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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 **GOVERNMENT DOCUMENT**

The following document was tabled:

Department of Finance and Deregulation—Office of Evaluation and Audit (Indigenous Programs)—Audit of the Northern Land Council—Governance component report on recommendations, May 2009.

3 **QUESTION TIME—UNPARLIAMENTARY LANGUAGE—RULES FOR QUESTIONS—STATEMENT BY PRESIDENT**

The President made a statement relating to unparliamentary language and remarks made by Senator Macdonald during question time on 23 June 2009, and to the rules for questions concerning a supplementary question asked by Senator Carol Brown.

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

4 **NOTICE OF MOTION WITHDRAWN**

The Special Minister of State (Senator Ludwig) withdrew government business notice of motion no. 1 standing in his name for today, relating to the consideration of legislation.

5 **TAX LAWS AMENDMENT (2009 BUDGET MEASURES NO. 1) 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.

Senator Xenophon moved the following amendment:

Omit all words after "That", substitute "this bill be withdrawn and redrafted in a form that does not protect politicians from the taxation implications of the superannuation changes the Government is imposing on the broader community".

Declaration of interest: Senator Xenophon declared an interest in relation to the bill.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 2

Senators—

Fielding Xenophon (Teller)

NOES, 43

Senators—

Adams (Teller)	Colbeck	Furner	Parry
Back	Conroy	Hanson-Young	Pratt
Bernardi	Coonan	Hurley	Ryan
Birmingham	Cormann	Hutchins	Sherry
Bishop	Crossin	Ludlam	Siewert
Boyce	Farrell	Macdonald	Sterle
Brown, Bob	Feeney	Marshall	Troeth
Brown, Carol	Ferguson	McEwen	Trood
Bushby	Fifield	Milne	Williams
Cameron	Fisher	Moore	Wortley
Cash	Forshaw	Nash	

Question 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.

The Leader of the Family First Party (Senator Fielding) moved the following amendment:

Schedule 1, page 4 (after line 3), at the end of Schedule 1, add:

3 Application of PAYG withholding tax rules

Division 12 of Schedule 1 of the *Taxation Administration Act 1953* does not apply in relation to the foreign earnings of a person that would be exempt from tax but for the amendment made by this Schedule, so that the person's employer is not required to withhold any amount of those earnings under that Division.

Debate ensued.

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

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of the Assistant Treasurer (Senator Sherry) the report from the committee was adopted and the bill read a third time.

6 **HEALTH WORKFORCE AUSTRALIA BILL 2009**

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

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

Page 5 (after line 27), after clause 5, insert:

5A Functions do not include accreditation

(1) The functions of Health Workforce Australia do not include responsibility for accreditation of clinical education and training (for example, accreditation of individual health professional courses).

(2) The regulations must not confer on Health Workforce Australia responsibility for accreditation of clinical education and training.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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

On the motion of the Assistant Treasurer (Senator Sherry) the report from the committee was adopted and the bill read a third time.

7 **ORDER OF BUSINESS—REARRANGEMENT**

The Assistant Treasurer (Senator Sherry) moved—That government business order of the day no. 3 (Car Dealership Financing Guarantee Appropriation Bill 2009) be postponed till the next day of sitting.

Question put and passed.

8 **RURAL ADJUSTMENT AMENDMENT BILL 2009**

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

Message no. 368, dated 23 June 2009—A Bill for an Act to amend the *Rural Adjustment Act 1992*, and for related purposes.

The Assistant Treasurer (Senator Sherry) 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 Sherry moved—That this bill be now read a second time.

Debate ensued.

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 Senator Sherry the bill was read a third time.

9 **COMMUNITY AFFAIRS LEGISLATION COMMITTEE—REPORT—SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (PENSION REFORM AND OTHER 2009 BUDGET MEASURES) BILL 2009**

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

Community Affairs Legislation Committee—Social Security and Other Legislation Amendment (Pension Reform and Other 2009 Budget Measures) Bill 2009 [Provisions]—Report, dated June 2009, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

10 **SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (PENSION REFORM AND OTHER 2009 BUDGET MEASURES) BILL 2009**

Order of the day read for the adjourned debate on the motion of the Minister for Innovation, Industry, Science and Research (Senator Carr)—That this bill be now read a second time.

