-3/26—Tailplane Hinge Bolts [F2008L04040]\*.  
AD/DHC-3/28—Front Fuselage – Windshield Post [F2008L04041]\*.  
AD/DHC-6/1—Upper Rudder Fairing – Modification [F2008L04043]\*.  
AD/DHC-6/6—Tailplane Attachment Bolts – Modification [F2008L04051]\*.  
AD/DHC-6/11—Flap Elevator Trim Cables – Modification [F2008L04052]\*.  
AD/DHC-6/13—Flap Control Push Rod Assembly – Modification [F2008L04053]\*.

AD/DHC-6/14—Fuselage to Wing Front Spar Attachments – Inspection [F2008L04055]\*.  
AD/DHC-6/21 Amdt 1—Elevator Connecting Rod – Inspection [F2008L04065]\*.  
AD/DHC-6/22—Propeller Auto Feather System – Modification [F2008L04066]\*.  
AD/DHC-6/25 Amdt 1—Main Undercarriage Platen Attach Link Fittings – Inspection [F2008L04067]\*.  
AD/DHC-6/26—Nose Landing Gear Fork Lock Pin – Inspection [F2008L04068]\*.  
AD/EC 135/21—Rear Structure/Tail Boom [F2008L03792]\*.  
AD/EC 225/6—Main Rotor Hub Coning Stop Supports [F2008L03705]\*.  
AD/EC 225/7—Fuselage – Frame 5295 and Outer Skin Panelling [F2008L03706]\*.  
AD/EC 225/8—Main Gearbox (MGB) Suspension Bar Fittings [F2008L03707]\*.  
AD/EC 225/9—Fuselage – Intermediate Gearbox Fairing Gutter [F2008L03712]\*.  
AD/EC 225/10—Rotor Flight Controls – Tail Servo-control [F2008L03745]\*.  
AD/ECUREUIL/132—Emergency Floatation Gear [F2008L03864]\*.  
AD/HS 125/182—MLG Upper Casing [F2008L03794]\*.  
AD/HU 369/121 Amdt 2—Vertical Stabilizer Control System Adapter Tubes [F2008L04173]\*.  
AD/PA-24/9—Control Tube Guide Blocks – Safety Wiring [F2008L03713]\*.  
AD/PA-24/14 Amdt 2—Exhaust System – Inspection [F2008L04113]\*.  
AD/PA-24/22—Baggage Door Latch – Inspection [F2008L03714]\*.  
AD/PA-24/25—Seat Frame – Modification [F2008L03715]\*.  
AD/PA-24/29—Rudder Balance Weight – Installation [F2008L03716]\*.  
AD/PA-24/30 Amdt 1—Uncoordinated Manoeuvres – Warning Placard [F2008L03717]\*.  
AD/PA-24/31—Landing Gear and Flap Assemblies – Inspection [F2008L03718]\*.  
AD/PA-24/32 Amdt 2—Stabilator Attachment Bolts – Inspection [F2008L03719]\*.  
AD/PA-24/36 Amdt 1—Fin Forward Spar Attachment – Inspection [F2008L03720]\*.  
AD/PA-25/10—Jury Struts – Inspection and Modification [F2008L04084]\*.  
AD/PA-34/4—Stabilator – Inspection and Drilling of Drain Holes [F2008L03721]\*.  
AD/PA-34/8—Wing Walk – Inspection and Modification [F2008L03722]\*.  
AD/PA-34/10—Rudder Bar Assembly – Inspection and Modification [F2008L03723]\*.  
AD/PA-34/11—Wing Skin/Rib – Inspection and Modification [F2008L03725]\*.  
AD/PA-34/12—Nose Gear Drag Link Assembly – Inspection [F2008L03724]\*.

AD/PA-34/13—Propeller Damper Screws – Replacement [F2008L03697]\*.  
 AD/PA-34/15—Outer Wing Spars – Inspection [F2008L03727]\*.  
 AD/PA-34/16 Amdt 1—Wing Spar Lower Tension Strap – Inspection [F2008L03726]\*.  
 AD/PA-34/20—Pneumatic De-Icer Tubing – Inspection [F2008L03698]\*.  
 AD/PA-34/21—Rudder Cable Installation Rear Fuselage – Inspection [F2008L03729]\*.  
 AD/PA-34/22—Fuselage Structure Rivets – Inspection [F2008L03728]\*.  
 AD/PA-34/23—Induction, Air Box, Filter Locator Clips – Replacement [F2008L03699]\*.  
 AD/PA-34/24—Engine Control Rod End Bearings – Inspection and Replacement [F2008L03700]\*.  
 AD/PA-34/28—Glove Compartment – Modification [F2008L03730]\*.  
 AD/PA-34/29 Amdt 2—Main Wing Spar Attaching Nuts [F2008L03731]\*.  
 AD/PA-34/31—Stabilator Skin – Inspection [F2008L03732]\*.  
 AD/PA-34/33—Window Curtain Rod Support Area – Inspection [F2008L03733]\*.  
 AD/PA-34/35—Fuselage Structure, LH Side Sta.108 – Inspection and Modification [F2008L03734]\*.  
 AD/PA-34/40—Stabilator Attach Fitting Corrosion [F2008L03735]\*.  
 AD/PA-34/42 Amdt 1—Aileron Hinge Fitting Assembly [F2008L03736]\*.  
 AD/PA-34/47—Nose Gear Hydraulic Actuator Mount Assembly [F2008L03737]\*.  
 AD/PREMIER/6—Hydraulic Pump Pressure Output Hose [F2008L04265]\*.  
 106—AD/RB211/27 Amdt 3—LP Compressor Fan Blades [F2008L04129]\*.  
 107—AD/AIRCON/14 Amdt 2—Zonal Drying System Regeneration Air Duct Overheat [F2008L03972]\*.

Commissioner of Taxation—Public Rulings—

Class Rulings—

CR 2008/62-CR 2008/72.

Notices of Withdrawal—CR 2003/61, CR 2006/89, CR 2006/108 and CR 2006/109.

Goods and Services Tax Ruling—Addendum—GSTR 2008/3.

Miscellaneous Taxation Ruling—Notice of Partial Withdrawal—MT 2024.

Product Rulings—

Addendum—PR 2008/13.

Erratum—PR 2008/65.

Notice of Withdrawal—PR 2008/13.

PR 2008/66-PR 2008/71.

Taxation Determinations—

Addenda—TD 2006/63, TD 2006/65 and TD 2006/71.

Notices of Withdrawal—TD 35, TD 36, TD 2006/69 and TD 2006/70.

## Taxation Rulings—

Addendum—TR 2003/4.

TR 2008/8.

## Commonwealth Authorities and Companies Act—Notices under section 45—

Film Australia Limited.

Maritime Industry Finance Company Limited (MIFCo).

## Commonwealth Places (Mirror Taxes) Act—Select Legislative Instrument 2008

No. 214—Commonwealth Places (Mirror Taxes) Amendment Regulations 2008 (No. 1) [F2008L03778]\*.

## Corporations Act—

Accounting Standard AASB 2007-10—Further Amendments to Australian Accounting Standards arising from AASB 101 [F2008L04269]\*.

## ASIC Class Orders—

[CO 08/781] [F2008L04270]\*.

[CO 08/801] [F2008L04171]\*.

## Criminal Code Act—Select Legislative Instruments 2008 Nos—

218—Criminal Code Amendment Regulations 2008 (No. 4) [F2008L03611]\*.

219—Criminal Code Amendment Regulations 2008 (No. 5) [F2008L03612]\*.

