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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 160

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1 **MEETING OF SENATE**

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

2 **VACANCY IN THE REPRESENTATION OF TASMANIA—CHOICE OF DAVID CHRISTOPHER BUSHBY**

The President announced the resignation, on 29 August 2007, of Senator Calvert and advised the Senate that, pursuant to section 21 of the Constitution, he had notified the Governor of Tasmania that there was a vacancy in the representation of that state.

Documents: The President tabled the following documents:

Vacancy in the representation of Tasmania—Letters from—
Senator Calvert to the President, dated 29 August 2007.

President of the Senate to the Governor of Tasmania (His Excellency the Honourable William Cox, AC, RFD, ED), dated 29 August 2007 [copy].

The President further announced that he had received, through the Governor-General, from the Governor of Tasmania, the certificate of the choice by the Parliament of Tasmania of David Christopher Bushby as a senator to fill the vacancy caused by the resignation of Senator Calvert.

The President tabled the certificate as follows:

Government House
Tasmania

His Excellency
The Honourable William Cox AC, RFD, ED
August 30th 2007

His Excellency Major-General Michael Jeffery AC CVO MC (Ret'd)
Governor-General of the Commonwealth of Australia
Government House
CANBERRA ACT 2600

Your Excellency,

I have the honour to inform you that, pursuant to Sections 15 and 21 of the Constitution of the Commonwealth of Australia, a Joint Sitting of the Legislative Council and the House of Assembly was held on August 30th 2007 to fill the vacancy in the representation of the State of Tasmania in the Senate that arose from the resignation of Senator Paul Henry Calvert.

Based on the advice I have received from the Speaker of the House of Assembly who was the Presiding Officer at the Joint Sitting, I certify that Mr David Christopher Bushby was chosen to fill the said vacancy.

Yours sincerely,
William Cox
Governor.

Senator sworn: Senator Bushby, pursuant to the Constitution of the Commonwealth of Australia, then made and subscribed the oath of allegiance at the table.

3 AUSTRALIAN CITIZENSHIP AMENDMENT (CITIZENSHIP TESTING) BILL 2007

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

In the committee

Bill taken as a whole by leave.

Explanatory memorandum: The Minister for Human Services (Senator Ellison) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

Senator Bartlett moved the following amendments together by leave:

Schedule 1, page 3 (after line 18), after item 1, insert:

1A Section 3

Insert:

citizenship education program is a program which gives people from non-English speaking backgrounds an understanding of the English language and Australian society and shall be in such form as is prescribed.

Schedule 1, item 3, page 3 (line 28), after “successfully completed a citizenship test” insert “or, if from a non-English speaking background, a citizenship education program”.

Debate ensued.

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

On the motion of Senator Ellison the following amendments, taken together by leave, were debated and agreed to:

Schedule 1, item 5, page 4 (after line 33), at the end of subsection 23A(1), add:

Note: The test must be related to the eligibility criteria referred to in paragraphs 21(2)(d), (e) and (f).

Schedule 1, item 5, page 5 (after line 6), at the end of subsection 23A(3), add:

Note: The eligibility criteria for sitting the test cannot be inconsistent with this Act and in particular subsection 21(2) (about the general eligibility criteria for becoming an Australian citizen).

Senator Bartlett moved the following amendment:

Schedule 1, item 5, page 4, (after line 33), after subsection 23A(1), insert:

- (1A) Prior to ministerial approval, the proposed test questions are to be trialled by the Australian Electoral Commission on a demographically representative sample group of Australian-born citizens to determine the suitability of the test questions.

Debate ensued.

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

Senator Bartlett moved the following amendment:

Schedule 1, item 5, page 5 (lines 15 to 17), omit subsection 23A(7), substitute:

Determination is a legislative instrument

- (7) A determination made under subsection (1) is a legislative instrument and where the determination relates to a test, a question or questions within the test, or a component of the test, are subject to disallowance in accordance with the *Legislative Instruments Act 2003*.

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

4 QUESTIONS

Questions without notice were answered.

5 ANSWERS TO QUESTIONS

Senator Wong moved—That the Senate take note of answers given by ministers to questions without notice asked by Opposition senators today.

Debate ensued.

Question put and passed.

6 FOREIGN AFFAIRS—RUSSIA—SALE OF URANIUM—ANSWER TO QUESTION

The Leader of the Australian Democrats (Senator Allison) moved—That the Senate take note of the answer given by the Minister for Finance and Administration (Senator Minchin) to a question without notice asked by Senator Allison today relating to the sale of uranium to Russia.

Question put and passed.

7 PETITIONS

The following 2 petitions, lodged with the Clerk by the senators indicated, were received:

The President, from 1 petitioner, requesting that the Senate take action to protect children from the mind altering drugs prescribed for children with attention deficit hyperactivity disorder.

Senator Milne, from 133 petitioners, requesting that the Senate recognise the global effects of climate change and take action to ensure the clean energy future of Australia.

8 NOTICES

The Chair of the Foreign Affairs, Defence and Trade Committee (Senator Payne): To move on the next day of sitting—That the Foreign Affairs, Defence and Trade Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 13 September 2007, from 4 pm, to take evidence for the committee's inquiry into Australia's involvement in international peacekeeping operations. (*general business notice of motion no. 880*)

Senator Parry: To move on the next day of sitting—That the Parliamentary Standing Committee on Public Works be authorised to hold a public meeting during the sitting of the Senate on Thursday, 13 September 2007, from 9.30 am to 11.45 am, to take evidence for the committee's inquiry into the refurbishment of staff apartments at the Australian embassy complex in Tokyo, Japan. (*general business notice of motion no. 881*)

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

- (a) notes that:
 - (i) between 1932 and 1945, more than 200 000 women and children of Korean, Chinese, Filipino, Indonesian, Burmese and Dutch origin were kidnapped or forced into a sex slavery system enforced by the Japanese Imperial Army,
 - (ii) these victims, some as young as 12, were systematically raped and tortured in so-called 'comfort stations', and coerced to have sex with up to 40 soldiers a day, every day for years,
 - (iii) 62 years later the Japanese Government still refuses to accept responsibility for this crime, or acknowledge its guilt, or to apologise to the hundreds of thousands of women who suffered from these inhumane deeds, and
 - (iv) 44 members of the Japanese Parliament recently took out an advertisement in the *Washington Post* denying that this sex slavery ever occurred; and
- (b) calls on the Government to:
 - (i) urge the Japanese Diet to pass a resolution to formally apologise to the women who were forced into sexual slavery during the Second World War,
 - (ii) urge the Japanese Government to provide fair compensation to these victims, and
 - (iii) urge the Japanese Government to accurately teach the history of comfort women in Japanese schools. (*general business notice of motion no. 882*)

