

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 92

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**1 MEETING OF SENATE**

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

**2 PETITION**

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

From 220 petitioners, requesting that the Senate take action to implement the remaining recommendations of the *Bringing them home* report.

**3 NOTICE**

The Leader of the Family First Party (Senator Fielding): To move on the next day of sitting—

- (1) That there be laid on the table, no later than 16 November 2009, a report by the Australian Securities and Investments Commission on its oversight of the disposal by the Future Fund of shares in Telstra during the past 12 months, including the following matters:
  - (a) whether the Future Fund had any information which was not generally available and could be expected to have a material effect on the price or value of Telstra shares; and
  - (b) other related matters.
- (2) That there be laid on the table, no later than 16 November 2009, a report by the Future Fund Board of Guardians on the disposal by the Future Fund of shares in Telstra during the past 12 months, including the following matters:
  - (a) whether the Future Fund had any information which was not generally available and could be expected to have a material effect on the price or value of Telstra shares; and
  - (b) other related matters. (*general business notice of motion no. 579*)

**4 ORDER OF BUSINESS—REARRANGEMENT**

The Special Minister of State (Senator Ludwig) moved—That the following government business orders of the day be considered from 12.45 pm till not later than 2 pm today:

Foreign States Immunities Amendment Bill 2009.

No. 6 National Health Security Amendment Bill 2009.

Customs Amendment (ASEAN-Australia-New Zealand Free Trade Agreement Implementation) Bill 2009

Customs Tariff Amendment (ASEAN-Australia-New Zealand Free Trade Agreement Implementation) Bill 2009.

Question put and passed.

**5 ROUTINE OF BUSINESS—VARIATION**

The Special Minister of State (Senator Ludwig), by leave, moved—That, on Thursday, 17 September 2009:

- (a) the routine of business from not later than 4.30 pm to 6 pm shall be government business only;
- (b) consideration of general business under standing order 57(1)(d)(x) shall not be proceeded with;

(c) at 6 pm, orders of the day relating to government documents shall be called on under standing order 57(1)(d)(xi); and

(d) divisions may take place between 4.30 pm and 6 pm.

Question put and passed.

**6 POSTPONEMENT**

The following item of business was 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 26 October 2009.

**7 COMMITTEE MEMBERSHIP**

The President informed the Senate that he had received a letter nominating a senator to be a member of a committee.

The Special Minister of State (Senator Ludwig), by leave, moved—That Senator Xenophon be appointed to the Standing Committee on Appropriations and Staffing.

Question put and passed.

**8 CONSIDERATION OF LEGISLATION**

The Special Minister of State (Senator Ludwig), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—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:

Customs Amendment (ASEAN-Australia-New Zealand Free Trade Agreement Implementation) Bill 2009

Customs Tariff Amendment (ASEAN-Australia-New Zealand Free Trade Agreement Implementation) Bill 2009

Foreign States Immunities Amendment Bill 2009.

Question put and passed.

**9 FOREIGN AFFAIRS—COMPREHENSIVE NUCLEAR-TEST-BAN TREATY**

Senator Ludlam, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 542—That the Senate—

(a) notes that:

- (i) more than 2 000 nuclear weapons tests have been conducted between 1945 and 2009,
- (ii) the Comprehensive Nuclear-Test-Ban Treaty (CTBT) bans all nuclear test explosions in all environments, for military or civilian purposes,
- (iii) the sixth Article XIV (Entry Into Force) conference (the conference) of the CTBT will be held on 24 September and 25 September 2009,
- (iv) for more than half a century countless scientific experts, political leaders and community organisations have pursued the goal of a more secure world free of the dangers of nuclear weapons test explosions,
- (v) the CTBT is important to all states because it stigmatises nuclear testing, halts the qualitative and quantitative nuclear arms race and the development of increasingly more destructive weapons, and protects human health and the global environment from the devastating effects of nuclear weapons production and testing, and

- (vi) nine states required for the entry into force of the treaty have not yet ratified the treaty; and
- (b) calls on the Government to:
  - (i) renew and sustain dialogue with those nine states that have not ratified the CTBT urging them to do so without delay, most notably those states possessing nuclear weapons, the United States of America, the People's Republic of China, India, Pakistan, Israel and the Democratic People's Republic of Korea,
  - (ii) call on all states possessing nuclear weapons to refrain from research and development efforts that could lead to new warheads and the possibility of the resumption of nuclear testing,
  - (iii) participate in the conference at the highest level, and
  - (iv) continue to participate and support the development of the CTBT verification regime, including the international monitoring system.

Question put and passed.

**10 RENEWABLE ENERGY (CERTIFICATES AND OTHER MATTERS) AMENDMENT  
BILL 2009**

Senator Cash, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 558—That the following bill be introduced:

A Bill for an Act to amend the *Renewable Energy (Electricity) Act 2000* in relation to certificates, and for other purposes.

Question put and passed.

Senator Cash presented the bill and moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

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

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

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

**11 AGRICULTURAL AND RELATED INDUSTRIES—SELECT COMMITTEE—REPORTING  
DATE**

Senator Parry, at the request of the Chair of the Select Committee on Agricultural and Related Industries (Senator Heffernan) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 565—That the report of the Select Committee on Agricultural and Related Industries on the incidence and severity of bushfires across Australia be presented by 26 November 2009.

Question put and passed.