220—Criminal Code Amendment Regulations 2008 (No. 6) [F2008L03610]\*.

## Currency Act—Currency (Perth Mint) Determination 2008 (No. 2)

[F2008L04178]\*.

## Customs Act—Tariff Concession Orders—

0804838 [F2008L03844]\*.

0808969 [F2008L03816]\*.

0808970 [F2008L03817]\*.

0808973 [F2008L03815]\*.

0808975 [F2008L03814]\*.

0809062 [F2008L03813]\*.

0809063 [F2008L03812]\*.

0809064 [F2008L03845]\*.

0809390 [F2008L03828]\*.

0809735 [F2008L03836]\*.

0809736 [F2008L03833]\*.

0810189 [F2008L03835]\*.

0810193 [F2008L03831]\*.

0810247 [F2008L03827]\*.

0810322 [F2008L03830]\*.

0810687 [F2008L03805]\*.

0810893 [F2008L03821]\*.

0810894 [F2008L03829]\*.

0811334 [F2008L03804]\*.

0811402 [F2008L03803]\*.

0811403 [F2008L03841]\*.

0811404 [F2008L03840]\*.

0811421 [F2008L03839]\*.

0811566 [F2008L03802]\*.

0811643 [F2008L03838]\*.



0811644 [F2008L03837]\*.  
0811695 [F2008L03801]\*.  
0811915 [F2008L03818]\*.  
0811916 [F2008L03819]\*.  
0811920 [F2008L03843]\*.  
0812031 [F2008L03842]\*.  
0812065 [F2008L03810]\*.  
0812103 [F2008L03825]\*.  
0812248 [F2008L03823]\*.  
0812324 [F2008L03811]\*.  
0812380 [F2008L03822]\*.  
0812464 [F2008L03826]\*.  
0812468 [F2008L03820]\*.  
0812758 [F2008L03807]\*.  
0812996 [F2008L03808]\*.  
0813301 [F2008L03806]\*.  
0814287 [F2008L03979]\*.  
0814408 [F2008L03996]\*.  
0814472 [F2008L03982]\*.  
0814474 [F2008L03995]\*.  
0814476 [F2008L04006]\*.  
0814551 [F2008L04005]\*.  
0814987 [F2008L03992]\*.  
0815095 [F2008L03993]\*.  
0815096 [F2008L03999]\*.  
0815148 [F2008L03991]\*.  
0815149 [F2008L03990]\*.  
0815150 [F2008L03989]\*.  
0815153 [F2008L03988]\*.  
0815259 [F2008L03985]\*.  
0815260 [F2008L04004]\*.  
0815349 [F2008L04002]\*.  
0815874 [F2008L04001]\*.  
0816126 [F2008L04149]\*.  
0816490 [F2008L03994]\*.  
0816570 [F2008L04003]\*.  
0816956 [F2008L03998]\*.  
0816957 [F2008L03997]\*.  
0817471 [F2008L04148]\*.  
0818818 [F2008L04151]\*.  
0818889 [F2008L04154]\*.  
0819443 [F2008L04155]\*.  
0819444 [F2008L04157]\*.  
0819450 [F2008L04159]\*.  
0822939 [F2008L04000]\*.

Defence Act—Determinations under section 58B—Defence Determinations—  
2008/51—Post indexes – amendment.

- 2008/52—Removals and housing on deployment – amendment.
- 2008/53—Deployment allowance – amendment.
- 2008/54—Air Force – Air Traffic Control retention bonus scheme.
- 2008/55—Short-term duty travel costs – amendment.
- 2008/56—Special benefit payment for management-initiated early retirement.
- 2008/57—Appointment residences and short-term travel – amendment.

Environment Protection and Biodiversity Conservation Act—

Amendments of lists of exempt native specimens—

- EPBC303DC/SFS/2008/27 [F2008L04059]\*.
- EPBC303DC/SFS/2008/28 [F2008L04176]\*.
- EPBC303DC/SFS/2008/29 [F2008L04166]\*.
- EPBC303DC/SFS/2008/30 [F2008L04167]\*.

Instrument revoking and adopting Recovery Plans [F2008L04007]\*.

Export Control Act—Export Control (Orders) Regulations—Export Control (Meat and Meat Products) Amendment Orders 2008 (No. 1) [F2008L03834]\*.

Federal Magistrates Act—Select Legislative Instrument 2008 No. 215—Federal Magistrates Court Amendment Rules 2008 (No. 2) [F2008L04169]\*.

Financial Management and Accountability Act—

- Directions on investment in residential mortgage-backed securities 2008—
- (No. 1).
- (No. 2).

Financial Management and Accountability Determinations—

- 2008/24—Indigenous Communities Strategic Investment Program Special Account Establishment 2008 [F2008L04285]\*.
- 2008/66—Section 32 (Transfer of Functions from Environment to MDBA) [F2008L04279]\*.
- 2008/67—Section 32 (Transfer of Functions from Environment to OPH) [F2008L04278]\*.

Financial Sector (Collection of Data) Act—Financial Sector (Collection of Data) (Reporting Standard) Determinations Nos—

- 60 of 2008—Reporting Standard GRS 110.0 (2008) Minimum Capital Requirement [F2008L03911]\*.
- 61 of 2008—Reporting Standard GRS 120.0 (2008) Determination of Capital Base [F2008L03912]\*.
- 62 of 2008—Reporting Standard GRS 130.0 (2008) Off-Balance Sheet Business – Credit Substitutes Provided and Risk Charge [F2008L03913]\*.
- 63 of 2008—Reporting Standard GRS 130.1 (2008) Off Balance Sheet Business – Liquidity Support Facilities Obtained [F2008L03914]\*.
- 64 of 2008—Reporting Standard GRS 130.2 (2008) Off Balance Sheet Business – Charges Granted and Risk Charge [F2008L03916]\*.
- 65 of 2008—Reporting Standard GRS 130.3 (2008) Off Balance Sheet Business – Credit Support Received [F2008L03920]\*.
- 66 of 2008—Reporting Standard GRS 140.0 (2008) Investments – Direct Interest Rate Holdings and Risk Charge [F2008L03924]\*.
- 67 of 2008—Reporting Standard GRS 140.1 (2008) Investments – Direct Equity Holdings and Risk Charge [F2008L03927]\*.
- 68 of 2008—Reporting Standard GRS 140.2 (2008) Investments – Direct Property Holdings and Risk Charge [F2008L03929]\*.