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

- (a) notes that the Medical University of South Carolina has conducted a sophisticated meta-analysis of 17 research papers covering 136 nuclear sites throughout the Western World with the following findings:
 - (i) death rates from leukaemia for children up to 9 years of age were between 5 per cent and 24 per cent higher depending on their proximity to nuclear facilities,
 - (ii) death rates from leukaemia for those up to 25 years of age were 2 per cent to 18 per cent higher, and
 - (iii) incidence rates of leukaemia were increased by 14 per cent to 21 per cent in zero to 9 year olds and 7 to 10 per cent in zero to 25 year olds;
- (b) considers that research such as this shows the health impact of nuclear activity; and
- (c) urges the Government not to proceed with uranium enrichment or nuclear power reactors in Australia in the light of this research. (*general business notice of motion no. 883*)

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

- (a) acknowledges the World Heritage significance of the Tarkine wilderness in the north-west of Tasmania;
- (b) notes that a nomination for the Tarkine to be listed on Australia's National Heritage list was submitted in 2004; and
- (c) calls on the Government to:
 - (i) put the Tarkine on the National Heritage List,
 - (ii) progress the Tarkine towards World Heritage listing,
 - (iii) support the development of a strategic plan and a conservation management plan for the development of the region and the protection of the Tarkine's outstanding natural and cultural values, and
 - (iv) support the development of sensitive and appropriate eco-tourism infrastructure in the region and reject costly and destructive proposals. (*general business notice of motion no. 884*)

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

- (a) notes the call by the Obesity Policy Coalition for urgent government action to tackle Australia's escalating obesity crisis, including:
 - (i) a ban on the marketing of unhealthy food to children under 16 years of age in all media, such as television, the Internet, e-mail and mobile phones,
 - (ii) a mandatory 'traffic light' labelling system on the front of food packaging, and
 - (iii) removing the goods and services tax exemption for breakfast cereals that are high in sugar; and
- (b) urges the Government to dramatically increase funding for the prevention of obesity in children and adolescents and to actively pursue changes to macro-environment strategies, such as food marketing and labelling. (*general business notice of motion no. 885*)

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

- (a) notes that:
 - (i) 150 industrialised countries bound by the Kyoto Protocol met in the week beginning 27 August 2007 in Vienna and agreed to cut greenhouse gas emissions by an average of 5 per cent by 2012 and reached a non-binding agreement to target new cuts of 25 to 40 per cent by 2020 in an extension of the treaty,
 - (ii) the meeting also agreed on a position to take to the United Nations Framework Convention on Climate Change annual meeting in Bali in December 2007 to make substantial progress towards a final post-2012 agreement to extend Kyoto into a second commitment period,
 - (iii) the meeting agreed that the 25 to 40 per cent reduction was necessary if global warming was to be constrained to a temperature increase of between 2 and 2.4 degrees Celsius,
 - (iv) the meeting officially recognised the findings of the Intergovernmental Panel on Climate Change in 2007 that global greenhouse emissions needed to be stabilised in the next 10 to 15 years and then substantially reduced by mid-century, and

- (v) Australia and the United States of America were the only two industrialised nations not involved in the talks; and
- (b) concurs with the agreement reached at the Vienna meeting and urges the Government to:
 - (i) re-engage with the Kyoto Protocol process in time for the Bali meeting, and
 - (ii) adopt a target for greenhouse cuts of at least 25 per cent by 2020. (*general business notice of motion no. 886*)

The Minister for Fisheries, Forestry and Conservation (Senator Abetz): To move on the next day of sitting—That, on Tuesday, 11 September 2007:

- (a) the hours of meeting shall be 2.30 pm to 6.30 pm and 7.30 pm to adjournment;
- (b) the routine of business shall be:
 - (i) questions,
 - (ii) the items specified in standing order 57(1)(b)(iii) to (ix), and
 - (iii) from 7.30 pm, government business only; and
- (c) the question for the adjournment of the Senate shall be proposed at 10 pm.

Senator Milne: To move on the next day of sitting—That the following matter be referred to the Joint Standing Committee on Treaties for inquiry and report by 3 December 2007:

The Australia-Russia Nuclear Cooperation Agreement signed on 7 September 2007, with particular reference to:

- (a) the ramifications of the agreement with respect to global and regional security;
- (b) the risk that Australian uranium would be exported from the Russian Federation (Russia) to third states, contrary to agreements;
- (c) the 2005 Russian deal to sell uranium to Iran to fuel the Russian-built Bushehr nuclear plant, in spite of widespread fears about Iran's suspected nuclear weapons program;
- (d) the implications of the agreement for sale of nuclear fuel to India;
- (e) the extent to which the supply of Australian uranium would enable Russia to increase its export of nuclear material;
- (f) the abuse of the rule of law, including corporate law, under Russian President Vladimir Putin's rule;
- (g) the ability to verify Russia's compliance with any agreed safeguards noting, in particular, the European Parliament's resolution of 10 May 2007 on the European Union-Russia Summit which expressed concern about, inter alia:
 - (i) Russia's lack of respect for human rights, democracy, freedom of expression, and the rights of civil society and individuals to challenge the authorities and hold them accountable for their actions,
 - (ii) the use of force by Russian authorities against peaceful anti-government demonstration and reports of the use of torture in prisons, and
 - (iii) the restriction of democratic freedoms in the run-up to the Duma elections in December 2007 and the presidential elections in March 2008; and
- (h) any related matters. (*general business notice of motion no. 887*)

The Minister for Fisheries, Forestry and Conservation (Senator Abetz): To move on the next day of sitting—That consideration of the business before the Senate on Wednesday, 19 September 2007 be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senator Bushby to make his first speech without any question before the chair.

The Minister for Fisheries, Forestry and Conservation (Senator Abetz): To move on the next day of sitting—That—

- (a) the following bill be introduced: A Bill for an Act to amend the *Northern Territory National Emergency Response Act 2007*, and for related purposes [*Northern Territory National Emergency Response Amendment (Alcohol) Bill 2007*]; and
- (b) the provisions of paragraphs (5) to (8) of standing order 111 not apply to the bill allowing it to be considered during this period of sittings.

Document: Senator Abetz tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the Northern Territory National Emergency Response Amendment (Alcohol) Bill 2007 in the 2007 spring sittings.

