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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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1 MEETING OF SENATE

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

2 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Climate Change and Water (Senator Wong) moved—That consideration of government business order of the day no. 1 (Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009) be postponed till after consideration of government business order of the day no. 2 (Native Title Amendment Bill 2009).

Question put and passed.

3 NATIVE TITLE AMENDMENT BILL 2009

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

Debate resumed.

At 2 pm: Debate was interrupted while Senator Johnston was speaking.

4 QUESTIONS

Questions without notice were answered.

5 MOTION TO TAKE NOTE OF ANSWERS

Senator Fierravanti-Wells moved—That the Senate take note of the answers given by the Minister for Immigration and Citizenship (Senator Evans) to questions without notice asked by Senators Fierravanti-Wells and Cash today relating to immigration and asylum seekers.

Debate ensued.

Question put and passed.

6 PETITION

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

From 106 petitioners, requesting that the Senate take action to assist midwives in private practice to obtain professional indemnity insurance.

7 NOTICES

The Special Minister of State (Senator Ludwig): To move on the next day of sitting—That the government business order of the day relating to the Telecommunications Legislation Amendment (National Broadband Network Measures No. 1) Bill 2009 be discharged from the *Notice Paper*.

The Deputy Chair of the Parliamentary Joint Committee on Corporations and Financial Services (Senator Mason): To move on the next day of sitting—That the Parliamentary Joint Committee on Corporations and Financial Services be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 16 September 2009, from 6.30 pm. (*general business notice of motion no. 552*)

The Chair of the Finance and Public Administration Legislation Committee (Senator Polley): To move on the next day of sitting—That the Finance and Public Administration Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 16 September 2009, from 1.50 pm. (*general business notice of motion no. 553*)

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

- (a) welcomes the news of recent progress on the Millennium Development Goals (MDGs), particularly Goal 1 which seeks a substantial decline in the proportion of people living on less than US\$1 a day and Goal 7 which, among other objectives, seeks substantial increases in the proportion of people with access to clean water, are on track to be met globally by 2015;
- (b) notes, with concern, that:
 - (i) despite some progress, a number of MDGs are off-track and on current progress will not be met globally by 2015, including Goal 1 on hunger, Goal 2 on primary education, Goal 4 on child mortality, Goal 5 on maternal mortality and Goal 7 on access to sanitation, and
 - (ii) in a world of plenty, each year nearly 10 million children die before their 5th birthday and more than 500 000 women lose their lives in pregnancy and childbirth;
- (c) recognises that progress towards the MDGs is being undermined by the global financial crisis, the global food crisis and the slow progress on the Doha trade talks;
- (d) welcomes Australia's progress towards Goal 8 which aims to create a global partnership for development; and
- (e) calls on the Australian Government to intensify its efforts towards alleviating global poverty and to match, with action, the ideals and aspirations at the heart of the MDGs. (*general business notice of motion no. 554*)

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

- (a) release the protocols for the Australian Curriculum, Assessment and Reporting Authority's reporting information and publication of national schools data;
- (b) amend the *Australian Curriculum, Assessment and Reporting Authority Act 2008* to provide that these protocols be made as a legislative instrument; and
- (c) after 2 years, review the impact of the testing and reporting regime on resourcing, educational outcomes and the teaching workforce. (*general business notice of motion no. 555*)

The Special Minister of State (Senator Ludwig): To move on the next day of sitting—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Asian Development Bank (Additional Subscription) Bill 2009
 Corporations Amendment (Improving Accountability on Termination Payments) Bill 2009
 Corporations Legislation Amendment (Financial Services Modernisation) Bill 2009
 International Tax Agreements Amendment Bill (No. 1) 2009
 Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment Bill 2009.

Documents: Senator Ludwig tabled the following documents:

Consideration of legislation—Statements of reasons [5] for introduction and passage of the bills in the 2009 spring sittings.