- 69 of 2008—Reporting Standard GRS 140.3 (2008) Investments – Loans and Advances and Risk Charge [F2008L03933]\*.
- 70 of 2008—Reporting Standard GRS 140.4 (2008) Investments – Indirectly Held by Insurer and Risk Charge [F2008L03935]\*.
- 71 of 2008—Reporting Standard GRS 150.0 (2008) Asset Exposure Concentrations and Risk Charge [F2008L03937]\*.
- 72 of 2008—Reporting Standard GRS 160.0 (2008) Derivative Activity and Risk Charge [F2008L03939]\*.
- 73 of 2008—Reporting Standard GRS 170.0 (2008) Concentration Risk Charge [F2008L03942]\*.
- 74 of 2008—Reporting Standard GRS 170.1 (2008) Maximum Event Retention and Risk Charge for Lenders Mortgage Insurers [F2008L03943]\*.
- 75 of 2008—Reporting Standard GRS 210.0 (2008) Outstanding Claims Provision – Insurance Risk Charge [F2008L03944]\*.
- 76 of 2008—Reporting Standard GRS 210.1 (2008) Premium Liabilities – Insurance Risk Charge [F2008L03945]\*.
- 77 of 2008—Reporting Standard GRS 300.0 (2008) Statement of Financial Position [F2008L03946]\*.
- 78 of 2008—Reporting Standard GRS 301.0 (2008) Reinsurance Assets and Risk Charge [F2008L03947]\*.
- 79 of 2008—Reporting Standard GRS 310.0 (2008) Statement of Financial Performance [F2008L03948]\*.
- 80 of 2008—Reporting Standard GRS 310.1 (2008) Premium Revenue and Reinsurance Expense [F2008L03949]\*.
- 81 of 2008—Reporting Standard GRS 310.2 (2008) Claims Expense and Reinsurance Recoveries [F2008L03951]\*.
- 82 of 2008—Reporting Standard GRS 310.3 (2008) Investment and Operating Income and Expense [F2008L03954]\*.
- 83 of 2008—Reporting Standard GRS 320.0 (2008) Reconciliation of Annual Disclosure [F2008L03956]\*.
- 84 of 2008—Reporting Standard GRS 400.0 (2008) Statement of Risk by Country [F2008L03959]\*.
- 85 of 2008—Reporting Standard GRS 410.0 (2008) Movement in Outstanding Claims Provision [F2008L03961]\*.
- 86 of 2008—Reporting Standard GRS 420.0 (2008) Premium Revenue by State and Territory of Australia [F2008L03975]\*.
- 87 of 2008—Reporting Standard GRS 430.0 (2008) Claims Expense by State and Territory of Australia [F2008L03980]\*.
- 88 of 2008—Reporting Standard GRS 440.0 (2008) Claims Development Tables [F2008L03984]\*.
- Fisheries Management Act—Southern Bluefin Tuna Fishery Management Plan 1995—2008-09 SBT Australian National Catch Allocation Determination [F2008L04281]\*.
- Forestry Marketing and Research and Development Services Act—Select Legislative Instrument 2008 No. 207—Forestry Marketing and Research and Development Services Regulations 2008 [F2008L03701]\*.
- Health Insurance Act—  
Health Insurance (Allied Health Services) Determination 2008 [F2008L04254]\*.

- Health Insurance (Bone Densitometry) Determination 2008 [F2008L04161]\*.
- Health Insurance (Follow up service — Indigenous persons) Determination 2008 [F2008L04256]\*.
- Health Insurance (FTB(A) Family) Amendment Determination 2008 (No. 1) [F2008L03906]\*.
- Health Insurance (Radiation Oncology) Determination 2008 (No. 2) [F2008L04284]\*.
- Select Legislative Instrument 2008 Nos—
- 209—Health Insurance Amendment Regulations 2008 (No. 2) [F2008L03448]\*.
- 210—Health Insurance (Diagnostic Imaging Services Table) Regulations 2008 [F2008L03342]\*.
- 211—Health Insurance (General Medical Services Table) Regulations 2008 [F2008L03446]\*.
- 212—Health Insurance (Pathology Services Table) Regulations 2008 [F2008L03443]\*.
- Higher Education Support Act—Commonwealth Grant Scheme Guidelines No. 1 – Amendment No. 4 [F2008L04267]\*.
- Judiciary Act—Legal Services Amendment Directions 2008 (No. 3) [F2008L04253]\*.
- Liquid Fuel Emergency Act—
- Liquid Fuel Emergency (Activities – Essential Users) Determination 2008 [F2008L03797]\*.
- Liquid Fuel Emergency Guidelines 2008 [F2008L03749]\*.
- Maritime Transport and Offshore Facilities Security Act—Notice about how incident reports are to be made (No. 3) (Amendment No. 1 of 2008) [F2008L04122]\*.
- Migration Act—Migration Regulations—Instruments IMMI—
- 08/074—Professional Year Programs [F2008L03767]\*.
- 08/083—Classes of persons and addresses [F2008L03770]\*.
- 08/084—English language tests and level of English ability for general skilled Migration [F2008L03768]\*.
- 08/090—Definition of “Superyacht” [F2008L03773]\*.
- 08/091—Addresses for Superyacht Crew Visa Applications [F2008L03908]\*.
- 08/092—Classes of persons [F2008L03775]\*.
- 08/100—eVisitor – eligible passports [F2008L03771]\*.
- Military Rehabilitation and Compensation Act—
- Instrument No. M23 of 2008—Determination of rate per kilometre [F2008L03795]\*.
- Military Rehabilitation and Compensation (Non-warlike Service) Determination 2008/1 [F2008L04180]\*.
- National Health Act—Instruments Nos PB—
- 97 of 2008—Amendment declaration and determination – drugs and medicinal preparations [F2008L03754]\*.
- 98 of 2008—Amendment determination – pharmaceutical benefits [F2008L03756]\*.
- 99 of 2008—Amendment determination – responsible persons [F2008L03758]\*.

100 of 2008—Amendment determination – prescription of pharmaceutical benefits by authorised optometrists [F2008L03759]\*.

101 of 2008—Amendment – price determinations and special patient contributions [F2008L03760]\*.

102 of 2008—Amendment Special Arrangements – Chemotherapy Pharmaceuticals Access Program [F2008L03761]\*.

106 of 2008—Amendment Special Arrangements – IVF/GIFT Program [F2008L04288]\*.

Northern Territory National Emergency Response Act—Northern Territory National Emergency Response (Community Stores) Instrument 2008 (No. 1) [F2008L04064]\*.

Primary Industries (Excise) Levies Act—Select Legislative Instrument 2008 No. 216—Primary Industries (Excise) Levies Amendment Regulations 2008 (No. 3) [F2008L04271]\*.

Primary Industries Levies and Charges Collection Act—Select Legislative Instrument 2008 No. 217—Primary Industries Levies and Charges Collection Amendment Regulations 2008 (No. 3) [F2008L04275]\*.

Privacy Act—Select Legislative Instrument 2008 No. 213—Privacy (Private Sector) Amendment Regulations 2008 (No. 2) [F2008L03791]\*.

Private Health Insurance Act—Private Health Insurance (Benefit Requirements) Amendment Rules 2008 (No. 4) [F2008L04261]\*.

Quarantine Act—Quarantine Amendment Proclamation 2008 (No. 3) [F2008L03910]\*.

Remuneration Tribunal Act—

Remuneration Tribunal Determinations—

2008/19: Parliamentary Office Holders – Additional Salary [F2008L03890]\*.

2008/20: Remuneration and Allowances for Holders of Public Office [F2008L04268]\*.

Select Legislative Instrument 2008 No. 221—Remuneration Tribunal (Members' Fees and Allowances) Amendment Regulations 2008 (No. 1) [F2008L04170]\*.

Social Security (Administration) Act—

Social Security (Administration) (Declared relevant Northern Territory area — Laramba) Determination 2008 [F2008L04125]\*.

Social Security (Administration) (Declared relevant Northern Territory area — Ukaka) Determination 2008 [F2008L04124]\*.

Social Security (Administration) (Declared relevant Northern Territory areas — Various (No. 33)) Determination 2008 [F2008L04123]\*.

Sydney Airport Curfew Act—Dispensation Report 11/08.

Telecommunications Act—Telecommunications Technical Standard (Information Technology Equipment — Safety, Part 1: General Requirements — AS/NZS 60950.1:2003 (Incorporating Amendment Nos 1, 2 and 3)) 2008 [F2008L04289]\*.