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

- (a) notes:
 - (i) the Asia-Pacific Economic Cooperation Leaders' Sydney Declaration on Climate Change, Energy Security and Clean Development which states that 'Ongoing action is required to encourage afforestation and reforestation and to reduce deforestation, forest degradation and forest fires...';
 - (ii) that Australia is a signatory to the United Nations Framework Convention on Climate Change, which includes the following commitments:
 - '4.1 (f) Take climate change considerations into account, to the extent feasible, in their relevant social, economic and environmental policies and actions, and employ appropriate methods, for example impact assessments, formulated and determined nationally, with a view to minimizing adverse effects on the economy, on public health and on the quality of the environment, of projects or measures undertaken by them to mitigate or adapt to climate change', and
 - '4.2 (a) Each of these Parties shall adopt national policies and take corresponding measures on the mitigation of climate change, by limiting its anthropogenic emissions of greenhouse gases and protecting and enhancing its greenhouse gas sinks and reservoirs', and
 - (iii) emissions from Gunns Limited's proposed pulp mill in Tasmania's Tamar Valley will result in annual greenhouse gas emissions of at least 10.2 Mt CO₂ per annum, equivalent to 2 per cent of Australia's total emissions in 2005; and

- (b) calls on the Government to determine the quantity of greenhouse gas emissions that would be emitted by the pulp mill, including emissions resulting from forest harvesting, in line with the Sydney Declaration and Australia's obligations under the United Nations Framework Convention on Climate Change Treaty. (*general business notice of motion no. 888*)

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

- (a) notes the congressional testimony by the Commander of the United States of America's forces in Iraq, General David Petraeus; and
- (b) calls on the Government to immediately withdraw Australian forces from Iraq. (*general business notice of motion no. 889*)

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

- (a) notes the:
 - (i) value and importance to the cultural landscape of Australia of its estimated 15 000 architectural heritage buildings, almost a third of which are in Tasmania,
 - (ii) dismantling of the independent Australian Heritage Commission, the relegation of the Register of the National Estate to state oversight and the subsequent downgrading of heritage issues at the federal level,
 - (iii) need for urgent repairs to some of Australia's most significant heritage buildings, and
 - (iv) threat to one specific example, being the Holy Trinity Church in Hobart, designed by convict architect James Blackburn, which faces closure and an uncertain future because the Anglican Church cannot afford the cost of sandstone renovation work; and
- (b) calls on the Government to allocate monies in the form of a National Cultural Heritage Fund, along the same lines as the Higher Education Endowment Fund, to ensure that Australia's culturally significant heritage buildings are adequately maintained into the future. (*general business notice of motion no. 890*)

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

- (a) notes:
 - (i) that the Asia-Pacific Economic Cooperation (APEC) meeting was held in Sydney in the week beginning 3 September 2007 and that this event cost more than \$300 million to stage, and
 - (ii) that the security operation involved:
 - (A) overzealous policing methods, including the violent arrests of journalists, an accountant and numerous peaceful protestors,
 - (B) intimidatory video surveillance of members of parliament and the community,
 - (C) rifles being pointed at the people of Sydney in low-flying helicopters and by rooftop snipers,
 - (D) freedom of movement being curtailed throughout Sydney by police,
 - (E) the prohibition of people entering parts of Sydney, based on unsubstantiated police accusations and secretive blacklists,
 - (F) police discouraging peaceful dissent against APEC through unnecessary shows of force, including police dogs, water cannons, deployment of the riot squad and the disproportionate show of force, and

- (G) police not wearing name badges, and
- (iii) the statement of the Prime Minister (Mr Howard) backing the conduct of the APEC security and police operations; and
- (b) calls on the Government to:
 - (i) immediately apologise to the people of Sydney who have had their civil liberties and freedoms suspended by APEC, and
 - (ii) support an independent inquiry into the conduct of the New South Wales police and others involved in the security operation during APEC. (*general business notice of motion no. 891*)

Senator Stott Despoja: To move on 13 September 2007—That the following bill be introduced: A Bill for an Act to guarantee paid maternity leave, and for related purposes. ***Workplace Relations (Guaranteeing Paid Maternity Leave) Amendment Bill 2007.*** (*general business notice of motion no. 892*)

9 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Faulkner for today, proposing the reference of a matter to the Foreign Affairs, Defence and Trade Committee, postponed till 17 September 2007.

General business notice of motion no. 877 standing in the name of Senator Stott Despoja for today, relating to Hearing Awareness Week, postponed till 11 September 2007.

10 INDUSTRY—GUNNS LIMITED PROPOSED PULP MILL—TAXPAYER SUPPORT

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. 878—That the Senate—

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

The Leader of the Australian Democrats (Senator Allison), by leave, moved the following amendment:

Omit paragraph (a), substitute:

- (a) calls on the Government to ensure that no tax concessions or industry support or subsidy apply specifically or uniquely to the proposed Gunns Limited pulp mill in Tasmania that are not already available to corporations generally in that class of entity or industry; and

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 8

Senators—

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

NOES, 51

Senators—			
Abetz	Cormann	Hutchins	Patterson
Adams	Crossin	Kemp	Payne
Barnett	Eggleston	Kirk	Polley
Bernardi	Faulkner	Ludwig	Ray
Birmingham	Ferguson	Lundy	Ronaldson
Bishop	Fielding	Macdonald, Ian	Stephens
Boyce	Fierravanti-Wells	McEwen	Sterle
Brandis	Fifield	McGauran	Troeth
Brown, Carol	Fisher	McLucas	Trood
Bushby	Forshaw	Minchin	Watson
Campbell	Hogg	Moore	Webber
Colbeck	Humphries	Nash	Wortley
Coonan	Hurley	Parry (Teller)	

Question negatived.

Main question put.

The Senate divided—

AYES, 4

Senators—			
Brown, Bob	Milne	Nettle	Siewert (Teller)

NOES, 51

Senators—			
Abetz	Crossin	Kemp	Patterson
Adams	Eggleston	Kirk	Payne
Barnett	Faulkner	Ludwig	Polley
Bernardi	Ferguson	Lundy	Ray
Birmingham	Fielding	Macdonald, Ian	Ronaldson
Boyce	Fierravanti-Wells	Marshall	Stephens
Brandis	Fifield	McEwen	Sterle
Brown, Carol	Fisher	McGauran	Troeth
Bushby	Forshaw	McLucas	Trood
Campbell	Hogg	Minchin	Watson
Colbeck	Humphries	Moore	Webber
Coonan	Hurley	Nash	Wortley
Cormann	Hutchins	Parry (Teller)	

Question negatived.

11 ENVIRONMENT—GREENHOUSE GASES

Senator Milne amended general business notice of motion no. 879 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate notes that:

- (a) it is well established that both ozone depleting gases and a number of replacement synthetic gases introduced in response to the Montreal Protocol have contributed to positive direct radiative forcing and associated increases in global average surface temperature;
- (b) the Intergovernmental Panel on Climate Change and the Technology and Economic Assessment Panel of the Montreal Protocol have reported that synthetic greenhouse gas emissions represent approximately 14 per cent of the total anthropogenic greenhouse gas emissions since 1750 and are rapidly increasing; and

- (c) the United Nations Environment Programme has compared the accelerated phase-out of hydrochlorofluorocarbons under proposed changes to the Montreal Protocol to efforts to increase energy efficiency and other ‘quick wins’ to fight global warming.

Question put.