**12 FUEL AND ENERGY—SELECT COMMITTEE—VARIATION OF APPOINTMENT**

The Chair of the Select Committee on Fuel and Energy (Senator Cormann), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 566—That the resolution of the Senate of 25 June 2008, as amended, appointing the Select Committee on Fuel and Energy, be amended to omit “21 October 2009”, and substitute “30 March 2010”.

Question put.

The Senate divided—

AYES, 35

Senators—

Abetz	Cash	Fisher	Payne
Adams	Colbeck	Heffernan	Ronaldson
Back	Coonan	Johnston	Ryan
Barnett	Cormann	Kroger	Scullion
Bernardi	Eggleston	Macdonald	Troeth
Birmingham	Ferguson	Mason	Trood
Boswell	Fielding	McGauran	Williams
Brandis	Fierravanti-Wells	Minchin	Xenophon
Bushby	Fifield	Parry (Teller)	

NOES, 33

Senators—

Arbib	Farrell	Ludwig	Pratt
Bilyk	Feeney	Lundy	Sherry
Bishop	Forshaw	Marshall	Siewert
Brown, Bob	Furner	McEwen	Stephens
Brown, Carol	Hanson-Young	McLucas	Sterle
Cameron	Hogg	Milne	Wortley
Collins	Hurley	Moore	
Crossin	Hutchins	O'Brien (Teller)	
Evans	Ludlam	Polley	

Question agreed to.

**13 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—PROPOSED REFERENCE**

Senator Ludlam, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 531—That the following matters be referred to the Joint Standing Committee on Foreign Affairs, Defence and Trade for inquiry and report by 26 November 2009:

- (a) the human rights situation in Tibet subsequent to the events of March 2008;
- (b) the status of dialogue between the Government of the People's Republic of China and representatives of the Dalai Lama; and
- (c) the policy and dialogue options by which the Australian Government can preserve a positive relationship with China while supporting genuine progress towards a peaceful and mutually agreed resolution on the Tibet-China issue.

Question put.

The Senate divided—

AYES, 6

Senators—

Brown, Bob  
Hanson-Young

Ludlam  
Milne

Siewert (Teller)

Xenophon

NOES, 52

Senators—

Adams  
Arbib  
Back  
Barnett  
Bernardi  
Bilyk  
Bishop  
Boswell  
Brandis  
Brown, Carol  
Bushby  
Cameron  
Collins

Cormann  
Crossin  
Eggleston  
Evans  
Farrell  
Feeney  
Ferguson  
Fielding  
Fifield  
Fisher  
Forshaw  
Furner  
Hogg

Hurley  
Hutchins  
Johnston  
Ludwig  
Lundy  
Macdonald  
Marshall  
Mason  
McEwen  
McLucas  
Minchin  
Moore  
O'Brien

Parry (Teller)  
Payne  
Polley  
Pratt  
Ryan  
Scullion  
Sherry  
Stephens  
Sterle  
Troeth  
Trood  
Williams  
Wortley

Question negatived.

**14 FOREIGN AFFAIRS—VIETNAM—DEATH PENALTY**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 572—That the Senate—

(a) notes that:

- (i) the Socialist Republic of Vietnam continues to apply the death penalty, with at least 19 reported executions in 2008 alone,
- (ii) the right to life is a fundamental human right recognised in:
  - (A) the Universal Declaration of Human Rights, to which both Australia and Vietnam are parties, and
  - (B) the International Covenant on Civil and Political Rights, to which both Australia and Vietnam are parties,
- (iii) respect for human life and dignity are values common to Australia and Vietnam,
- (iv) abhorrence of the death penalty is a fundamental value in Australian society, and
- (v) Australia is a party to the Second Optional Protocol to the International Covenant on Civil and Political Rights which is aimed at the universal abolition of the death penalty; and

(b) calls on the Government of the Socialist Republic of Vietnam to follow the example recently set by Uzbekistan and Argentina and immediately cease all executions and waive the death sentences of some 59 prisoners currently awaiting execution.

*Statements by leave:* The Special Minister of State (Senator Ludwig) and the Leader of the Australian Greens (Senator Bob Brown), by leave, made statements relating to the motion.

Question put.



The Senate divided—

AYES, 7

Senators—

Brown, Bob  
Fielding

Hanson-Young  
Ludlam

Milne  
Siewert (Teller)

Xenophon

NOES, 26

Senators—

Adams  
Back  
Bernardi  
Bilyk  
Boswell  
Colbeck  
Cormann

Feeney  
Ferguson  
Fifield  
Forshaw  
Furner  
Hogg  
Kroger

Ludwig  
Marshall  
Mason  
McEwen  
Moore  
O'Brien (Teller)  
Parry

Payne  
Ronaldson  
Ryan  
Troeth  
Williams

Question negatived.

**15 ENVIRONMENT—NEW SOUTH WALES—SWIFT PARROT HABITATS**

The Leader of the Australian Greens (Senator Bob Brown), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 578—That, following the sightings of a flock of swift parrots feeding in the forests of southeast New South Wales surrounding Bermagui, the Senate calls on the Minister for the Environment, Heritage and the Arts (Mr Garrett) to assess the status of these forests as swift parrot habitats and advise Forests NSW accordingly of any need to protect this vital habitat.