Debate resumed.

Senator Siewert moved the following amendment:

At the end of the motion, add "but the Senate considers that:

(a) the pension rate increases in this bill should be extended to the parenting payment single rate and to all recipients of the disability support pension including those who are under age 21 without children, who have been excluded from the rate increase; and

(b) the rate of Newstart Allowance should be increased to equal the pension rate".

Debate ensued.

At 12.45 pm: Debate was interrupted while Senator Boyce was speaking.

11 **MATTERS OF PUBLIC INTEREST**

Matters of public interest were discussed.

At 2 pm—

12 **QUESTIONS**

Questions without notice were answered.

13 **UNPARLIAMENTARY LANGUAGE—STATEMENT BY PRESIDENT**

The President made a statement relating to unparliamentary language and a matter raised by Senator Macdonald earlier today.

14 **INDUSTRY—PULP AND PAPER MANUFACTURING INDUSTRY—STATEMENT BY LEAVE**

The Leader of the Australian Greens (Senator Bob Brown), by leave, made a statement relating to a question without notice asked by Senator Bob Brown on 22 June 2009 concerning the pulp and paper manufacturing industry.

15 **MOTION TO TAKE NOTE OF ANSWER**

Senator Abetz moved—That the Senate take note of the answer given by the Minister for Employment Participation (Senator Arbib) to a question without notice asked by Senator Fisher today relating to the Australian Building and Construction Commission.

Debate ensued.

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

> Australian Building and Construction Commission—Building and Construction Industry Improvement Act—Ministerial directions in relation to coercive powers, dated 17 June 2009 [F2009L02483].

Debate continued.

Question put and passed.

16 **PETITION**

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

> From 14 008 petitioners, requesting that the Senate take action to implement a nationalised, simple and uniform renewable energy gross feed-in-tariff of $0.80 per kWh as soon as possible.

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

17 **NOTICES**

Senator Xenophon: To move on the next day of sitting—That, on Thursday, 13 August 2009:

(a) the hours of meeting shall be 9.30 am to 6.30 pm and 7 pm to adjournment;

(b) the routine of business from 12.45 pm till not later than 2 pm, and from 3.45 pm shall be government business only;

(c) consideration of general business and consideration of committee reports, government responses and Auditor-General's reports under standing order 62(1) and (2) shall not be proceeded with;

(d) divisions may take place after 4.30 pm; and

(e) the question for the adjournment of the Senate shall be proposed after the Senate has finally considered the Carbon Pollution Reduction Scheme Bill 2009 and related bills. (*general business notice of motion no. 487*)

Senator Xenophon: To move on 11 August 2009—That the following bill be introduced: A Bill for an Act to provide for accurate labelling of food, and for related purposes. ***Food Standards Amendment (Truth in Labelling Laws) Bill 2009***. (*general business notice of motion no. 488*)

The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That standing order 18 establishing the Committee of Privileges be amended by omitting paragraph (3), and substituting:

(3) The committee shall consist of 7 senators, 3 nominated by the Leader of the Government in the Senate, 3 nominated by the Leader of the Opposition in the Senate and 1 nominated by other parties and independent senators. (*general business notice of motion no. 489*)

The Minister for Immigration and Citizenship (Senator Evans): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Australian Citizenship Act 2007*, and for related purposes. ***Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009***.

The Minister for Immigration and Citizenship (Senator Evans): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Migration Act 1958*, and for related purposes. ***Migration Amendment (Immigration Detention Reform) Bill 2009***.

The Minister for Broadband, Communications and the Digital Economy (Senator Conroy): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend legislation relating to telecommunications, and for related purposes. ***Telecommunications Legislation Amendment (National Broadband Network Measures No. 1) Bill 2009***.