8 POSTPONEMENTS

The following items of business were postponed:

General business notice of motion no. 527 standing in the name of Senator Xenophon for today, proposing the introduction of the Water Licence Moratorium Bill 2009, postponed till 17 September 2009.

General business notice of motion no. 549 standing in the name of Senator Milne for today, proposing an order for the production of documents relating to maps of Australian forest cover, postponed till 15 September 2009.

9 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—REFERENCE

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Trood) amended business of the Senate notice of motion no. 1 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 26 February 2010:

The administration and management of matters relating to Australia's northern air, sea and land approaches in the region of the Torres Strait, including:

- (a) the provisions of the Torres Strait Treaty;
- (b) the role of the Torres Strait Regional Authority in respect of treaty and border issues, including how the authority interacts with the governments and people of Papua New Guinea (PNG);
- (c) the extent of cooperation with, and between, Australia's northern neighbours, PNG and Indonesia, in relation to the health, welfare and security of the Torres Strait region and communities in and around this region; and
- (d) the challenges facing this region in relation to:
 - (i) the management of fisheries,
 - (ii) the contribution of international trade and commerce to regional economic sustainability,
 - (iii) the maintenance of strong border security across the Torres Strait region, including but not limited to, issues related to Australia's defence, biosecurity, public health, immigration and customs,
 - (iv) cooperation between federal, state and local levels of government, and
 - (v) air, sea and land transport linkages.

Question put and passed.

10 ADMINISTRATION—RESERVE BANK OF AUSTRALIA—CONTRACTORS

Senator Milne, at the request of the Leader of the Australian Greens (Senator Bob Brown) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 551—That the Senate, following allegations in the Fairfax press about contractors used by subsidiaries of the Reserve Bank of Australia (RBA), Securency International Pty Ltd and Note Printing Australia, calls on the Government to explain by Tuesday, 15 September 2009:

- (a) what the RBA, Austrade and the Government knew about the employment of arms trader Mr Abdul Kayum Syed Ahmad by Securrency International Pty Ltd and Note Printing Australia to secure contracts in Malaysia;
- (b) when the RBA, Austrade and the Government were made aware of any issues with Mr Ahmad; and
- (c) what action each took in response to such information.

Question put.

The Senate divided—

AYES, 7

Senators—

Brown, Bob	Hanson-Young	Milne	Xenophon
Fielding	Ludlam	Siewert (Teller)	

NOES, 34

Senators—

Back	Colbeck	Hutchins	O'Brien
Barnett	Cormann	Joyce	Parry (Teller)
Bilyk	Crossin	Ludwig	Polley
Birmingham	Farrell	Lundy	Pratt
Bishop	Feeney	Marshall	Troeth
Boswell	Ferguson	McEwen	Williams
Brown, Carol	Forshaw	McLucas	Wortley
Cameron	Furner	Moore	
Cash	Hurley	Nash	

Question negatived.

11 ECONOMICS REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Parry, at the request of the Chair of the Economics References Committee (Senator Eggleston) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 548—That the time for the presentation of the report of the Economics References Committee on the unlimited deposit and wholesale funding guarantees be extended to 17 September 2009.

Question put and passed.

12 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ENVIRONMENT—RENEWABLE ENERGY

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

The overwhelming benefits of a gross national feed-in-tariff for renewable energy for creating jobs, revitalising regional communities and reducing greenhouse emissions.

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

13 FOREIGN AFFAIRS—SRI LANKA—MINISTERIAL STATEMENT—DOCUMENT

The Minister for Defence (Senator Faulkner) tabled the following document:

Foreign affairs—Sri Lanka—Ministerial statement by the Minister for Foreign Affairs (Mr Smith), dated 14 September 2009.

14 LAW AND JUSTICE—GREAT BARRIER REEF MARINE PARK ACT 1975—DOCUMENT

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

Law and justice—*Great Barrier Reef Marine Park Act 1975*—Letter to the President of the Senate from the Minister for the Environment, Heritage and the Arts (Mr Garrett) responding to the resolution of the Senate of 25 June 2009, dated 8 September 2009.