The Senate divided—

AYES, 8

Senators—

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

NOES, 49

Senators—

Abetz	Eggleston	Kirk	Polley
Adams	Faulkner	Ludwig	Ray
Barnett	Ferguson	Lundy	Ronaldson
Bernardi	Fielding	Macdonald, Ian	Stephens
Birmingham	Fierravanti-Wells	McEwen	Sterle
Boyce	Fifield	McGauran	Troeth
Brown, Carol	Fisher	McLucas	Trood
Bushby	Forshaw	Minchin	Watson
Campbell	Hogg	Moore	Webber
Colbeck	Humphries	Nash	Wortley
Coonan	Hurley	Parry (Teller)	
Cormann	Hutchins	Patterson	
Crossin	Kemp	Payne	

Question negatived.

12 URGENCY MOTION—FOREIGN AFFAIRS—UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

The Deputy President (Senator Hogg) informed the Senate that the President had received a letter from Senator Bartlett advising that today he intended to move—That, in the opinion of the Senate, the following is a matter of urgency:

The need for the Australian Government to support the adoption of the proposed United Nations Declaration on the Rights of Indigenous Peoples when it is put to the vote in the current session of the United Nations General Assembly.

The proposal was supported by four senators.

Senator Bartlett moved the motion.

Debate ensued.

Question put.

The Senate divided—

AYES, 33

Senators—

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

NOES, 35

Senators—

Abetz	Cormann	Johnston	Parry
Adams	Eggleston	Joyce	Patterson
Barnett	Ellison	Lightfoot	Payne
Bernardi	Ferguson	Macdonald, Ian	Ronaldson
Birmingham	Fierravanti-Wells	Macdonald, Sandy	Scullion
Boyce	Fifield	Mason	Troeth
Brandis	Fisher	McGauran (Teller)	Trood
Bushby	Heffernan	Minchin	Watson
Colbeck	Humphries	Nash	

Question negatived.

13 ECONOMICS—STANDING COMMITTEE—REPORT—PRIVATE EQUITY INVESTMENT IN AUSTRALIA

The Acting Deputy President (Senator Barnett) tabled the following report and documents received on 20 August 2007:

Economics—Standing Committee—Private equity investment in Australia—Report, dated August 2007, Hansard record of proceedings, documents presented to the committee, additional information and submissions [32].

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

14 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—REPORT—UNAUTHORISED DISCLOSURE OF COMMITTEE PROCEEDINGS

The Acting Deputy President (Senator Barnett) tabled the following report received on 22 August 2007:

Rural and Regional Affairs and Transport—Standing Committee—Unauthorised disclosure of committee proceedings—Report.

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

15 FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—INTERIM REPORT—COMMONWEALTH ELECTORAL AMENDMENT (DEMOCRATIC PLEBISCITES) BILL 2007

The Acting Deputy President (Senator Barnett) tabled the following report received on 4 September 2007:

Finance and Public Administration—Standing Committee—Commonwealth Electoral Amendment (Democratic Plebiscites) Bill 2007 [Provisions]—Interim report, dated 4 September 2007.

16 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—INTERIM REPORT—DEFENCE LEGISLATION AMENDMENT BILL 2007

The Acting Deputy President (Senator Barnett) tabled the following report received on 5 September 2007:

Foreign Affairs, Defence and Trade—Standing Committee—Defence Legislation Amendment Bill 2007 [Provisions]—Interim report, dated September 2007.

17 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING COMMITTEE—INTERIM REPORT—INDIGENOUS EDUCATION (TARGETED ASSISTANCE) AMENDMENT (CAPE YORK MEASURES) BILL 2007 AND HIGHER EDUCATION ENDOWMENT FUND BILLS

The Acting Deputy President (Senator Barnett) tabled the following report received on 5 September 2007:

Employment, Workplace Relations and Education—Standing Committee—Indigenous Education (Targeted Assistance) Amendment (Cape York Measures) Bill 2007 [Provisions]; and Higher Education Endowment Fund Bill 2007 [Provisions] and Higher Education Endowment Fund (Consequential Amendments) Bill 2007 [Provisions]—Interim report, dated 5 September 2007.

18 COMMUNITY AFFAIRS—STANDING COMMITTEE—REPORT—HEALTH INSURANCE AMENDMENT (MEDICARE DENTAL SERVICES) BILL 2007

The Acting Deputy President (Senator Barnett) tabled the following report and documents received on 5 September 2007:

Community Affairs—Standing Committee—Health Insurance Amendment (Medicare Dental Services) Bill 2007 [Provisions]—Report, dated September 2007, Hansard record of proceedings and submissions [9].

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

19 ECONOMICS—STANDING COMMITTEE—REPORT—TRADE PRACTICES AMENDMENT (SMALL BUSINESS PROTECTION) BILL 2007

The Acting Deputy President (Senator Barnett) tabled the following report and documents received on 5 September 2007:

Economics—Standing Committee—Trade Practices Amendment (Small Business Protection) Bill 2007 [Provisions]—Report, dated September 2007, Hansard record of proceedings, additional information and submissions [24].

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

20 ECONOMICS—STANDING COMMITTEE—INTERIM REPORT—TAX LAWS AMENDMENT (2007 MEASURES NO. 5) BILL 2007

The Acting Deputy President (Senator Barnett) tabled the following report received on 5 September 2007:

Economics—Standing Committee—Tax Laws Amendment (2007 Measures No. 5) Bill 2007 [Provisions]—Interim report, dated 5 September 2007.

21 ECONOMICS—STANDING COMMITTEE—REPORT—TAX LAWS AMENDMENT (2007 MEASURES NO. 5) BILL 2007

The Acting Deputy President (Senator Barnett) tabled the following report and documents received on 6 September 2007:

Economics—Standing Committee—Tax Laws Amendment (2007 Measures No. 5) Bill 2007 [Provisions]—Report, dated September 2007, Hansard record of proceedings, documents presented to the committee, additional information and submissions [18].

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

**22 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS—
STANDING COMMITTEE—REPORT—NATIONAL GREENHOUSE AND ENERGY
REPORTING BILL 2007**

The Acting Deputy President (Senator Barnett) tabled the following report and documents received on 6 September 2007:

Environment, Communications, Information Technology and the Arts—Standing Committee—National Greenhouse and Energy Reporting Bill 2007 [Provisions]—Report, dated September 2007, Hansard record of proceedings and submissions [36].

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

**23 FINANCE AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—
COMMONWEALTH ELECTORAL AMENDMENT (DEMOCRATIC PLEBISCITES) BILL
2007**

The Acting Deputy President (Senator Barnett) tabled the following report and documents received on 7 September 2007:

Finance and Public Administration—Standing Committee—Commonwealth Electoral Amendment (Democratic Plebiscites) Bill 2007 [Provisions]—Report, dated September 2007, Hansard record of proceedings, documents presented to the committee, additional information and submissions [95].

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

**24 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—
GOVERNMENT RESPONSE—REGULATION OF THE TIMESHARE INDUSTRY**

The Acting Deputy President (Senator Barnett) tabled the following document received on 30 August 2007:

Corporations and Financial Services—Joint Statutory Committee—Report—Timeshare: The price of leisure—Government response.