Therapeutic Goods Act—

Therapeutic Goods (Emergency) Exemption 2008 (No. 3) [F2008L03790]\*.

Therapeutic Goods Order No. 78—Standard for tablets and capsules [F2008L04287]\*.

## Veterans' Entitlements Act—

## Amendments of Statements of Principles concerning—

Cervical Spondylosis No. 76 of 2008 [F2008L04153]\*.

Cervical Spondylosis No. 77 of 2008 [F2008L04156]\*.

Intervertebral Disc Prolapse No. 80 of 2008 [F2008L04162]\*.

Intervertebral Disc Prolapse No. 81 of 2008 [F2008L04163]\*.

Lumbar Spondylosis No. 78 of 2008 [F2008L04158]\*.

Lumbar Spondylosis No. 79 of 2008 [F2008L04160]\*.

Determination of Non-warlike Service—Operation HEDGEROW, dated 13 October 2008 [F2008L04179]\*.

## Statements of Principles concerning—

Deep Vein Thrombosis No. 74 of 2008 [F2008L04150]\*.

Deep Vein Thrombosis No. 75 of 2008 [F2008L04152]\*.

Immune Thrombocytopenic Purpura No. 72 of 2008 [F2008L04143]\*.

Immune Thrombocytopenic Purpura No. 73 of 2008 [F2008L04145]\*.

Personality Disorder No. 70 of 2008 [F2008L04137]\*.

Personality Disorder No. 71 of 2008 [F2008L04140]\*.

Rheumatoid Arthritis No. 68 of 2008 [F2008L04133]\*.

Rheumatoid Arthritis No. 69 of 2008 [F2008L04134]\*.

*Governor-General's Proclamation—Commencement of provisions of an Act**Health Insurance Amendment (90 Day Pay Doctor Cheque Scheme) Act 2008—Schedule 1—1 November 2008 [F2008L03447]\*.*

\* Explanatory statement tabled with legislative instrument.

**32 COMMITTEE MEMBERSHIP**

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

The Minister for Superannuation and Corporate Law (Senator Sherry), by leave, moved—That senators be discharged from and appointed to committees as follows:

**Community Affairs—Standing Committee—**

## Appointed—

Substitute member: Senator Ludlam to replace Senator Siewert for the committee's inquiry into the provisions of the National Rental Affordability Scheme Bill 2008 and a related bill

Participating member: Senator Siewert

**Education, Employment and Workplace Relations—Standing Committee—**

## Appointed—

Substitute member: Senator Milne to replace Senator Siewert for the committee's inquiry into the provisions of the Schools Assistance Bill 2008 and a related bill

Participating member: Senator Siewert

**Finance and Public Administration—Standing Committee—**

## Appointed—

Substitute member: Senator Siewert to replace Senator Hanson-Young for the committee's inquiry into residential and community aged care in Australia

Participating member: Senator Hanson-Young.

Question put and passed.

**33 EDUCATION LEGISLATION AMENDMENT BILL 2008**  
**SCHOOLS ASSISTANCE BILL 2008**  
**INTERSTATE ROAD TRANSPORT CHARGE AMENDMENT BILL (NO. 2) 2008**  
**ROAD CHARGES LEGISLATION REPEAL AND AMENDMENT BILL 2008**  
**TEMPORARY RESIDENTS' SUPERANNUATION LEGISLATION AMENDMENT BILL 2008**  
**SUPERANNUATION (DEPARTING AUSTRALIA SUPERANNUATION PAYMENTS TAX)**  
**AMENDMENT BILL 2008**  
**NATIONAL RENTAL AFFORDABILITY SCHEME BILL 2008**  
**NATIONAL RENTAL AFFORDABILITY SCHEME (CONSEQUENTIAL AMENDMENTS)**  
**BILL 2008**  
**WATER AMENDMENT BILL 2008**

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

Message no. 177, dated 22 October 2008—A Bill for an Act to amend the law relating to education, and for related purposes.

Message no. 178, dated 22 October 2008—A Bill for an Act to grant financial assistance for non-government primary and secondary education for 2009 to 2012, and for related purposes.

Message no. 180, dated 23 October 2008—A Bill for an Act to amend the *Interstate Road Transport Charge Act 1985*, and for related purposes.

Message no. 181, dated 23 October 2008—A Bill for an Act to repeal and amend the law relating to road charges, and for related purposes.

Message no. 182, dated 23 October 2008—A Bill for an Act to amend legislation in relation to temporary residents' superannuation, and for related purposes.

Message no. 183, dated 23 October 2008—A Bill for an Act to amend the *Superannuation (Departing Australia Superannuation Payments Tax) Act 2007*, and for related purposes.

Message no. 187, dated 23 October 2008—A Bill for an Act to provide for the establishment of the National Rental Affordability Scheme, and for related purposes.

Message no. 186, dated 23 October 2008—A Bill for an Act to amend the *Income Tax Assessment Act 1997* in relation to the National Rental Affordability Scheme, and for related purposes.

Message no. 179, dated 22 October 2008—A Bill for an Act to amend the *Water Act 2007*, and for related purposes.

The Minister for Superannuation and Corporate Law (Senator Sherry) 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 Sherry moved—That these bills be now read a second time.

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*Explanatory memorandum:* Senator Sherry tabled a revised explanatory memorandum relating to the Water Amendment Bill 2008.

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

*Consideration of legislation:* Senator Sherry moved—That—

- (a) the Education Legislation Amendment Bill 2008 and the Schools Assistance Bill 2008;
- (b) the Interstate Road Transport Charge Amendment Bill (No. 2) 2008 and the Road Charges Legislation Repeal and Amendment Bill 2008;
- (c) the Temporary Residents' Superannuation Legislation Amendment Bill 2008 and the Superannuation (Departing Australia Superannuation Payments Tax) Amendment Bill 2008; and
- (d) the National Rental Affordability Scheme Bill 2008 and the National Rental Affordability Scheme (Consequential Amendments) Bill 2008,

be listed on the *Notice Paper* as 4 orders of the day and the Water Amendment Bill 2008 be listed as a separate order of the day.

Question put and passed.

**34 TAX LAWS AMENDMENT (MEDICARE LEVY SURCHARGE THRESHOLDS) BILL (NO. 2) 2008**

A message from the House of Representatives was reported agreeing to the amendments made by the Senate to the following bill:

Message no. 174, dated 16 October 2008—Tax Laws Amendment (Medicare Levy Surcharge Thresholds) Bill (No. 2) 2008.

**35 ARCHIVES AMENDMENT BILL 2008  
BROADCASTING LEGISLATION AMENDMENT (DIGITAL RADIO) BILL 2008**

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

Message no. 184, dated 23 October 2008—Archives Amendment Bill 2008.

Message no. 185, dated 23 October 2008—Broadcasting Legislation Amendment (Digital Radio) Bill 2008.

**36 GOVERNOR-GENERAL'S MESSAGES—ASSENT TO LAWS**

Messages from Her Excellency the Governor-General were reported, informing the Senate that she had assented to the following laws:

17 October 2008—Message No. 37—

*Financial Claims Scheme (ADIs) Levy Act 2008* (Act No. 103, 2008)

*Financial Claims Scheme (General Insurers) Levy Act 2008* (Act No. 104, 2008)

*Financial System Legislation Amendment (Financial Claims Scheme and Other Measures) Act 2008* (Act No. 105, 2008).