15 ENVIRONMENT—MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER—DOCUMENT

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

Environment—Montreal Protocol on Substances that Deplete the Ozone Layer—Letter to the President of the Senate from the Minister for Climate Change and Water (Senator Wong) responding to the resolution of the Senate of 25 June 2009, dated 9 September 2009.

16 ADMINISTRATION—AUSTRALIAN SECURITY INTELLIGENCE ORGANISATION—HEADQUARTERS BUILDING—DOCUMENT

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

Administration—Australian Security Intelligence Organisation—Headquarters Building—Letter to the President of the Senate from the Chair of the Parliamentary Standing Committee on Public Works (Senator McLucas) responding to the resolution of the Senate of 20 August 2009, dated 10 September 2009.

The Leader of the Australian Greens (Senator Bob Brown), by leave, moved—That the Senate take note of the document.

Question put and passed.

17 PRIVILEGES—STANDING COMMITTEE—138TH REPORT

The Chair of the Standing Committee of Privileges (Senator Brandis) tabled the following report:

Privileges—Standing Committee—138th report—Persons referred to in the Senate—The Medical Council of Tasmania, dated September 2009.

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

Senator Brandis, by leave, moved—That the report be adopted.

Question put and passed.

Response as recommended by the committee incorporated in Hansard accordingly.

18 DOCUMENTS

The following documents were tabled by the Clerk:

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

A New Tax System (Wine Equalisation Tax) Act—Select Legislative Instrument 2009 No. 234—A New Tax System (Wine Equalisation Tax) Amendment Regulations 2009 (No. 1) [F2009L03358]*.

Civil Aviation Act—

Civil Aviation Regulations—Instrument No. CASA 387/09—Permission and direction – helicopter special operations [F2009L03330]*.

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

- AD/AB139/7 Amdt 1—Tail Boom Assembly [F2009L03491]*.
- AD/AUS/13—Wing Root Fairing Band [F2009L03403]*.
- AD/B747/395—Fuselage Stringer 11 Longerons Between Station 2598 to 2607 [F2009L03393]*.
- AD/B747/396—In-Flight Entertainment Systems [F2009L03451]*.
- AD/B767/252—Auxiliary Fuel Tank Pump Automatic Shut Off Installation [F2009L03450]*.
- AD/BEECH 1900/1—Stabiliser and Fin Moisture Sealing [F2009L03392]*.
- AD/CESSNA 310/41—Exhaust Tailpipe Support Kit – Installation [F2009L03449]*.
- AD/CESSNA 310/51 Amdt 1—Powerplant Fire Detection System – Installation [F2009L03448]*.
- AD/CESSNA 320/24—Exhaust Tailpipe Support Kit – Installation [F2009L03447]*.
- AD/CESSNA 340/4 Amdt 3—Lower Wing Skin Rivets [F2009L03371]*.
- AD/CESSNA 400/39 Amdt 3—Lower Wing Skin Rivets [F2009L03370]*.
- AD/ERJ-170/24—Wing Stub Rear Box Vapour Barrier Assembly [F2009L03368]*.
- AD/ERJ-190/22—Wing Stub Rear Box Vapour Barrier Assembly [F2009L03367]*.
- AD/F27/160—MLG Sliding Member End-Stop [F2009L03366]*.
- AD/TBM 700/53—R700 and R701 Shunts – Power Lead Bolts [F2009L03431]*.

106—

- AD/ARTOUSTE/3—Combustion Chamber Inner Shell – Inspection [F2009L03452]*.
- AD/T53/23—Combustion Chamber Housings [F2009L03432]*.
- AD/TPE 331/21—Fuel Pump Spline Wear Inspection and/or Replacement [F2009L03418]*.

Select Legislative Instrument 2009 No. 232—Civil Aviation Safety Amendment Regulations 2009 (No. 2) [F2009L03481]*.