**25 INTELLIGENCE AND SECURITY—JOINT STATUTORY COMMITTEE—GOVERNMENT
RESPONSE—REVIEW OF ADMINISTRATION AND EXPENDITURE: AUSTRALIAN
INTELLIGENCE ORGANISATIONS**

The Acting Deputy President (Senator Barnett) tabled the following document received on 30 August 2007:

Intelligence and Security—Joint Statutory Committee—Report—Review of administration and expenditure: Australian intelligence organisations—Number 4: Recruitment and training—Government response, dated August 2007.

26 GOVERNMENT DOCUMENTS

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

Department of Immigration and Citizenship—Accessible government services for all—Access and equity report for 2006. [*Received 6 September 2007*]

Gene Technology Regulator—Quarterly report for the period 1 April to 30 June 2007. [*Received 3 September 2007*]

27 UNPROCLAIMED LEGISLATION—ORDER FOR PRODUCTION OF DOCUMENT—DOCUMENT

Pursuant to standing order 139(2), the Acting Deputy President (Senator Barnett) tabled the following document received on 28 August 2007:

Unproclaimed legislation—Document providing details of all provisions of Acts which come into effect on proclamation and which have not been proclaimed, including statements of reasons for their non-proclamation and information relating to the timetable for their operation, as at 31 July 2007, dated August 2007.

28 ECONOMICS—STANDING COMMITTEE—DOCUMENT—PRIVATE EQUITY INVESTMENT IN AUSTRALIA

Senator Joyce, by leave, tabled the following document:

Economics—Standing Committee—Private equity investment in Australia—Revised additional comments by Senator Joyce.

29 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—INDIGENOUS STOLEN WAGES—FEDERAL, STATE AND TERRITORY GOVERNMENTS—RESPONSES—DOCUMENT

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

Legal and Constitutional Affairs—Standing Committee—Indigenous stolen wages—Federal, state and territory governments—Responses—Letter to the President of the Senate from the Premier of Western Australia (Mr Carpenter) responding to the resolution of the Senate of 21 June 2007, dated 28 August 2007.

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

Debate ensued.

Question put and passed.

30 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—THIRD PROGRESS REPORT—REFORMS TO AUSTRALIA'S MILITARY JUSTICE SYSTEM

The Chair of the Foreign Affairs, Defence and Trade Committee (Senator Payne) tabled the following report:

Foreign Affairs, Defence and Trade—Standing Committee—Reforms to Australia's military justice system: Third progress report, dated September 2007.

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

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

Question put and passed.

31 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—ADDITIONAL INFORMATION—SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (WELFARE PAYMENT REFORM) BILL 2007 AND RELATED NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE BILLS

Senator McGauran, at the request of the Chair of the Legal and Constitutional Affairs Committee (Senator Barnett), tabled the following document:

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

32 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 (Goods and Services Tax) Act—Select Legislative Instrument 2007 No. 258—A New Tax System (Goods and Services Tax) Amendment Regulations 2007 (No. 3) [F2007L02640]*.

Antarctic Treaty (Environment Protection) Act—

Antarctic Treaty (Environment Protection — Historic Sites and Monuments) Proclamation 2007 [F2007L02623]*.

Antarctic Treaty (Environment Protection) Proclamation 2007 [F2007L02622]*.

Australian Hearing Services Act—Declared Hearing Services Amendment Determination 2007 (No. 2) [F2007L03512]*.

Australian Meat and Live-stock Industry Act—Australian Meat and Live-stock Industry (Meat Processor Marketing and Research Bodies) Declaration 2007 [F2007L02579]*.

Australian Prudential Regulation Authority Act—Australian Prudential Regulation Authority (Confidentiality) Determination No. 12 of 2007—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 (2005) [F2007L02633]*.

Broadcasting Services Act—Variation to Licence Area Plan for Hobart Radio – No. 1 of 2007 [F2007L02575]*.

Civil Aviation Act—

Civil Aviation Regulations—

Civil Aviation Order 82.6 Amendment Order (No. 1) 2007 [F2007L02608]*.

Civil Aviation Order 100.66 Amendment Order (No. 1) 2007 [F2007L02592]*.

Instruments Nos—

CASA 288/07—Direction – use of night vision devices prohibited in private operations [F2007L02574]*.

CASA EX34/07—Exemption – carriage of passengers on training flight [F2007L02213]*.

CASA EX43/07—Exemption – from take-off minima inside Australian Territory [F2007L03490]*.

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

AD/A320/172 Amdt 2—Main Landing Gear Support Rib 5 [F2007L02686]*.

AD/A320/174 Amdt 1—Air Data/Inertial Reference Unit [F2007L02667]*.

AD/A320/175 Amdt 1—103VU Panel Hinge Pin [F2007L02666]*.

AD/A320/192 Amdt 2—Main Fuel Pump System – Airworthiness Limitations and Modifications [F2007L02665]*.

AD/A330/57 Amdt 2—Engine – Icing Conditions During Descent – Operational Procedure [F2007L02664]*.

AD/A330/77—Flap Down Drive Shaft [F2007L02663]*.

AD/ATR 42/18—Pitot Probe Current Sensors [F2007L02661]*.

AD/ATR 42/19—Fuel Tank Safety Fuel Airworthiness Limitations [F2007L02660]*.

AD/B737/237 Amdt 1—Passenger Cabin Conditioned Air Overhead Ducts [F2007L02685]*.

AD/B737/303 Amdt 1—Fuel Boost Pump Wiring [F2007L02719]*.

AD/B737/307—Main Slat Track Downstop Assembly [F2007L03458]*.

AD/B737/307 Amdt 1—Main Slat Track Downstop Assembly [F2007L03507]*.

AD/B747/261 Amdt 2—Fuselage Station 800 Frame [F2007L02684]*.

AD/B747/360—Fuselage Skin at Stringer 5 between BS 340 and 350 [F2007L02683]*.

AD/B747/361—Flight Station Windows No. 2 and No. 3 [F2007L02682]*.

AD/B747/362—Aft Tension Tie Channels [F2007L02659]*.

AD/BO 105/16—Tension-Torsion Strap [F2007L02681]*.

AD/BO 105/17—Main Rotorhead Parts [F2007L02680]*.

AD/BO 105/18—Tail Rotor Blade End Caps [F2007L02679]*.

AD/BO 105/19—Tail Rotor Blade Grips [F2007L02678]*.

AD/BO 105/20—Rescue Hoist Cable [F2007L02677]*.

AD/BO 105/21—Tension-Torsion Strap – 2 [F2007L02655]*.

AD/BO 105/22—Main Rotor Mast Flange [F2007L02676]*.

AD/BO 105/23—Main Rotor Blade Secondary Bolt Locking [F2007L02675]*.

AD/BO 105/24—Main Rotor Pitch Link Rod Ends [F2007L02674]*.

AD/DA42/3 Amdt 1—Engine Control Unit Back-Up Batteries [F2007L03547]*.