*Statements by leave:* The Special Minister of State (Senator Ludwig) and Senator Bob Brown, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 6

Senators—

Brown, Bob  
Hanson-Young

Ludlam  
Milne

Siewert (Teller)

Xenophon

NOES, 28

Senators—

Adams  
Back  
Bernardi  
Bilyk  
Birmingham  
Boswell  
Colbeck

Cormann  
Feeney  
Ferguson  
Fielding  
Fierravanti-Wells  
Forshaw  
Furner

Hogg  
Kroger  
Ludwig  
Marshall  
Mason  
McEwen  
Moore

Nash  
O'Brien  
Parry (Teller)  
Ronaldson  
Ryan  
Troeth  
Williams

Question negatived.

**16 RENEWABLE ENERGY (FOOD PROCESSING ACTIVITIES) AMENDMENT BILL 2009**

Senator Boswell, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 567—That the following bill be introduced:

A Bill for an Act to amend the *Renewable Energy (Electricity) Act 2000* in connection with food processing activities.

Question put and passed.

Senator Boswell presented the bill and moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

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

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

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

*Statements by leave:* The Leader of the Australian Greens (Senator Bob Brown), Senator Parry, the Leader of the Family First Party (Senator Fielding) and Senator Xenophon, by leave, made statements relating to the matter.

#### 17 **HEALTH—WORLD ALZHEIMER'S DAY**

Senator Cormann, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 568—That the Senate—

(a) notes that:

- (i) World Alzheimer's Day, 21 September, is a day when organisations around the globe unite in their efforts to raise awareness about the disease and its impact on our families, communities and nations,
- (ii) in 2010 the first baby boomers will turn 65 years and by 2020 there will be an estimated 75 000 baby boomers with dementia,
- (iii) the prevalence of dementia in Australia is projected to increase from 245 000 today to more than 1.1 million by 2050,
- (iv) dementia will have a dramatic impact on health and care costs, with dementia likely to outstrip any other health condition by the 2060s,
- (v) in 2005 Australia was the first nation to adopt dementia as a national health priority by implementing the 'Dementia Initiative – making Dementia a National Health Priority' with bipartisan support, and
- (vi) in 2010 the Government will determine Australian dementia funding priorities for the next 5 years; and

(b) calls on the Government to:

- (i) continue the Dementia Initiative and to support the promotion of prevention, early intervention and diagnosis of dementia to improve access to community and residential care services and to support dementia research, and
- (ii) adopt the twin objectives of a national strategy to improve the provision of quality dementia care for all Australians and to reduce the prevalence and incidence of dementia in the future.

Question put and passed.

**18 FAMILY AND COMMUNITY SERVICES—NATIONAL BABIES DAY**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 569—That the Senate—

- (a) notes that:
  - (i) Saturday, 19 September 2009 is National Babies Day,
  - (ii) this day is about remembering the babies who passed away too soon and celebrating the lives of healthy babies across Australia, and
  - (iii) 1 in 4 pregnancies end in miscarriage or stillbirth;
- (b) recognises the great work of the Bonnie Babes Foundation in providing, among other things:
  - (i) much needed support and counselling to families struggling with the loss of a baby through miscarriage, stillbirth or prematurity, and
  - (ii) medical equipment to hospitals for premature babies; and
- (c) calls on the Government to work closely with organisations such as the Bonnie Babes Foundation in assisting with vital medical research projects into pregnancy loss and complications to women's health during and following pregnancy.

Question put and passed.

**19 BRITT LAPHORNE BILL 2009**

The Leader of the Family First Party (Senator Fielding), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 570—That the following bill be introduced:

A Bill for an Act to ensure that families of Australians reported missing overseas are given essential help and information, and for related purposes.

Question put and passed.

Senator Fielding presented the bill and moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

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

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

*Statement by leave:* Senator Fielding, by leave, made a statement relating to the matter.

**20 FOREIGN AFFAIRS—DEATH PENALTY**

Senator O'Brien, at the request of Senators Moore and Humphries and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 571—That the Senate—

- (a) notes that:
  - (i) the right to life is a fundamental human right recognised in:
    - (A) the Universal Declaration of Human Rights, and
    - (B) the International Covenant on Civil and Political Rights,
  - (ii) respect for human life and dignity are values common to all Australians,
  - (iii) abhorrence of the death penalty is a fundamental value in Australian society, and

- (iv) Australia is a party to the Second Optional Protocol to the International Covenant on Civil and Political Rights which is aimed at the universal abolition of the death penalty; and
- (b) calls on all governments to follow the example recently set by Uzbekistan, Argentina and Togo and immediately cease all executions.

Question put and passed.

*Statement by leave:* Senator Hanson-Young, by leave, made a statement relating to the motion.

## 21 ENVIRONMENT—MONTARA OIL SPILL—INQUIRY

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 573—That the Senate—

- (a) notes the intention of the Government to hold an inquiry into the Montara oil spill; and
- (b) calls on the Government to ensure that the terms of reference for the inquiry include:
  - (i) the resource management implications of the oil spill,
  - (ii) the environmental impact and potential impact of the oil spill,
  - (iii) an assessment of the management and effectiveness of responses to the oil spill, including coordination across the Commonwealth Government and across jurisdictions,
  - (iv) the provision and accessibility of relevant information to affected stakeholders and the public, and
  - (v) other related matters.

*Statement by leave:* Senator O'Brien, by leave, made a statement relating to the motion.

Question put and passed.