Commonwealth Authorities and Companies Act—Select Legislative Instrument 2009 No. 224—Commonwealth Authorities and Companies Amendment Regulations 2009 (No. 4) [F2009L03465]*.

Customs Act—Select Legislative Instrument 2009 No. 216—Customs Amendment Regulations 2009 (No. 4) [F2009L03385]*.

Disability Discrimination Act—Select Legislative Instrument 2009 No. 217—Disability Discrimination Amendment Regulations 2009 (No. 1) [F2009L03401]*.

Financial Management and Accountability Act—Financial Management and Accountability Determinations Nos—

2009/27—National Disability Special Account Variation 2009 [F2009L03505]*.

2009/29—Services for Other Entities and Trust Moneys – Office of the Director of Public Prosecutions Special Account Establishment 2009 [F2009L03504]*.

Health Insurance Act—Select Legislative Instruments 2009 Nos—

225—Health Insurance Amendment Regulations 2009 (No. 2) [F2009L02262]*.

226—Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2009 (No. 3) [F2009L02934]*.

227—Health Insurance (Pathology Services Table) Amendment Regulations 2009 (No. 3) [F2009L02680]*.

Legislative Instruments Act—Select Legislative Instrument 2009 No. 218—Legislative Instruments Amendment Regulations 2009 (No. 1) [F2009L03404]*.

Migration Act—Select Legislative Instrument 2009 No. 229—Migration Amendment Regulations 2009 (No. 10) [F2009L03359]*.

National Residue Survey (Customs) Levy Act and National Residue Survey (Excise) Levy Act—Select Legislative Instrument 2009 No. 211—Primary Industries Levies and Charges (National Residue Survey Levies) Amendment Regulations 2009 (No. 2) [F2009L03335]*.

Parliamentary Entitlements Act—

Parliamentary Entitlements Regulations—Advice of decision to pay assistance under Part 3, 20 August 2009.

Select Legislative Instrument 2009 No. 219—Parliamentary Entitlements Amendment Regulations 2009 (No. 1) [F2009L03463]*.

Primary Industries (Customs) Charges Act—Select Legislative Instrument 2009 No. 209—Primary Industries (Customs) Charges Amendment Regulations 2009 (No. 2) [F2009L03245]*.

Primary Industries (Excise) Levies Act—Select Legislative Instrument 2009 No. 210—Primary Industries (Excise) Levies Amendment Regulations 2009 (No. 3) [F2009L03243]*.

Same-Sex Relationships (Equal Treatment in Commonwealth Laws – General Law Reform) Act—Select Legislative Instrument 2009 No. 220—Same-Sex Relationships (Equal Treatment in Commonwealth Laws – General Law Reform) (Veterans' Affairs) Regulations 2009 [F2009L03231]*.

Schools Assistance Act—Select Legislative Instrument 2009 No. 223—Schools Assistance Amendment Regulations 2009 (No. 1) [F2009L03331]*.

Social Security Act—

Social Security (Waiver of Debts – Self Managed Superannuation Funds) (DEEWR) Specification 2009 (No. 1) [F2009L03509]*.

Social Security (Waiver of Debts – Self Managed Superannuation Funds) (FaHCSIA) Specification 2009 [F2009L03492]*.

Social Security (Administration) Act—

Social Security (Administration) (Declared relevant Northern Territory area – Iwupataka) Determination 2009 [F2009L03490]*.

Social Security (Administration) (Declared relevant Northern Territory areas – Various) Determination 2009 (No. 9) [F2009L03489]*.

Therapeutic Goods Act—Select Legislative Instrument 2009 No. 228—Therapeutic Goods Amendment Regulations 2009 (No. 5) [F2009L02935]*.

Governor-General's Proclamation—Commencement of provisions of an Act

International Monetary Agreements Amendment Act (No. 1) 2001—Schedule 1—9 September 2009 [F2009L03357]*.

* Explanatory statement tabled with legislative instrument.

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

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

Indexed lists of departmental and agency files for the period 1 January to 30 June 2009—Statements of compliance—

Department of Foreign Affairs and Trade.