18 October 2008—Message No. 38—

*AusLink (National Land Transport) Amendment Act 2008* (Act No. 106, 2008)

*Australian Research Council Amendment Act 2008* (Act No. 107, 2008)

*Excise Legislation Amendment (Condensate) Act 2008* (Act No. 108, 2008)

*Excise Tariff Amendment (Condensate) Act 2008* (Act No. 109, 2008).

31 October 2008—Message—

No. 39—*Tax Laws Amendment (Medicare Levy Surcharge Thresholds) Act (No. 2) 2008* (Act No. 110, 2008).



- No. 40—  
*International Tax Agreements Amendment Act (No. 2) 2008* (Act No. 111, 2008)  
*Migration Amendment (Notification Review) Act 2008* (Act No. 112, 2008).
- No. 41—  
*Archives Amendment Act 2008* (Act No. 113, 2008)  
*Broadcasting Legislation Amendment (Digital Radio) Act 2008* (Act No. 114, 2008).

**37 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—POKER MACHINE HARM REDUCTION TAX (ADMINISTRATION) BILL 2008, POKER MACHINE HARM MINIMISATION BILL 2008 AND ATMS AND CASH FACILITIES IN LICENSED VENUES BILL 2008**

Pursuant to order, the Chair of the Community Affairs Committee (Senator Moore) tabled the following report and documents:

Community Affairs—Standing Committee—Poker Machine Harm Reduction Tax (Administration) Bill 2008, Poker Machine Harm Minimisation Bill 2008 and ATMs and Cash Facilities in Licensed Venues Bill 2008—Report, dated November 2008, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

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

Debate ensued.

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

**38 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION AMENDMENT (FURTHER 2008 BUDGET AND OTHER MEASURES) BILL 2008**

Pursuant to order, the Chair of the Community Affairs Committee (Senator Moore) tabled the following report and documents:

Community Affairs—Standing Committee—Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Further 2008 Budget and Other Measures) Bill 2008 [Provisions]—Report, dated November 2008, Hansard record of proceedings, additional information and submissions.

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

**39 ENVIRONMENT, COMMUNICATIONS AND THE ARTS—STANDING COMMITTEE—REPORT—RENEWABLE ENERGY (ELECTRICITY) AMENDMENT (FEED-IN-TARIFF) BILL 2008**

Pursuant to order, Senator Moore, at the request of the Chair of the Environment, Communications and the Arts Committee (Senator McEwen), tabled the following report and documents:

Environment, Communications and the Arts—Standing Committee—Renewable Energy (Electricity) Amendment (Feed-in-Tariff) Bill 2008—Report, dated November 2008, Hansard record of proceedings and submissions.

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

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

Debate ensued.

Question put and passed.

**40 ECONOMICS—STANDING COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator Parry, by leave, moved—That the time for the presentation of the report of the Economics Committee on the provisions of bills relating to economic regeneration funds be extended to 1 December 2008.

Question put and passed.

**41 ECONOMICS—STANDING COMMITTEE—REPORT—TAX LAWS AMENDMENT (2008 MEASURES NO. 5) BILL 2008**

Pursuant to order, Senator McEwen, at the request of the Chair of the Economics Committee (Senator Hurley), tabled the following report and documents:

Economics—Standing Committee—Tax Laws Amendment (2008 Measures No. 5) Bill 2008 [Provisions]—Report, dated November 2008, Hansard record of proceedings and submissions.

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

**42 OFFSHORE PETROLEUM AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**  
**OFFSHORE PETROLEUM (ANNUAL FEES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**  
**OFFSHORE PETROLEUM (REGISTRATION FEES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**  
**OFFSHORE PETROLEUM (SAFETY LEVIES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**

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

—————  
*In the committee*

**OFFSHORE PETROLEUM AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008—**  
 Bill taken as a whole by leave.

—————  
*Explanatory memorandum:* The Minister for Climate Change and Water (Senator Wong) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

—————  
 Senator Milne moved the following amendment:

Schedule 1, item 2A, page 3 (after line 23), at the end of section 2A, add:

- (2) Another object of this Act is to ensure the full liability into the future for any adverse impact, including any leakage from carbon storage projects, is borne by the entities undertaking those projects.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 4

Senators—

Brown, Bob

Ludlam

Milne

Siewert (Teller)

## NOES, 39

Senators—

Adams	Ferguson	Ludwig	Pratt
Arbib	Fielding	Lundy	Scullion
Bilyk	Fisher	Marshall	Stephens
Birmingham	Forshaw	McEwen	Sterle
Boyce	Furner	McLucas	Troeth
Colbeck	Hogg	Moore	Trood
Collins	Humphries	Nash	Williams (Teller)
Crossin	Hutchins	Parry	Wortley
Farrell	Johnston	Payne	Xenophon
Feeney	Kroger	Polley	

Question negatived.

Senator Johnston moved the following amendments together by leave:

No. 1—Schedule 1, page 7 (after line 3), after item 10, insert:

**10A Section 6**

Insert:

*closure assurance period* has the meaning given by section 249CZN.

No. 2—Schedule 1, item 169, page 103 (after line 32), after section 249AJ, insert:

**249AJA Retention lessee or production licensee to be notified of proposal to advertise blocks***Scope*

- (1) This section applies if:
- the responsible Commonwealth Minister proposes to publish a notice under subsection 249AJ(1) specifying a block that is the subject of a retention lease or production licence; and
  - at the time of the proposal, the lessee or licensee is entitled to make an application for the grant of a greenhouse gas holding lease over the block.

*Notification*

- (2) The responsible Commonwealth Minister must, at least 60 days before the proposed publication of the subsection 249AJ(1) notice, notify the lessee or licensee of the proposed publication.

*Deferral of publication of notice*

- (3) If, during the period:
- beginning when the lessee or licensee is given the notification under subsection (2); and
  - ending at the end of the day of proposed publication of the subsection 249AJ(1) notice;
- the lessee or licensee makes such an application, the responsible Commonwealth Minister must not publish the subsection 249AJ(1) notice until:
- the application lapses; or
  - the lessee withdraws the application; or
  - the responsible Commonwealth Minister refuses to grant the greenhouse gas holding lease or greenhouse gas injection licence.

No. 3—Schedule 1, item 169, page 104 (after line 21), at the end of section 249AK, add:

*Decision must be made within 12 months*

- (3) The responsible Commonwealth Minister must make a decision under subsection (2) within 12 months after the end of the period specified in the relevant notice under subsection 249AJ(1).

No. 4—Schedule 1, item 169, page 111 (after line 12), after section 249AP, insert:

**249APA Retention lessee or production licensee to be notified of proposal to advertise blocks**

*Scope*

- (1) This section applies if:
- (a) the responsible Commonwealth Minister proposes to publish a notice under subsection 249AP(1) specifying a block that is the subject of a retention lease or production licence; and
  - (b) at the time of the proposal, the lessee or licensee is entitled to make an application for the grant of a greenhouse gas holding lease or a greenhouse gas injection licence over the block.

*Notification*

- (2) The responsible Commonwealth Minister must, at least 60 days before the proposed publication of the subsection 249AP(1) notice, notify the lessee or licensee of the proposed publication.

*Deferral of publication of notice*

- (3) If, during the period:
- (a) beginning when the lessee or licensee is given the notification under subsection (2); and
  - (b) ending at the end of the day of proposed publication of the subsection 249AP(1) notice;

the lessee or licensee makes such an application, the responsible Commonwealth Minister must not publish the subsection 249AP(1) notice until:

- (c) the application lapses; or
- (d) the lessee withdraws the application; or
- (e) the responsible Commonwealth Minister refuses to grant the greenhouse gas holding lease or greenhouse gas injection licence.