## 22 SAFE CLIMATE (ENERGY EFFICIENT NON-RESIDENTIAL BUILDINGS SCHEME) BILL 2009

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 574—That the following bill be introduced:

A Bill for an Act to introduce an emissions intensity cap and building efficiency certificate trading scheme for non-residential buildings to provide an economic incentive for investment in energy efficiency, and for related purposes.

Question put and passed.

Senator Milne presented the bill and moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

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

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

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

**23 FOREIGN AFFAIRS—NUCLEAR NON-PROLIFERATION TREATY**

Senator Ludlam amended general business notice of motion no. 576 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes that the United Nations Security Council will hold a summit on nuclear non-proliferation and disarmament on 24 September 2009 with the President of the United States of America, Barack Obama, presiding; and
- (b) calls on the Government to:
  - (i) welcome the recent renewed optimism for a world free of nuclear weapons as expressed by the leaders of some nuclear weapons states,
  - (ii) affirm the commitment made at the 2000 Nuclear Non-proliferation Treaty [NPT] Review Conference to the diminishing role of nuclear weapons in security policies, and
  - (iii) urge all states possessing nuclear weapons to concrete and substantive action towards the elimination of their nuclear arsenals.

Question put and passed.

**24 HEALTH—UNIVERSAL HEALTH CARE**

The Leader of the Australian Greens (Senator Bob Brown) amended general business notice of motion no. 575 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes the effort by the President of the United States of America (US), Barack Obama, and his administration to ensure all US citizens have access to affordable health care; and
- (b) commends this course as one Australia has long since undertaken with success and sends assurances to our trans-Pacific neighbours that since Australia adopted universal health care in 1984:
  - (i) life expectancy for males has increased from 72.6 to 79.1 years and for females from 78.7 to 83.5 years,
  - (ii) spending on health care has increased from 3.5 per cent of federal government outlays to 4.4 per cent in the 2008-09 financial year, and
  - (iii) lives have been saved and suffering reduced in Australia.

Question put and passed.

**25 ENVIRONMENT—QUEENSLAND—TRAVESTON CROSSING DAM**

The Leader of the Australian Greens (Senator Bob Brown), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 577—That the Senate—

- (a) rejects the assertion by the Queensland Premier, Ms Anna Bligh, that the proposed Traveston Crossing Dam will save threatened species like the Mary River cod, Mary River turtle and Australian lungfish from farmer-induced extinction;
- (b) recognises that, to the contrary, the Traveston Crossing Dam presents real threats to these species and others and to the farmlands in question; and
- (c) calls on the Minister for the Environment, Heritage and the Arts (Mr Garrett) to reject the Premier's crude and misinformed assessment.

*Statements by leave:* The Special Minister of State (Senator Ludwig) and Senator Bob Brown, by leave, made statements relating to the motion.

Question put and passed.

**26 PUBLICATIONS—STANDING COMMITTEE—13TH REPORT**

Senator Sterle, at the request of the Chair of the Standing Committee on Publications (Senator Carol Brown), tabled the following report:

**PUBLICATIONS COMMITTEE****13TH REPORT**

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

The Committee, having considered documents presented to the Parliament since 20 August 2009, recommends that the following be printed:

Aboriginal Land Commissioner—Report and recommendations to the Minister for Families, Housing, Community Services and Indigenous Affairs and to the Administrator of the Northern Territory—No. 71—Simpson Desert land claim stage IV comprising Simpson Desert land claim (Claim No. 41) and Central Simpson Desert (repeat) land claim (Claim No. 144).

Federal Magistrates Court of Australia—Report for 2007-08—Errata.

Senator Carol Brown

Chair

17 September 2009.

Senator Sterle moved—That the report be adopted.

Question put and passed.

**27 COMMITTEES—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2009-10**

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

Budget estimates 2009-10—

Community Affairs Legislation Committee—Additional information received between 20 August and 16 September 2009—

Families, Housing, Community Services and Indigenous Affairs portfolio.

Health and Ageing portfolio.

Indigenous issues across portfolios—Education, Employment and Workplace Relations portfolio.

Education, Employment and Workplace Relations Legislation Committee—

Additional information received between 20 August and 17 September 2009—

Education, Employment and Workplace Relations portfolio.

Environment, Communications and the Arts Legislation Committee—

Additional information received between 20 August and 16 September 2009—

Broadband, Communications and the Digital Economy portfolio.

Environment, Water, Heritage and the Arts portfolio.

Foreign Affairs, Defence and Trade Legislation Committee—Additional

information received between 20 August and 17 September 2009—Defence portfolio.

Legal and Constitutional Affairs Legislation Committee—Additional

information received between 19 August and 15 September 2009—

Attorney-General's portfolio.

Immigration and Citizenship portfolio.

Rural and Regional Affairs and Transport Legislation Committee—Additional information received between 20 August and 16 September 2009—Infrastructure, Transport, Regional Development and Local Government portfolio.

**28 INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL (NO. 1) 2009**

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

Message no. 414, dated 16 September 2009—A Bill for an Act to amend the *International Tax Agreements Act 1953*, and for related purposes.

The Special Minister of State (Senator Ludwig) 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 Ludwig moved—That this bill be now read a second time.

On the motion of Senator Ludwig the debate was adjourned and the resumption of the debate made an order of the day for a later hour.