Infrastructure, Transport, Regional Development and Local Government portfolio agencies.

20 COMMITTEE MEMBERSHIP

The Acting Deputy President (Senator Forshaw) informed the Senate that the President had received a letter requesting changes in the membership of a committee.

The Minister for Defence (Senator Faulkner), by leave, moved—That Senator Hanson-Young replace Senator Ludlam on the Legal and Constitutional Affairs Legislation Committee for the committee's inquiry into the provisions of the Migration Amendment (Complementary Protection) Bill 2009, and Senator Ludlam be appointed as a participating member.

Question put and passed.

21 FOREIGN STATES IMMUNITIES AMENDMENT BILL 2009

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

Message no. 402, dated 10 September 2009—A Bill for an Act to amend the *Foreign States Immunities Act 1985*, and for related purposes.

The Minister for Defence (Senator Faulkner) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

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

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

22 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:

10 September 2009—Message—

No. 31—

Veterans' Affairs Legislation Amendment (Budget Measures) Act 2009 (Act No. 80, 2009)

Veterans' Affairs and Other Legislation Amendment (Pension Reform) Act 2009 (Act No. 81, 2009).

No. 32—*International Monetary Agreements Amendment Act 2009* (Act No. 82, 2009).

**23 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—
REPORT—MANAGEMENT OF THE REMOVAL OF THE REBATE FOR AQIS EXPORT
CERTIFICATION FUNCTIONS**

Pursuant to order, the Chair of the Rural and Regional Affairs and Transport References Committee (Senator Nash) tabled the following report and documents:

Rural and Regional Affairs and Transport References Committee—Management of the removal of the rebate for AQIS export certification functions—Report, dated September 2009, Hansard record of proceedings, documents presented to the committee and submissions.

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

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

Debate ensued.

Question put and passed.

24 NATIVE TITLE AMENDMENT BILL 2009

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

Senator Siewert moved the following amendment:

Schedule 6, page 52 (after line 5), after item 12, insert:

12A After section 61

Insert:

61AA Presumptions relating to applications

- (1) This section applies to an application for a native title determination brought under section 61 of the Act where the following circumstances exist:
 - (a) the native title claim group defined in the application applies for a determination of native title rights and interests where the rights and interests are found to be possessed under laws acknowledged and customs observed by the native title claim group;
 - (b) members of the native title claim group reasonably believe the laws and customs so acknowledged to be traditional;
 - (c) the members of the native title claim group, by their laws and customs have a connection with the land or waters the subject of the application;

- (d) the members of the native title claim group reasonably believe that persons from whom one or more of them was descended, acknowledged and observed traditional laws and customs at sovereignty by which those persons had a connection with the land or waters the subject of the application.
- (2) Where this section applies to an application it shall be presumed in the absence of proof to the contrary:
 - (a) that the laws acknowledged and customs observed by the native title claim group are traditional laws and customs acknowledged and observed at sovereignty;
 - (b) that the native title claim group has a connection with the land or waters by those traditional laws and customs;
 - (c) if the native title rights and interests asserted are capable of recognition by the common law then the facts necessary for the recognition of those rights and interests by the common law are established.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 5

Senators—

Brown, Bob
Hanson-Young

Ludlam

Milne

Siewert (Teller)

NOES, 41

Senators—

Adams (Teller)
Back
Bilyk
Birmingham
Bishop
Boswell
Brandis
Brown, Carol
Bushby
Cameron
Carr

Cash
Colbeck
Collins
Cormann
Crossin
Farrell
Feeney
Ferguson
Fielding
Furner
Hurley

Lundy
Marshall
Mason
McGauran
McLucas
Moore
Nash
O'Brien
Parry
Payne
Polley

Pratt
Scullion
Sterle
Troeth
Williams
Wong
Wortley
Xenophon

Question negatived.

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of the Minister for Climate Change and Water (Senator Wong) the report from the committee was adopted and the bill read a third time.