AD/DAUPHIN/85 Amdt 1—CPT 609 Crash Position Transmitter Beacon Antenna [F2007L02613]*.

AD/DHC-1/25 Amdt 2—Wing Flaps [F2007L02668]*.

AD/ECUREUIL/128—Centre Windshield [F2007L02716]*.

AD/EMB-120/29 Amdt 4—Elevator Trim System [F2007L02658]*.

AD/ENST 28/40—Main Rotor Push Pull Rod [F2007L03531]*.
 AD/ERJ-170/1 Amdt 1—Cargo Doors [F2007L02673]*.
 AD/ROBIN/7 Amdt 3—Nose Landing Gear Bracket
 [F2007L02657]*.
 AD/S-92/5—Tail Rotor Pitch Change Bearing Assembly
 [F2007L02722]*.
 AD/S-PUMA/56 Amdt 2—Hoist Plate Front Attachment
 [F2007L02672]*.
 AD/S-PUMA/68 Amdt 1—Jettisonable Window Panel Seal and
 Cabin Trimming [F2007L02671]*.
 AD/S-PUMA/71—Hydraulic Power System [F2007L02720]*.
 AD/TAYLORCRAFT/1—Wing Struts [F2007L02590]*.

106—

AD/ARRIEL/17 Amdt 3—Engine – Gas Generator Second Stage
 Turbine [F2007L03508]*.
 AD/ARRIEL/25 Amdt 1—Fuel Filter Drain Screw [F2007L02662]*.
 AD/CFM56/27—Low Pressure Turbine Rear Frame Life – 5 Series
 Engines [F2007L03509]*.
 AD/CON/88—Kelly Aerospace Turbochargers [F2007L02723]*.

107—

AD/PR/37—Propeller Blades – Metallic Leading Edge Guard
 [F2007L02591]*.
 AD/RAD/84—Honeywell RCZ-83() and RCZ-85()
 Communications Units [F2007L02656]*.

Instruments Nos—

CASA 316/07—Direction – Cessna 441 Conquest [F2007L02695]*.
 CASA EX39/07—Exemption – ARFFS AFC Diploma
 [F2007L02419]*.

Class Rulings CR 2007/77-CR 2007/82.

Classification (Publications, Films and Computer Games) Act—Select Legislative
 Instrument 2007 No. 244—Classification (Publications, Films and Computer
 Games) Amendment Regulations 2007 (No. 2) [F2007L02587]*.

Commonwealth Electoral Act and Referendum (Machinery Provisions) Act—
 Select Legislative Instrument 2007 No. 251—Electoral and Referendum
 Amendment Regulations 2007 (No. 2) [F2007L02598]*.

Corporations Act—

ASIC Class Orders—

[CO 07/183] [F2007L03538]*.

[CO 07/568] [F2007L02701]*.

Select Legislative Instrument 2007 No. 259—Corporations Amendment
 Regulations 2007 (No. 10) [F2007L02637]*.

Customs Act—

Select Legislative Instruments 2007 Nos—

245—Customs (Prohibited Imports) Amendment Regulations 2007 (No. 3)
 [F2007L02576]*.

246—Customs (Prohibited Imports) Amendment Regulations 2007 (No. 4)
 [F2007L02612]*.

Tariff Concession Orders—

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0707219 [F2007L02596]*.
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0707304 [F2007L03461]*.
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131/2007 [F2007L02607]*.
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133/2007 [F2007L02610]*.
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Future Fund Act—Future Fund (Crediting of Additional Amounts) Determination 2007 (No. 3) [F2007L02698]*.

Goods and Services Tax Determinations—Addenda—

GSTD 2000/9 and GSTD 2000/10.

GSTD 2004/3.

Goods and Services Tax Rulings—Addenda—

GSTR 2000/10, GSTR 2000/11, GSTR 2000/17, GSTR 2000/28, GSTR 2000/31, GSTR 2000/33 and GSTR 2000/37.

GSTR 2002/2 and GSTR 2002/6.

GSTR 2003/13.

GSTR 2004/6.

GSTR 2006/4 and GSTR 2006/10.

Health Insurance Act—Select Legislative Instruments 2007 Nos—

253—Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2007 (No. 6) [F2007L02392]*.

254—Health Insurance (General Medical Services Table) Amendment Regulations 2007 (No. 6) [F2007L02254]*.

Higher Education Support Act—

Commonwealth Grant Scheme Guidelines—Amendment No. 1 [F2007L03523]*.

FEE-HELP Guidelines [F2007L02710]*.

Immigration (Education) Act—

Instrument IMMI 07/061—English Courses and Citizenship Courses held for Holders of Certain Temporary Visas [F2007L02653]*.

Select Legislative Instrument 2007 No. 256—Immigration (Education) Amendment Regulations 2007 (No. 2) [F2007L02645]*.

Industry Research and Development Act—Commercial Ready Program Directions No. 1 of 2007 [F2007L03544]*.

Judges' Pensions Act—Judges' Pensions (Interest on Contributions — Method) Determination 2007.

Legislative Instruments Act—Select Legislative Instrument 2007 No. 249—Legislative Instruments Amendment Regulations 2007 (No. 2) [F2007L02582]*.

Migration Act—

Instrument IMMI 07/030—Eligible Passports [F2007L02702]*.

Migration Agents Regulations—MARA Notices—

MN 35-07b of 2007—Migration Agents (Continuing Professional Development – Private Study of Audio, Video or Written Material) [F2007L02704]*.

MN 35-07c of 2007—Migration Agents (Continuing Professional Development – Attendance at a Seminar, Workshop, Conference or Lecture) [F2007L02705]*.

MN 35-07f of 2007—Migration Agents (Continuing Professional Development – Miscellaneous Activities) [F2007L02706]*.

Migration Regulations—Instruments—

IMMI 07/047—Arrangements for Work and Holiday Visa Applicants from Thailand, Iran, Chile and Turkey [F2007L02650]*.

IMMI 07/054—States and Territories with English Language Training Arrangements [F2007L02670]*.

IMMI 07/055—English Language Tests and Level of English Ability for General Skilled Migration [F2007L02688]*.

IMMI 07/056—Pass Marks and Pool Marks in relation to Applications for GSM Skilled Visas (Classes VE, VC, VF and VB) [F2007L02689]*.

IMMI 07/057—Post Office Box and Courier Addresses [F2007L02691]*.

IMMI 07/058—Skilled Occupations, Relevant Assessing Authorities and Points for General Skilled Migration [F2007L02690]*.

IMMI 07/060—Designated Areas [F2007L02654]*.

IMMI 07/062—Institutions and Disciplines [F2007L02652]*.

IMMI 07/065—Designated Securities [F2007L02651]*.

Migration (United Nations Security Council Resolutions) Regulations—Instrument IMMI 07/064—Specification of United Nations Security Council Resolutions [F2007L03520]*.

Select Legislative Instrument 2007 No. 257—Migration Amendment Regulations 2007 (No. 7) [F2007L02644]*.