No. 5—Schedule 1, item 169, page 189 (lines 30 to 34), omit paragraph 249CR(c), substitute:

- (c) either:
- (i) the responsible Commonwealth Minister is satisfied that all of the greenhouse gas substance injected into the identified greenhouse gas storage formation or formations concerned will be obtained as a by-product of petroleum recovery operations carried on under the production licence; or
  - (ii) the responsible Commonwealth Minister is satisfied that some or all of the greenhouse gas substance injected into the identified greenhouse gas storage formation or

formations concerned will be obtained as a by-product of petroleum recovery operations carried on under any production licence, and that the grant of the greenhouse gas injection licence is in the public interest; and

No. 6—Schedule 1, item 169, page 219 (lines 13 and 14), omit subsection 249CZF(8), substitute:

*Decision must be made within 5 years*

- (8) If an application for a site closing certificate has been made under section 249CZE, the responsible Commonwealth Minister must make a decision on the application within 5 years after the application was made.

No. 7—Schedule 1, item 169, page 219 (lines 15 to 22), omit section 249CZFA.

No. 8—Schedule 1, item 169, page 219 (before line 23), before section 249CZG, insert:

**249CZFB Acknowledgement of receipt of application for site closing certificate**

*Scope*

- (1) This section applies if an application has been made under section 249CZE for a site closing certificate.

*Acknowledgement of receipt of application*

- (2) The responsible Commonwealth Minister must give the applicant notice of receipt of the application.

No. 9—Schedule 1, item 169, page 223 (after line 16), at the end of Part 2A.4, add:

**Division 8—Long-term liabilities**

**249CZN Closure assurance period**

- (1) If:
- (a) a site closing certificate is in force in relation to an identified greenhouse gas storage formation; and
  - (b) the responsible Commonwealth Minister is satisfied that operations for the injection of a greenhouse gas substance into the formation ceased on a day (the *cessation day*) before the application for the site closing certificate was made; and
  - (c) on a day (the *decision day*) that is at least 15 years after the issue of the site closing certificate, the responsible Commonwealth Minister is satisfied that:
    - (i) the greenhouse gas substance injected into the formation is behaving as predicted in Part A of the approved site plan for the formation; and
    - (ii) there is no significant risk that a greenhouse gas substance injected into the formation will have a significant adverse impact on the geotechnical integrity of the whole or a part of a geological formation or geological structure; and
    - (iii) there is no significant risk that a greenhouse gas substance injected into the formation will have a significant adverse impact on the environment; and

- (iv) there is no significant risk that a greenhouse gas substance injected into the formation will have a significant adverse impact on human health or safety; and
- (v) since the cessation day, there have not been any operations for the injection of a greenhouse gas substance into the formation;

the responsible Commonwealth Minister may, by writing, declare that the period:

- (d) beginning at the end of the cessation day; and
- (e) ending at the end of the decision day;

is the *closure assurance period* in relation to the formation for the purposes of this Act.

- (2) A copy of a declaration under subsection (1) is to be given to the holder of the site closing certificate.

#### **249CZO Indemnity—long-term liability**

##### *Scope*

- (1) This section applies if:
  - (a) a site closing certificate is in force in relation to an identified greenhouse gas storage formation; and
  - (b) when the application for the certificate was made, the formation was specified in a greenhouse gas injection licence; and
  - (c) there is a closure assurance period in relation to the formation; and
  - (d) the following conditions are satisfied in relation to a liability of an existing person who is or has been the registered holder of the licence (whether or not the licence is in force):
    - (i) the liability is a liability for damages;
    - (ii) the liability is attributable to an act done or omitted to be done in the carrying out of operations authorised by the licence in relation to the formation;
    - (iii) the liability is incurred or accrued after the end of the closure assurance period in relation to the formation;
    - (iv) such other conditions (if any) as are specified in the regulations.

##### *Indemnity*

- (2) The Commonwealth must indemnify the person against the liability.

#### **249CZP Commonwealth to assume long-term liability if licensee has ceased to exist**

##### *Scope*

- (1) This section applies if:
  - (a) a site closing certificate is in force in relation to an identified greenhouse gas storage formation; and
  - (b) when the application for the certificate was made, the formation was specified in a greenhouse gas injection licence; and
  - (c) there is a closure assurance period in relation to the formation; and

- (d) a person who has been the registered holder of the licence (whether or not the licence is in force) has ceased to exist; and
- (e) if the person had continued in existence, the following conditions would have been satisfied in relation to a liability of the person:
  - (i) the liability is a liability for damages;
  - (ii) the liability is attributable to an act done or omitted to be done in the carrying out of operations authorised by the licence in relation to the formation;
  - (iii) the liability is incurred or accrued after the end of the closure assurance period in relation to the formation;
  - (iv) such other conditions (if any) as are specified in the regulations; and
- (f) apart from this section, the damages are irrecoverable because the person has ceased to exist.

*Commonwealth to assume liability*

- (2) The liability is taken to be a liability of the Commonwealth.

No. 10—Schedule 1, item 274B, page 372 (before line 12), before subparagraph 435B(2)(f)(i), insert:

- (ia) the powers conferred by section 249AK;
- (ib) the powers conferred by section 249AL;

No. 11—Schedule 1, item 274B, page 372 (after line 23), after subparagraph 435B(2)(f)(ix), insert:

- (ixa) the making of a declaration under section 249CZN;

Debate ensued.

The question was divided—

Question—That amendments nos 1, 2, 3, 4, 5, 9, 10 and 11 be agreed to—put and passed.

Question—That amendments nos 6, 7 and 8 be agreed to—put and passed. All Australian Greens senators, by leave, recorded their votes for the noes.

On the motion of the Parliamentary Secretary to the Minister for Health and Ageing (Senator McLucas) the following amendments, taken together by leave, were debated and agreed to:

Schedule 1, item 81, page 22 (line 21), at the end of the definition of *significant risk*, add “, 15FA, 15FB, 15FC or 15FD”.

Schedule 1, item 109, page 36 (line 23) to page 38 (line 7), omit section 15F, substitute:

**15F Significant risk of a significant adverse impact—approval of key petroleum operations**

- (1) For the purposes of sections 79A, 79B, 114A, 114B, 138A and 138B and paragraph 435B(2)(a), the question of whether there is a significant risk that a key petroleum operation will have a significant adverse impact on:
  - (a) operations for the injection of a greenhouse gas substance; or
  - (b) operations for the storage of a greenhouse gas substance;
 is to be determined in a manner ascertained in accordance with the regulations.

- (2) A manner ascertained in accordance with regulations made for the purposes of subsection (1) must take into account:
  - (a) the probability, or range of probabilities, of the occurrence of the adverse impact; and
  - (b) the economic consequences of the adverse impact; and
  - (c) the economic consequences of the adverse impact relative to the potential economic value of the operations referred to in whichever of paragraph (1)(a) or (b) is applicable.
- (3) Subsection (2) does not limit the matters that may be taken into account.
- (4) Subsections (1) and (2) have effect subject to subsections (5) and (6).
- (5) For the purposes of sections 79A, 79B, 114A, 114B, 138A and 138B and paragraph 435B(2)(a), a key petroleum operation will have an adverse impact on:
  - (a) operations for the injection of a greenhouse gas substance; or
  - (b) operations for the storage of a greenhouse gas substance;
 (the *relevant greenhouse gas operations*) if, and only if, the key petroleum operation will result in:
  - (c) an increase in the capital costs (other than prescribed costs) of the relevant greenhouse gas operations; or
  - (d) an increase in the operating costs (other than prescribed costs) of the relevant greenhouse gas operations; or
  - (e) a reduction in the rate of injection of the greenhouse gas substance; or
  - (f) a reduction in the quantity of the greenhouse gas substance that will be able to be stored.
- (6) For the purposes of sections 79A, 79B, 114A, 114B, 138A and 138B and paragraph 435B(2)(a), if there is a risk that a key petroleum operation will have an adverse impact on:
  - (a) operations for the injection of a greenhouse gas substance; or
  - (b) operations for the storage of a greenhouse gas substance;
 then that risk is not to be treated as significant, and that adverse impact is not to be treated as significant, if the amount that, under the regulations, is taken to be the probability-weighted impact cost of the key petroleum operation is less than the amount that, under the regulations, is taken to be the threshold amount.