**29 HIGHER EDUCATION SUPPORT AMENDMENT BILL 2009  
PERSONAL PROPERTY SECURITIES BILL 2009**

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

Message no. 412, dated 16 September 2009—A Bill for an Act to amend the *Higher Education Support Act 2003*, and for related purposes.

Message no. 413, dated 16 September 2009—A Bill for an Act relating to personal property securities, and for related purposes.

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

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

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

Question put and passed.

**30 INCLUSION OF ECOLOGICAL COMMUNITIES IN THE LIST OF THREATENED  
ECOLOGICAL COMMUNITIES—PROPOSED DISALLOWANCE**

Senator Colbeck, pursuant to notice, moved business of the Senate notice of motion no. 1—That the Inclusion of ecological communities in the list of threatened ecological communities [Lowland Native Grasslands of Tasmania], made on 18 June 2009 under section 181 of the *Environment Protection and Biodiversity Conservation Act 1999*, be disallowed.

Debate ensued.

Question put.

The Senate divided—

AYES, 34

Senators—

Abetz	Cash	Heffernan	Payne
Adams	Colbeck	Humphries	Ronaldson
Back	Coonan	Johnston	Ryan
Barnett	Cormann	Kroger	Scullion
Bernardi	Eggleston	Macdonald	Troeth
Birmingham	Ferguson	Mason	Trood
Boswell	Fielding	Minchin	Williams
Brandis	Fifield	Nash	
Bushby (Teller)	Fisher	Parry	

NOES, 34

Senators—

Arbib	Farrell	Ludwig	Pratt
Bilyk	Feeney	Lundy	Sherry
Bishop	Forshaw	Marshall	Siewert
Brown, Bob	Furner	McEwen	Stephens
Brown, Carol	Hanson-Young	McLucas	Sterle
Cameron	Hogg	Milne	Wortley
Collins	Hurley	Moore	Xenophon
Conroy	Hutchins	O'Brien (Teller)	
Crossin	Ludlam	Polley	

The ayes and noes were equal and so the question was negatived.

31 **ORDER OF BUSINESS—REARRANGEMENT**

Senator Bushby, by leave and at the request of the Chair of the Economics References Committee (Senator Eggleston), moved—That business of the Senate orders of the day nos 1, 2 and 7, relating to the presentation of reports of the Economics References Committee, be postponed till a later hour.

Question put and passed.

32 **ENVIRONMENT, COMMUNICATIONS AND THE ARTS LEGISLATION COMMITTEE—  
REPORT—ENVIRONMENT PROTECTION (BEVERAGE CONTAINER DEPOSIT AND  
RECOVERY SCHEME) BILL 2009**

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

Environment, Communications and the Arts Legislation Committee—Environment Protection (Beverage Container Deposit and Recovery Scheme) Bill 2009—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 Furner.

*Statement by leave:* Senator Ludlam, by leave, made a statement relating to the report.



**33 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—REPORT—  
ACCESS TO JUSTICE (CIVIL LITIGATION REFORMS) AMENDMENT BILL 2009**

Pursuant to order, Senator Furner, at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin), tabled the following report and documents:

Legal and Constitutional Affairs Legislation Committee—Access to Justice (Civil Litigation Reforms) Amendment Bill 2009 [Provisions]—Report, dated September 2009, Hansard record of proceedings, additional information and submissions.

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

**34 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—REPORT—  
CRIMES LEGISLATION AMENDMENT (SERIOUS AND ORGANISED CRIME) BILL 2009**

Pursuant to order, Senator Furner, at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin), tabled the following report and documents:

Legal and Constitutional Affairs Legislation Committee—Crimes Legislation Amendment (Serious and Organised Crime) Bill 2009 [Provisions]—Report, dated September 2009, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

**35 FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—REPORT—  
PARLIAMENTARY SUPERANNUATION AMENDMENT (REMOVAL OF EXCESSIVE  
SUPER) BILL 2009**

Pursuant to order, Senator Furner, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Polley), tabled the following report and documents:

Finance and Public Administration Legislation Committee—Parliamentary Superannuation Amendment (Removal of Excessive Super) Bill 2009—Report, dated September 2009, Hansard record of proceedings and additional information.

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

*Statements by leave:* Senator Bernardi and the Leader of the Family First Party (Senator Fielding), by leave, made statements relating to the report.

**36 ORDER OF BUSINESS—REARRANGEMENT**

The Minister for Broadband, Communications and the Digital Economy (Senator Conroy) moved—That intervening business be postponed till after consideration of government business order of the day no. 3 (Corporations Amendment (Improving Accountability on Termination Payments) Bill 2009).

Question put and passed.

**37 CORPORATIONS AMENDMENT (IMPROVING ACCOUNTABILITY ON TERMINATION  
PAYMENTS) 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 12.45 pm:* Debate was interrupted while Senator Bushby was speaking.

**38 FOREIGN STATES IMMUNITIES 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.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Parliamentary Secretary for Social Inclusion (Senator Stephens) the bill was read a third time.

**39 NATIONAL HEALTH SECURITY AMENDMENT BILL 2009**

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

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Parliamentary Secretary for Social Inclusion (Senator Stephens) the bill was read a third time.

**40 CUSTOMS AMENDMENT (ASEAN-AUSTRALIA-NEW ZEALAND FREE TRADE AGREEMENT IMPLEMENTATION) BILL 2009****CUSTOMS TARIFF AMENDMENT (ASEAN-AUSTRALIA-NEW ZEALAND FREE TRADE AGREEMENT IMPLEMENTATION) BILL 2009**

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

Debate resumed.