25 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Climate Change and Water (Senator Wong) moved—That intervening business be postponed till after consideration of government business order of the day no. 4 (Automotive Transformation Scheme Bill 2009 and ACIS Administration Amendment Bill 2009).

Question put and passed.

**26 AUTOMOTIVE TRANSFORMATION SCHEME BILL 2009
ACIS ADMINISTRATION AMENDMENT BILL 2009**

Order of the day read for the adjourned debate on the motion of the Minister for Climate Change and Water (Senator Wong)—That these bills be now read a second time.

Debate resumed.

Senator Milne moved the following amendment in respect of the Automotive Transformation Scheme Bill 2009:

At the end of the motion, add “and further consideration of the bill be an order of the day for 3 sitting days after a draft of the final regulations relating to this bill, which according to the Government will set out the requirements relating to economic sustainability, environmental effectiveness and workforce training that the automotive industry is expected to meet, are laid on the table”.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 5

Senators—

Brown, Bob
Hanson-Young

Ludlam

Milne

Siewert (Teller)

NOES, 43

Senators—

Abetz
Adams (Teller)
Arbib
Back
Bilyk
Bishop
Brown, Carol
Cameron
Carr
Colbeck
Collins

Crossin
Eggleston
Evans
Farrell
Feeney
Ferguson
Fielding
Fisher
Forshaw
Furner
Humphries

Hurley
Hutchins
Kroger
Ludwig
Lundy
Marshall
McEwen
McLucas
Moore
Nash
O'Brien

Parry
Payne
Polley
Pratt
Stephens
Sterle
Troeth
Williams
Wortley
Xenophon

Question negatived.

Main question put and passed.

Bills read a second time.

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

In the committee

Bills taken together and as a whole by leave.

Senator Abetz moved the following amendment in respect of the Automotive Transformation Scheme Bill 2009:

Clause 27A, page 18 (lines 9 to 18), omit the clause, substitute:

27A Automotive Transformation Scheme report

- (1) As soon as practicable after 30 June each year, commencing 30 June 2012, the Secretary must prepare and give to the Minister a report, detailing:
 - (a) the amount of capped and uncapped assistance paid to each ATS participant under the Automotive Transformation Scheme during the 12 month period ending on 31 March in that year; and
 - (b) the progress of the Australian automotive industry towards achieving economic sustainability, environmental outcomes and workforce skills development.
- (2) The Minister must cause a copy of the report to be laid before each House of the Parliament by 31 July that year.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 39

Senators—

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

NOES, 29

Senators—

Arbib	Crossin	Ludwig	Pratt
Bilyk	Farrell	Lundy	Sherry
Bishop	Feeney	Marshall	Stephens
Brown, Carol	Fielding	McEwen (Teller)	Sterle
Cameron	Forshaw	McLucas	Wortley
Carr	Furner	Moore	
Collins	Hurley	O'Brien	
Conroy	Hutchins	Polley	

Question agreed to.

The Automotive Transformation Scheme Bill 2009, as amended, and the ACIS Administration Amendment Bill 2009 agreed to.

The Automotive Transformation Scheme Bill 2009 to be reported with an amendment and the ACIS Administration Amendment Bill 2009 to be reported without amendments.

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

On the motion of the Minister for Innovation, Industry, Science and Research (Senator Carr) the report from the committee was adopted.

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

Debate ensued.

Question put and passed.

Bills read a third time.

27 AUSTRALIAN CITIZENSHIP AMENDMENT (CITIZENSHIP TEST REVIEW AND OTHER MEASURES) BILL 2009

Order of the day read for the adjourned debate on the motion of the Minister for Climate Change and Water (Senator Wong)—That this bill be now read a second time.

Debate resumed.

At 9.50 pm: Debate was interrupted while Senator Hanson-Young was speaking.

28 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 10.29 pm till Tuesday, 15 September 2009 at 12.30 pm.

29 ATTENDANCE

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

HARRY EVANS
Clerk of the Senate