**15FA Significant risk of a significant adverse impact—grant of production licence**

- (1) For the purposes of sections 145 and 146, the question of whether there is a significant risk that any of the operations that could be carried on under a production licence will have a significant adverse impact on operations that are being, or could be, carried on under:
  - (a) a greenhouse gas assessment permit; or
  - (b) a greenhouse gas holding lease; or
  - (c) a greenhouse gas injection licence;
 is to be determined in a manner ascertained in accordance with the regulations.



- (2) A manner ascertained in accordance with regulations made for the purposes of subsection (1) must take into account:
  - (a) the probability, or range of probabilities, of the occurrence of the adverse impact; and
  - (b) the economic consequences of the adverse impact; and
  - (c) the economic consequences of the adverse impact relative to the potential economic value of the operations that are being, or could be, carried on under the permit, lease or licence referred to in whichever of paragraph (1)(a), (b) or (c) is applicable.
- (3) Subsection (2) does not limit the matters that may be taken into account.
- (4) Subsections (1) and (2) have effect subject to subsections (5) and (6).
- (5) For the purposes of sections 145 and 146, an operation that could be carried on under a production licence (the *production licence operation*) will have an adverse impact on operations (the *relevant greenhouse gas operations*) that are being, or could be, carried on under:
  - (a) a greenhouse gas assessment permit; or
  - (b) a greenhouse gas holding lease; or
  - (c) a greenhouse gas injection licence;if, and only if, the production licence operation will result in:
  - (d) an increase in the capital costs (other than prescribed costs) of the relevant greenhouse gas operations; or
  - (e) an increase in the operating costs (other than prescribed costs) of the relevant greenhouse gas operations; or
  - (f) a reduction in the rate of injection of the greenhouse gas substance; or
  - (g) a reduction in the quantity of the greenhouse gas substance that will be able to be stored.
- (6) For the purposes of sections 145 and 146, if there is a risk that an operation that could be carried on under a production licence (the *production licence operation*) will have an adverse impact on operations that are being, or could be, carried on under:
  - (a) a greenhouse gas assessment permit; or
  - (b) a greenhouse gas holding lease; or
  - (c) a greenhouse gas injection licence;then that risk is not to be treated as significant, and that adverse impact is not to be treated as significant, if the amount that, under the regulations, is taken to be the probability-weighted impact cost of the production licence operation is less than the amount that, under the regulations, is taken to be the threshold amount.

**15FB Significant risk of a significant adverse impact—approval of key greenhouse gas operations**

- (1) For the purposes of sections 249AF and 249BD and paragraph 435B(2)(b), the question of whether there is a significant risk that a key greenhouse gas operation will have a significant adverse impact on petroleum exploration operations, or petroleum recovery operations, that are being, or could be, carried on under:

- (a) an existing exploration permit; or
- (b) an existing retention lease; or
- (c) an existing production licence; or
- (d) a future exploration permit; or
- (e) a future retention lease; or
- (f) a future production licence;

is to be determined in a manner ascertained in accordance with the regulations.

- (2) A manner ascertained in accordance with regulations made for the purposes of subsection (1) must take into account:
  - (a) the probability, or range of probabilities, of the occurrence of the adverse impact; and
  - (b) the economic consequences of the adverse impact; and
  - (c) the economic consequences of the adverse impact relative to the potential economic value of the petroleum exploration operations, or petroleum recovery operations, that are being, or could be, carried on under the permit, lease or licence referred to in whichever of paragraph (1)(a), (b), (c), (d), (e) or (f) is applicable.
- (3) Subsection (2) does not limit the matters that may be taken into account.
- (4) Subsections (1) and (2) have effect subject to subsections (5) and (6).
- (5) For the purposes of sections 249AF and 249BD and paragraph 435B(2)(b), a key greenhouse gas operation will have an adverse impact on petroleum exploration operations, or petroleum recovery operations, that are being, or could be, carried on under:
  - (a) an existing exploration permit; or
  - (b) an existing retention lease; or
  - (c) an existing production licence; or
  - (d) a future exploration permit; or
  - (e) a future retention lease; or
  - (f) a future production licence;
 if, and only if, the key greenhouse gas operation will result in:
  - (g) an increase in the capital costs (other than prescribed costs) of the petroleum exploration operations or petroleum recovery operations; or
  - (h) an increase in the operating costs (other than prescribed costs) of the petroleum exploration operations or petroleum recovery operations; or
  - (i) a reduction in the rate of recovery of the petroleum; or
  - (j) a reduction in the quantity of the petroleum that will be able to be recovered.
- (6) For the purposes of sections 249AF and 249BD and paragraph 435B(2)(b), if there is a risk that a key greenhouse gas operation will have an adverse impact on petroleum exploration operations, or petroleum recovery operations, that are being, or could be, carried on under:
  - (a) an existing exploration permit; or

- (b) an existing retention lease; or
- (c) an existing production licence; or
- (d) a future exploration permit; or
- (e) a future retention lease; or
- (f) a future production licence;

then that risk is not to be treated as significant, and that adverse impact is not to be treated as significant, if the amount that, under the regulations, is taken to be the probability-weighted impact cost of the key greenhouse gas operation is less than the amount that, under the regulations, is taken to be the threshold amount.

**15FC Significant risk of a significant adverse impact—grant of greenhouse gas injection licence**

- (1) For the purposes of sections 249CI and 249CR and paragraph 435B(2)(c), the question of whether there is a significant risk that any of the operations that could be carried on under a greenhouse gas injection licence will have a significant adverse impact on operations that are being, or could be, carried on under:
  - (a) an existing exploration permit; or
  - (b) an existing retention lease; or
  - (c) an existing production licence; or
  - (d) a future exploration permit; or
  - (e) a future retention lease; or
  - (f) a future production licence;

is to be determined in a manner ascertained in accordance with the regulations.
- (2) A manner ascertained in accordance with regulations made for the purposes of subsection (1) must take into account:
  - (a) the probability, or range of probabilities, of the occurrence of the adverse impact; and
  - (b) the economic consequences of the adverse impact; and
  - (c) the economic consequences of the adverse impact relative to the potential economic value of the operations that are being, or could be, carried on under the permit, lease or licence referred to in whichever of paragraph (1)(a), (b), (c), (d), (e) or (f) is applicable.
- (3) Subsection (2) does not limit the matters that may be taken into account.
- (4) Subsections (1) and (2) have effect subject to subsections (5) and (6).
- (5) For the purposes of sections 249CI and 249CR and paragraph 435B(2)(c), an operation that could be carried on under a greenhouse gas injection licence (the *injection licence operation*) will have an adverse impact on operations (the *relevant petroleum operations*) that are being, or could be, carried on under:
  - (a) an existing exploration permit; or
  - (b) an existing retention lease; or
  - (c) an existing production licence; or
  - (d) a future exploration permit; or
  - (e) a future retention lease; or

(f) a future production licence;

if, and only if, the injection licence operation will result in:

(g) an increase in the capital costs (other than prescribed costs) of the relevant petroleum operations; or

(h) an increase in the operating costs (other than prescribed costs) of the relevant petroleum operations; or

(i) a reduction in the rate of recovery of the petroleum; or

(j) a reduction in the quantity of the petroleum that will be able to be recovered.