Question put and passed.

Bills read a second time.

No amendments to the bills were circulated and no senator required that they be considered in committee.

On the motion of the Parliamentary Secretary for Social Inclusion (Senator Stephens) the bills were read a third time.

**41 ORDER OF BUSINESS—REARRANGEMENT**

The Parliamentary Secretary for Social Inclusion (Senator Stephens) moved—That intervening business be postponed till after consideration of government business order of the day no. 1 (Federal Court of Australia Amendment (Criminal Jurisdiction) Bill 2008), order of the day relating to the International Tax Agreements Amendment Bill (No. 1) 2009 and government business order of the day no. 3 (Corporations Amendment (Improving Accountability on Termination Payments) Bill 2009).

Question put and passed.

42 **FEDERAL COURT OF AUSTRALIA AMENDMENT (CRIMINAL JURISDICTION)**  
**BILL 2008**

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

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*In the committee*

Consideration resumed of the bill, as amended—and of the amendment moved by the Leader of the Australian Greens (Senator Bob Brown):

Schedule 1, page 112 (after line 23), after item 74, insert:

**74A At the end of section 34**

Add:

- (3) The Governor-General shall cause at least one Registry in each State to be staffed on a full-time basis and the complement of staff in each such Registry to include a full-time Registrar.

Debate resumed.

Question—That the amendment be agreed to—put.

The committee divided—

**AYES, 7**

Senators—

Brown, Bob  
Fielding

Hanson-Young  
Ludlam

Milne  
Siewert (Teller)

Xenophon

**NOES, 28**

Senators—

Back  
Bilyk  
Bishop  
Brown, Carol  
Bushby  
Cameron  
Colbeck

Coonan  
Crossin  
Farrell  
Feeney  
Ferguson  
Forshaw  
Furner

Humphries  
Hurley  
Hutchins  
Lundy  
Marshall  
Moore  
Nash

O'Brien (Teller)  
Parry  
Polley  
Pratt  
Stephens  
Williams  
Wortley

Question negatived.

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

On the motion of the Parliamentary Secretary for Social Inclusion (Senator Stephens) the report from the committee was adopted and the bill read a third time.

**43 INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL (NO. 1) 2009**

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

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Assistant Treasurer (Senator Sherry) the bill was read a third time.

**44 CORPORATIONS AMENDMENT (IMPROVING ACCOUNTABILITY ON TERMINATION PAYMENTS) 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 2 pm:* Debate was interrupted while the Assistant Treasurer (Senator Sherry) was speaking.

**45 QUESTIONS**

Questions without notice were answered.

**46 PRESIDENT—SENIOR ADVISOR—MR GERARD MARTIN—STATEMENT BY PRESIDENT**

The President made a statement relating to Mr Gerard Martin, Senior Advisor to the President.

*Statement by leave:* Senator Ferguson, by leave, made a statement relating to the matter.

**47 MOTION TO TAKE NOTE OF ANSWER**

Senator Williams moved—That the Senate take note of the answer given by the Special Minister of State (Senator Ludwig) to a question without notice asked by Senator Williams today relating to residential aged care.

Debate ensued.

Question put and passed.

**48 NOTICE**

The Leader of the Family First Party (Senator Fielding), by leave, gave a notice of motion as follows: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to protect jobs in Australia by preventing the transfer of personal information to other countries without consent, and for related purposes. ***Keeping Jobs from Going Offshore (Protection of Personal Information) Bill 2009.*** (*general business notice of motion no. 580*)

**49 PROPOSED MATTER OF PUBLIC IMPORTANCE—FAMILY AND COMMUNITY SERVICES—AGED CARE SERVICES IN AUSTRALIA**

The Deputy President (Senator Ferguson) informed the Senate that Senator Williams had withdrawn the proposed matter of public importance he had submitted to the President today relating to aged care services in Australia.

**50 ADMINISTRATION—GOVERNMENT ADVERTISING GUIDELINES—MINISTERIAL STATEMENT—DOCUMENT**

The Assistant Treasurer (Senator Sherry) tabled the following document:

Administration—Approval of exemption of the Australian Electoral Commission public information campaigns from Australian Government advertising guidelines—Ministerial statement by the Special Minister of State (Senator Ludwig), dated 17 September 2009.

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

Question put and passed.

**51 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—2007 FEDERAL ELECTION**

The Assistant Treasurer (Senator Sherry) tabled the following documents:

Electoral Matters—Joint Standing Committee—Report—2007 federal election electronic voting trials—Inquiry into the conduct of the 2007 election and matters related thereto—

Government response, dated September 2009.

Statement by the Special Minister of State (Senator Ludwig), dated September 2009.

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

Debate ensued.

Question put and passed.

**52 AUDITOR-GENERAL—AUDIT REPORT NO. 5 OF 2009-10—DOCUMENT**

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

Auditor-General—Audit report no. 5 of 2009-10—Performance audit—Protection of residential aged care accommodation bonds—Department of Health and Ageing.

**53 FOREIGN AFFAIRS—NORTH KOREA**

The Assistant Treasurer (Senator Sherry) tabled the following document:

Foreign affairs—North Korea—Labour concentration camps—Statement in response to the resolution of the Senate of 13 August 2009.