Miscellaneous Taxation Ruling—Addendum—MT 2024.

Motor Vehicle Standards Act—

Vehicle Standard (Australian Design Rule 13/00 – Installation of Lighting and Light Signalling Devices on other than L-Group Vehicles) 2005 Amendment 1 [F2007L02588]*.

Vehicle Standard (Australian Design Rule 13/00 – Installation of Lighting and Light Signalling Devices on other than L-Group Vehicles) 2005 Amendment 2 [F2007L02589]*.

Vehicle Standard (Australian Design Rule 33/00 – Brake Systems for Motorcycles and Mopeds) 2007 [F2007L02707]*.

Mutual Recognition Act—Declaration under section 32—Motor Vehicle Repairers [F2007L02692]*.

National Health Act—

Determination No. PB 42 of 2007—National Health (Pharmaceutical Benefits) (Conditions of approval for approved pharmacists) Determination 2007 [F2007L02703]*.

Instruments Nos—

PB 61 of 2007—Amendment declaration – drugs and medicinal preparations [F2007L02626]*.

PB 62 of 2007—Amendment determination – pharmaceutical benefits [F2007L02628]*.

PB 63 of 2007—Amendment determination – responsible persons [F2007L02631]*.

PB 64 of 2007—Amendment – price determinations and special patient contributions [F2007L02634]*.

PB 65 of 2007—Amendment Special Arrangements – Chemotherapy Pharmaceuticals Access Program [F2007L02635]*.

PB 66 of 2007—Determination – drugs on F1 [F2007L02636]*.

PB 67 of 2007—Amendment determination – exempt items [F2007L02638]*.

Native Title Act—Select Legislative Instrument 2007 No. 250—Native Title (Federal Court) Amendment Regulations 2007 (No. 1) [F2007L02586]*.

Northern Territory National Emergency Response Act—Additional Terms and Conditions for Leases Determination 2007 [F2007L02669]*.

Primary Industries and Energy Research and Development Act—Select Legislative Instrument 2007 No. 243—Forest and Wood Products Research and Development Corporation (Repeal) Regulations 2007 [F2007L02632]*.

Private Health Insurance Act—

Private Health Insurance (Complying Product) Rules 2007 (No. 2) [F2007L03540]*.

Private Health Insurance (Health Benefits Fund Policy) Rules 2007 (No. 2) [F2007L03539]*.

Product Rulings—

Notices of Withdrawal—

PR 2006/2 and PR 2006/117.

PR 2007/28.

PR 2007/75.

Radiocommunications Act—

Radiocommunications Devices (Compliance Labelling) Amendment Notice 2007 (No. 1) [F2007L03473]*.

Radiocommunications (Digital Cordless Communications Devices — DECT Devices) Standard 2007 [F2007L03471]*.

Radiocommunications (Digital Cordless Communications Devices — PHS Devices) Standard 2007 [F2007L03472]*.

Remuneration Tribunal Act—Determinations—

2007/14: Remuneration and Allowances for Holders of Public Office [F2007L03493]*.

2007/15: Members of Parliament – Travelling Allowance [F2007L03501]*.

2007/16: Official Travel by Office Holders [F2007L03506]*.

Research Involving Human Embryos Act—Select Legislative Instrument 2007 No. 255—Research Involving Human Embryos Amendment Regulations 2007 (No. 1) [F2007L02261]*.

Superannuation Act 1990—Twenty-Ninth Amending Deed to the Public Sector Superannuation Scheme Trust Deed [F2007L03519]*.

Sydney Airport Curfew Act—Dispensation Report 09/07 [2 dispensations].

Taxation Administration Act—

Variation to the rate of withholding for certain foreign resident staff that provide support to those engaged in entertainment activities [F2007L03532]*.

Variation to the rate of withholding for certain superannuation income stream beneficiaries who turn 60 during the financial year – No. 2 [F2007L02643]*.

Taxation Determinations—

Addendum—TD 97/23.

Notice of Withdrawal—TD 95/32.

TD 2007/25 and TD 2007/26.

Taxation Rulings—Notices of Withdrawal—

Old series—IT 2360 and IT 2497.

TR 93/26.

Telecommunications Act—

Telecommunications (Approving Bodies) Determination 2007 [F2007L02578]*.

Telecommunications Labelling (Customer Equipment and Customer Cabling) Amendment Notice 2007 (No. 1) [F2007L03465]*.

Telecommunications (Interception and Access) Act—

Telecommunications (Interception and Access) (Staff Members of Northern Territory Police) Declaration 2007 [F2007L03550]*.

Telecommunications (Interception and Access) (Staff Members of NSW Police Force) Declaration 2007 [F2007L03549]*.

Trade Practices Act—

Consumer Protection Notice No. 12 of 2007—Consumer Product Safety Standard: Child Restraint Systems for use in Motor Vehicles [F2007L03548]*.

Declaration No. 91 [F2007L03489]*.

Select Legislative Instrument 2007 No. 260—Trade Practices (Consumer Product Safety Standard) (Bicycle Helmets) Amendment Regulations 2007 (No. 1) [F2007L02621]*.

*Governor-General's Proclamations—Commencement of Provisions of Acts**Corporations Legislation Amendment (Simpler Regulatory System) Act 2007—*Items 198 to 215, 221 and 222 of Part 3 of Schedule 1—1 September 2007 [F2007L02629]*.*Corporations (NZ Closer Economic Relations) and Other Legislation Amendment Act 2007—*Schedule 2—1 September 2007 [F2007L02627]*.*Forestry Marketing and Research and Development Services (Transitional and Consequential Provisions) Act 2007—*Schedule 2—3 September 2007 [F2007L02639]*.

* Explanatory statement tabled with legislative instrument.

33 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 2007—Statements of compliance—

Agriculture, Fisheries and Forestry portfolio agencies.

Commonwealth Ombudsman.

Families, Community Services and Indigenous Affairs portfolio agencies.

Finance and Administration portfolio agencies.

Treasury portfolio agencies.

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

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

Departmental and agency contracts for—

2006—Letter of advice—Treasury portfolio agencies.

2006 and 2006-07—Letter of advice—Immigration and Citizenship portfolio agencies.

2006-07—Letters of advice—

Australian Institute of Family Studies.

Communications, Information Technology and the Arts portfolio agencies.

Education, Science and Training portfolio agencies.

Environment and Water Resources portfolio agencies.

Families, Community Services and Indigenous Affairs portfolio agencies.

Foreign Affairs and Trade portfolio agencies.

Human Services portfolio agencies.

Industry, Tourism and Resources portfolio agencies.

Prime Minister and Cabinet portfolio agencies.

Transport and Regional Services portfolio agencies.

Treasury portfolio agencies.