(6) For the purposes of sections 249CI and 249CR and paragraph 435B(2)(c), if there is a risk that an operation that could be carried on under a greenhouse gas injection licence (the *injection licence operation*) will have an adverse impact on operations that are being, or could be, carried on under:

(a) an existing exploration permit; or

(b) an existing retention lease; or

(c) an existing production licence; or

(d) a future exploration permit; or

(e) a future retention lease; or

(f) a future production licence;

then that risk is not to be treated as significant, and that adverse impact is not to be treated as significant, if the amount that, under the regulations, is taken to be the probability-weighted impact cost of the injection licence operation is less than the amount that, under the regulations, is taken to be the threshold amount.

**15FD Significant risk of a significant adverse impact—power of responsible Commonwealth Minister to protect petroleum**

(1) For the purposes of section 249CZC and paragraph 435B(2)(d), the question of whether there is a significant risk that any of the operations that are being, or could be, carried on under a greenhouse gas injection licence will have a significant adverse impact on:

(a) operations to recover petroleum; or

(b) the commercial viability of the recovery of petroleum;

is to be determined in a manner ascertained in accordance with the regulations.

(2) A manner ascertained in accordance with regulations made for the purposes of subsection (1) must take into account:

(a) the probability, or range of probabilities, of the occurrence of the adverse impact; and

(b) the economic consequences of the adverse impact; and

(c) the economic consequences of the adverse impact relative to the potential economic value of the operations or recovery referred to in whichever of paragraph (1)(a) or (b) is applicable.

(3) Subsection (2) does not limit the matters that may be taken into account.

(4) Subsections (1) and (2) have effect subject to subsections (5) and (6).

- (5) For the purposes of section 249CZC and paragraph 435B(2)(d), an operation that could be carried on under a greenhouse gas injection licence (the *injection licence operation*) will have an adverse impact on:
- (a) operations to recover petroleum; or
  - (b) the commercial viability of the recovery of petroleum;
- if, and only if, the injection licence operation will result in:
- (c) an increase in the capital costs (other than prescribed costs) of the recovery of the petroleum; or
  - (d) an increase in the operating costs (other than prescribed costs) of the recovery of the petroleum; or
  - (e) a reduction in the rate of recovery of the petroleum; or
  - (f) a reduction in the quantity of the petroleum that will be able to be recovered.
- (6) For the purposes of section 249CZC and paragraph 435B(2)(d), if there is a risk that an operation that is being, or could be, carried on under a greenhouse gas injection licence (the *injection licence operation*) will have an adverse impact on:
- (a) operations to recover petroleum; or
  - (b) the commercial viability of the recovery of petroleum;
- then that risk is not to be treated as significant, and that adverse impact is not to be treated as significant, if the amount that, under the regulations, is taken to be the probability-weighted impact cost of the injection licence operation is less than the amount that, under the regulations, is taken to be the threshold amount.

Senator Milne moved the following amendments together by leave:

Schedule 1, item 169, page 218 (line 6), omit “*may*”, substitute “*must*”.

Schedule 1, item 169, page 218 (line 7), omit “*may*”, substitute “*must*”.

Debate ensued.

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

Senator Milne moved the following amendments together by leave:

Schedule 1, item 169, page 220 (after line 21), after subsection 249CZGAA(1), insert:

- (1A) A pre-certificate notice that relates to an application for a site closing certificate must also:
- (a) contain a statement specifying the ongoing liability of the applicant for the site, including (without limiting the matters for which the applicant is to remain liable) liability for the risks specified in subsections 249CZF(2) and (4); and
  - (b) specify the form and amount of an additional security to be lodged by the applicant to be held in perpetuity by the Commonwealth against any long-term need to meet costs arising in respect of monitoring, remediation and repair of the site.
- (1B) The responsible Commonwealth Minister must seek and have regard to the advice of an expert advisory committee established under section 435A in respect of the amount of any security to be lodged by an applicant under paragraph (1A)(b).

Schedule 1, item 169, page 220 (lines 22 and 23), omit subsection 249CZGAA(2), substitute:

- (2) The amount of the security is the sum of the estimate referred to in paragraph (1)(b) and the amount referred to in paragraph (1A)(b).

Debate ensued.

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

Senator Milne moved the following amendments together by leave:

Schedule 1, item 169, page 221 (line 9), before “**site closing certificate**”, insert “**provisional**”.

Schedule 1, item 169, page 221 (line 17), before “site closing certificate”, insert “provisional”.

Schedule 1, item 169, page 221 (after line 23), after section 249CZGA, insert:

**249CZGAB Duration of provisional site closing certificate**

- (1) A provisional site closing certificate remains in force in relation to an identified greenhouse gas storage formation until a site closing certificate has been issued in relation to that formation.
- (2) Without limiting the liability of the applicant for the site, the applicant (or any transferee under section 249CZH) remains liable for the matters specified in the statement made under paragraph 249CZGAA(1A)(a) while the provisional site closing certificate remains in force.

**249CZGAC Issue of site closing certificate**

- (1) If:
- (a) a provisional site closing certificate has been issued in relation to an identified greenhouse gas storage formation under section 249CZGA; and
- (b) a period of not less than 20 years has elapsed since the provisional site closing certificate was issued;
- the responsible Commonwealth Minister may decide to issue a site closing certificate in relation to that formation.
- (2) In deciding whether to issue a site closing certificate under subsection (1), the responsible Commonwealth Minister must have regard to the matters set out in section 249CZF in relation to a decision to issue a pre-certificate notice.

Schedule 1, item 169, page 222 (line 2), omit “249CZGA”, substitute “249CZGAC”.

Schedule 1, item 274B, page 370 (line 26), omit “may”, substitute “must”.

Schedule 1, item 274B, page 372 (after line 29), at the end of section 435B, add:

- (3) The responsible Commonwealth Minister must:
- (a) seek and have regard to the advice of an expert advisory committee on matters of site selection, licensing, regulation, monitoring of leakage and environmental impact and site closures; and
- (b) publish the advice given by the panel.

Debate ensued.

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

Bill, as amended, agreed to.

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**OFFSHORE PETROLEUM (ANNUAL FEES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**  
**OFFSHORE PETROLEUM (REGISTRATION FEES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008**  
**OFFSHORE PETROLEUM (SAFETY LEVIES) AMENDMENT (GREENHOUSE GAS STORAGE) BILL 2008—**

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

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The Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill 2008 to be reported with amendments and the remaining bills to be reported without amendments or requests for amendments.

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

On the motion of Senator McLucas the report from the committee was adopted and the bills read a third time.

**43 ADJOURNMENT**

The President proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 10.29 pm till Tuesday, 11 November 2008 at 12.30 pm.

**44 ATTENDANCE**

Present, all senators except Senators Carol Brown\* and O'Brien\* (\* on leave).

**HARRY EVANS**  
Clerk of the Senate