54 **SELECTION OF BILLS—STANDING COMMITTEE—REPORTS NOS 14 AND 15 OF 2009**

The Chair of the Selection of Bills Committee (Senator O'Brien), by leave, tabled the following reports:

## SELECTION OF BILLS COMMITTEE

## REPORT NO. 14 OF 2009

1. The committee met in private session on Wednesday, 16 September 2009 at 7.15 pm.
2. The committee resolved to recommend—That—
  - (a) the *provisions* of the Crimes Legislation Amendment (Serious and Organised Crime) Bill (No. 2) 2009 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 26 October 2009;
  - (b) the *provisions* of the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009 be *referred immediately* to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 26 October 2009;
  - (c) the *provisions* of the Telecommunications (Interception and Access) Amendment Bill 2009 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 26 October 2009; and
  - (d) the *provisions* of the Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Bill 2009 be *referred immediately* to the Environment, Communications and the Arts Legislation Committee for inquiry and report by 26 October 2009.
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
  - Australian National Preventive Health Agency Bill 2009
  - Australian Sports Anti-Doping Authority Amendment Bill 2009
  - Customs Amendment (ASEAN-Australia-New Zealand Free Trade Agreement Implementation) Bill 2009
  - Customs Tariff Amendment (ASEAN-Australia-New Zealand Free Trade Agreement Implementation) Bill 2009
  - Family Assistance Legislation Amendment (Participation Requirement) Bill 2009
  - Geothermal and Other Renewable Energy (Emerging Technologies) Amendment Bill 2009 (No. 2)
  - Long Service Leave Legislation Amendment (Telstra) Bill 2009
  - Special Broadcasting Service Amendment (Prohibition of Disruptive Advertising) Bill 2009
  - Tax Laws Amendment (2009 Measures No. 5) Bill 2009
  - Tax Laws Amendment (Resale Royalty Right for Visual Artists) Bill 2009.

*The committee recommends accordingly.*

4. The committee deferred consideration of the Plain Tobacco Packaging (Removing Branding from Cigarette Packs) Bill 2009 to its next meeting.

Kerry O'Brien

Chair

17 September 2009.

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SELECTION OF BILLS COMMITTEE

REPORT NO. 15 OF 2009

1. The committee met in private session on Thursday, 17 September 2009 at 12.01 pm.
2. The committee resolved to recommend—That the Safe Climate (Energy Efficient Non-Residential Buildings Scheme) Bill 2009 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 10 March 2010.
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
  - Health Insurance Amendment (Compliance) Bill 2009
  - Private Health Insurance Legislation Amendment Bill (No. 2) 2009
  - Renewable Energy (Certificates and Other Matters) Amendment Bill 2009
  - Renewable Energy (Food Processing Activities) Amendment Bill 2009
  - Social Security Amendment (National Green Jobs Corps Supplement) Bill 2009.

*The committee recommends accordingly.*

4. The committee deferred consideration of the following bills to its next meeting:
  - Britt Lapthorne Bill 2009
  - Plain Tobacco Packaging (Removing Branding from Cigarette Packs) Bill 2009.

Kerry O'Brien  
Chair

17 September 2009.

Senator O'Brien moved—That the reports be adopted.

Question put and passed.

**55 TREATIES—JOINT STANDING COMMITTEE—106TH REPORT**

Senator McGauran, on behalf of the Joint Standing Committee on Treaties, tabled the following report:

Treaties—Joint Standing Committee—106th report—Nuclear non-proliferation and disarmament, dated September 2009.

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

Debate ensued.

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

**56 ECONOMICS REFERENCES COMMITTEE—REPORT—FOREIGN INVESTMENT BY STATE-OWNED ENTITIES**

Pursuant to order, the Chair of the Economics References Committee (Senator Eggleston) tabled the following report and documents:

Economics References Committee—Foreign investment by state-owned entities—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 Eggleston.

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

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

**57 ECONOMICS REFERENCES COMMITTEE—REPORT—BANK MERGERS**

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

Economics References Committee—Bank mergers—Report, dated September 2009, Hansard record of proceedings, additional information and submissions.

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

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

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

**58 ECONOMICS REFERENCES COMMITTEE—REPORT—UNLIMITED DEPOSIT AND WHOLESALE FUNDING GUARANTEES**

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

Economics References Committee—Government measures to address confidence concerns in the financial sector: The Financial Claims Scheme and the Guarantee Scheme for Large Deposits and Wholesale Funding—Report, dated September 2009, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

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

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

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*At 4.30 pm—*

**59 ORDER OF BUSINESS—REARRANGEMENT**

The Minister for Employment Participation (Senator Arbib) moved—That intervening business be postponed till after consideration of government business order of the day no. 2 (Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment Bill 2009 and a related bill).

Question put and passed.



**60 OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE LEGISLATION  
AMENDMENT BILL 2009**

**OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (SAFETY LEVIES)  
AMENDMENT BILL 2009**

Order of the day read for the adjourned debate on the motion of the Special Minister of State (Senator Ludwig)—That these bills be now read a second time.

Debate resumed.

Question put and passed.

Bills read a second time.

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

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*In the committee*

Bills taken together and as a whole by leave.