35 COMMITTEES—CHANGES IN MEMBERSHIP

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

The Minister for the Arts and Sport (Senator Brandis), by leave, moved—That senators be discharged from and appointed to committees as follows:

Environment, Communications, Information Technology and the Arts—Standing Committee—

Discharged—Senator Kemp

Appointed—Senator Fisher

Finance and Public Administration—Standing Committee—

Discharged—Senator Cormann

Appointed—Senator Bushby

Privileges—Standing Committee—

Discharged—Senator Kemp

Appointed—Senator Watson.

Question put and passed.

36 FEDERAL MAGISTRATES AMENDMENT (DISABILITY AND DEATH BENEFITS) BILL 2007

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

Message no. 617, dated 13 August 2007—A Bill for an Act to amend the *Federal Magistrates Act 1999*, and for related purposes.

The Minister for the Arts and Sport (Senator Brandis) 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 Brandis moved—That this bill be now read a second time.

Explanatory memorandum: Senator Brandis tabled a revised explanatory memorandum relating to the bill.

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

37 GOVERNOR-GENERAL'S MESSAGES—ASSENT TO LAWS

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

17 August 2007—Message No. 92—

Appropriation (Northern Territory National Emergency Response) Act (No. 1) 2007-2008 (Act No. 126, 2007)

Appropriation (Northern Territory National Emergency Response) Act (No. 2) 2007-2008 (Act No. 127, 2007)

Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Northern Territory National Emergency Response and Other Measures) Act 2007 (Act No. 128, 2007)

Northern Territory National Emergency Response Act 2007 (Act No. 129, 2007)

Social Security and Other Legislation Amendment (Welfare Payment Reform) Act 2007 (Act No. 130, 2007).

20 August 2007—Message—

No. 93—*Aviation Legislation Amendment (2007 Measures No. 1) Act 2007 (Act No. 131, 2007).*

No. 94—

Corporations Amendment (Insolvency) Act 2007 (Act No. 132, 2007)

Customs Tariff Amendment Act (No. 1) 2007 (Act No. 133, 2007)

Industrial Chemicals (Notification and Assessment) Amendment (Cosmetics) Act 2007 (Act No. 134, 2007)

National Health Amendment (National HPV Vaccination Program Register) Act 2007 (Act No. 135, 2007).

3 September 2007—Message—

No. 95—*International Tax Agreements Amendment Act (No. 1) 2007 (Act No. 136, 2007).*

No. 96—

Water Act 2007 (Act No. 137, 2007)

Water (Consequential Amendments) Act 2007 (Act No. 138, 2007)

APEC Public Holiday Act 2007 (Act No. 139, 2007).

**38 FOREIGN AFFAIRS, DEFENCE AND TRADE—STANDING COMMITTEE—REPORT—
DEFENCE LEGISLATION AMENDMENT BILL 2007**

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

Foreign Affairs, Defence and Trade—Standing Committee—Defence Legislation Amendment Bill 2007 [Provisions]—Report, dated September 2007, Hansard record of proceedings, additional information and submissions [8].

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

**39 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING
COMMITTEE—REPORT—INDIGENOUS EDUCATION (TARGETED ASSISTANCE)
AMENDMENT (CAPE YORK MEASURES) BILL 2007**

Pursuant to order, Senator McGauran, at the request of the Chair of the Employment, Workplace Relations and Education Committee (Senator Troeth), tabled the following report and documents:

Employment, Workplace Relations and Education—Standing Committee—Indigenous Education (Targeted Assistance) Amendment (Cape York Measures) Bill 2007 [Provisions]—Report, dated September 2007 and submissions [2].

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

**40 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION—STANDING
COMMITTEE—REPORT—HIGHER EDUCATION ENDOWMENT FUND BILL 2007 AND
A RELATED BILL**

Pursuant to order, Senator McGauran, at the request of the Chair of the Employment, Workplace Relations and Education Committee (Senator Troeth), tabled the following report and documents:

Employment, Workplace Relations and Education—Standing Committee—Higher Education Endowment Fund Bill 2007 [Provisions] and Higher Education Endowment Fund (Consequential Amendments) Bill 2007 [Provisions]—Report, dated September 2007, Hansard record of proceedings and submissions [11].

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

41 AUSTRALIAN CITIZENSHIP AMENDMENT (CITIZENSHIP TESTING) BILL 2007

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

In the committee

Consideration resumed of the bill, as amended—and of the amendment moved by Senator Bartlett (see entry no. 3).

Debate ensued.

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

Senator Ludwig moved the following amendment:

Schedule 1, item 5, page 5 (after line 17), at the end of section 23A, add:

- (8) The Minister must cause an independent and comprehensive review of the operation of the citizen testing regime to be completed by August 2010 to:
 - (a) gauge its impact on citizenship application and conferral rates in all applicant categories; and
 - (b) specifically examine the citizenship test regime's impact on citizenship application and conferral rates on persons seeking to enter Australia and become Australian citizens through refugee and humanitarian provisions.
- (9) The person or organisation undertaking the review must give the Minister a written report of the review.
- (10) The Minister must cause a copy of the report to be presented in both Houses of the Parliament within 15 sitting days of receiving the report.

Debate ensued.

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

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

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

Senator Ellison moved—That this bill be now read a third time.

Debate ensued.

Question put and passed.

Bill read a third time.

42 TELECOMMUNICATIONS LEGISLATION AMENDMENT (PROTECTING SERVICES FOR RURAL AND REGIONAL AUSTRALIA INTO THE FUTURE) BILL 2007

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Health and Ageing (Senator Mason)—That this bill be now read a second time.

Debate resumed.

Senator Conroy moved the following amendment:

At the end of the motion, add “but the Senate condemns the Government for failing to invest the \$2 billion Communications Fund in a national fibre to the node broadband network to ensure:

- (a) parity of service and metro comparable pricing for all Australians serviced by the fibre to the node network;
- (b) the state of broadband services in Australia is turned around, after the past 11 years of neglect under the Howard Government;

- (c) that Australians have access to the best available telecommunication technologies;
- (d) that Australians in rural and regional areas have improved telecommunication services, including access to e-health and e-education, which are only possible over a fibre to the node network – the interest earned on the Communications Fund (up to \$400 million every 3 years) is not enough to ensure this;
- (e) that 98 per cent of Australians, including those in rural and regional areas, have access to future proof telecommunications technology; and
- (f) that the 2 per cent of people that the new fibre to node network will not reach have a standard of service, depending on the available technology, that is as close as possible to that provided by the new network”.

Debate ensued.

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

Main 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, debated and agreed to.

Bill to be reported without amendment.

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

On the motion of the Minister for Communications, Information Technology and the Arts (Senator Coonan) the report from the committee was adopted.

Senator Coonan moved—That this bill be now read a third time.

Debate ensued.

At 9.50 pm: Debate was interrupted while Senator Conroy was speaking.

43 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 10.30 pm till Tuesday, 11 September 2007 at 2.30 pm.

44 ATTENDANCE

Present, all senators except Senator Chapman.

HARRY EVANS
Clerk of the Senate