Senator Siewert moved the following amendment in respect of the Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment Bill 2009:

Schedule 1, item 62D, page 28 (after line 9), after subsection 780A(1), insert:

- (1A) The terms of reference for a Commission of inquiry appointed under subsection (1) are taken to include the following:
  - (a) the resource management implications of the incident; and
  - (b) the environmental impact and potential impact of the incident; and
  - (c) an assessment of the management and effectiveness of responses to the incident, including the coordination of responses across the Commonwealth Government and across jurisdictions; and
  - (d) the provision and accessibility of relevant information to affected stakeholders and the public.

Debate ensued.

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

Bills agreed to.

Bills to be reported without amendments.

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

On the motion of the Minister for Employment Participation (Senator Arbib) the report from the committee was adopted and the bills read a third time.

**61 ORDER OF BUSINESS—REARRANGEMENT**

The Minister for Employment Participation (Senator Arbib) moved—That intervening business be postponed till after consideration of government business order of the day no. 5 (Road Transport Reform (Dangerous Goods) Repeal Bill 2009).

Question put and passed.

**62 ROAD TRANSPORT REFORM (DANGEROUS GOODS) REPEAL BILL 2009**

Order of the day read for the adjourned debate on the motion of the Assistant Treasurer (Senator Sherry)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Parliamentary Secretary for Social Inclusion (Senator Stephens) the bill was read a third time.

**63 ORDER OF BUSINESS—REARRANGEMENT**

The Parliamentary Secretary for Social Inclusion (Senator Stephens) moved—That intervening business be postponed till after consideration of government business order of the day no. 7 (Fuel Quality Standards Amendment Bill 2009).

Question put and passed.

**64 FUEL QUALITY STANDARDS 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.

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*In the committee*

Bill taken as a whole by leave.

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*Explanatory memorandum:* The Parliamentary Secretary for Social Inclusion (Senator Stephens) tabled a supplementary explanatory memorandum relating to the government amendment to be moved to the bill.

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On the motion of Senator Stephens the following amendment was debated and agreed to:

Schedule 1, page 10 (after line 6), after item 15, insert:

**15A After paragraph 70(1)(d)**

Insert:

(da) a decision to refuse to vary an approval, other than a decision to refuse to vary an approval under section 17F;

Bill, as amended, agreed to.

Bill to be reported with an amendment.

---

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

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

**65 COMMITTEE MEMBERSHIP**

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

The Parliamentary Secretary for Social Inclusion (Senator Stephens), by leave, moved—That Senator Hanson-Young replace Senator Milne on the Rural and Regional Affairs and Transport References Committee for the committee's inquiry into the provisions of the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009, and Senator Milne be appointed as a participating member.

Question put and passed.

**66 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 Education, Employment and Workplace Relations.

Office of the Official Secretary to the Governor-General.

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

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

Message no. 416, dated 17 September 2009—Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009.

**68 HEALTH INSURANCE AMENDMENT (EXTENDED MEDICARE SAFETY NET) BILL 2009**

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

Message no. 415, dated 17 September 2009—Health Insurance Amendment (Extended Medicare Safety Net) Bill 2009.

**69 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—EXTENSIONS OF TIME TO REPORT**

Senator O'Brien, by leave and at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin), moved—That the time for the presentation of the reports of the Legal and Constitutional Affairs Legislation Committee on the provisions of the Crimes Legislation Amendment (Serious and Organised Crime) Bill (No. 2) 2009 and the provisions of the Telecommunications (Interception and Access) Amendment Bill 2009 be extended to 16 November 2009.

Question put and passed.

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*At 6 pm—*

**70 GOVERNMENT DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION**

The following orders of the day relating to government documents were considered:

*Great Barrier Reef Marine Park Act 1975*—Great Barrier Reef outlook report 2009. Motion of Senator Adams to take note of document debated. Debate adjourned till Thursday at general business, Senator McLucas in continuation.

Health—National Preventative Health Taskforce—Australia: The healthiest country by 2020—National preventative health strategy – the roadmap for action. Motion of Senator Adams to take note of document called on. On the motion of Senator Parry debate was adjourned till Thursday at general business.

*Sydney Airport Demand Management Act 1997*—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 April to 30 June 2009. Motion of Senator Parry to take note of document called on. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Airservices Australia—Corporate plan 1 July 2009 to 30 June 2014. Motion of Senator Parry to take note of document called on. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Regional Forest Agreement between the Commonwealth of Australia and New South Wales—Eden Region—Report on implementation for 2004-05. Motion of Senator Parry to take note of document called on. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Regional Forest Agreement between the Commonwealth of Australia and New South Wales—North East Region—Report on implementation for 2004-05. Motion of Senator Parry to take note of document called on. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Regional Forest Agreement between the Commonwealth of Australia and New South Wales—Southern Region—Report on implementation for 2004-05. Motion of Senator Parry to take note of document called on. Debate adjourned till Thursday at general business, Senator Parry in continuation.

Regional Forest Agreement between the Commonwealth of Australia and New South Wales—Southern Region—Report on implementation for 2005-06. Motion of Senator Parry to take note of document called on. Debate adjourned till Thursday at general business, Senator Parry in continuation.

**71 AUDITOR-GENERAL'S REPORTS—ORDERS OF THE DAY—CONSIDERATION**

Order of the day no. 1 relating to reports of the Auditor-General was called on but no motion was moved.

**72 ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 6.42 pm till Monday, 26 October 2009 at 12.30 pm.

**73 ATTENDANCE**

Present, all senators except Senators Boyce\*, Joyce\* and Wong\* (\* on leave).

**HARRY EVANS**  
Clerk of the Senate