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

(a) that 21 July 2009 is the 40th anniversary of the first successful moonwalk, as part of the Apollo 11 mission;

(b) the critical role played by Australian scientists and the Parkes Observatory in supporting this mission; and

(c) in particular, the fact that the majority of the broadcast of the first moonwalk was beamed around the globe to more than 600 million people courtesy of the pictures provided by the Parkes Observatory and its staff. (*general business notice of motion no. 490*)

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

(a) notes:

(i) with concern, that the Government has refused, without good reason, as indicated by the Senate's resolution of 17 June 2009, to provide to the Select Committee on Fuel and Energy information essential to the proper consideration of the Carbon Pollution Reduction Scheme (CPRS) legislation, and

(ii) that the Government has refused to provide information in response to successive orders of the Senate concerning modelling done for the Government's CPRS, without raising a valid claim of public interest immunity, thus preventing the Senate from making a properly informed judgement about the impact of the proposed CPRS on the economy, jobs and regional Australia; and

(b) concludes that the Treasurer (Mr Swan) has been contemptuous of the Senate and of proper parliamentary processes. (*general business notice of motion no. 491*)

Senators Hanson-Young and Xenophon: To move on the next day of sitting—That the Senate—

(a) condemns the recent violent attacks on Indian students in Australia; and

(b) calls on the Government to continue working with the Indian High Commission, to ensure the safety and welfare of Indian students while studying in Australia. (*general business notice of motion no. 492*)

Senator Abetz: To move on the next day of sitting—That the Directions in Relation to Coercive Powers, made on 17 June 2009 under section 11 of the *Building and Construction Industry Improvement Act 2005*, be disallowed.

Senators Mason and Williams: To move on the next day of sitting—

(1) That the Senate requests the Auditor-General to undertake an urgent investigation of waste and mismanagement of the Building the Education Revolution (BER) program, with regard to:

(a) whether value for money is being achieved in both the program's job creation and education aspirations, particularly as demonstrated by examples of:

(i) schools being prevented from using local builders, in favour of government-preferred contractors who are charging significantly more for comparable projects,

(ii) tenderers being offered the opportunity to bid for projects outside of their local area, but prevented from bidding for projects in their local area,

(iii) construction costs incurred under the tender program being substantially higher than current construction industry rates,

(iv) significant consultancy fees being levied by project managers over and above the 1.5 per cent limit that state and territory departments may take for administration costs,

(v) schools receiving funds for maintenance and infrastructure in 2009 when the school will cease to exist in 2010,

(vi) schools being forced by state education departments to accept pre-fabricated demountable halls that do not meet the needs of the local school community, and

(vii) schools being forced to duplicate existing facilities rather than provide new infrastructure that the school community needs;

(b) whether the Commonwealth Government is exercising sufficient supervision over state and territory governments and block grant authorities in the administration and implementation of the BER in order to prevent mismanagement and minimise waste;

(c) whether the Commonwealth's guidelines for the program are appropriate where:

(i) certain categories of school (for example, distance education schools and secondary campuses of multi-campus schools) are ineligible for funding irrespective of their comparative level of need or ability to deliver projects,

(ii) schools wishing to spend School Pride maintenance funds on energy-efficient air-conditioning or heating are explicitly prevented from doing so, and

(iii) principals and governing council members feel they are prevented from raising concerns about BER projects for fear of losing funding for their school; and

(d) any other examples of waste and mismanagement by either Commonwealth, state or territory governments in relation to this program that the Auditor-General deems relevant.

(2) That the Auditor-General is requested to respond in a timely manner in order for the public to be fully informed of the program in advance of further parliamentary scrutiny of the issue. (*general business notice of motion no. 493*)

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

(a) the cruel slaughter of Namibian cape fur seals is due to commence on 1 July 2009, with a quota of 91 000 seals set to be killed;

(b) the market for Namibian cape fur seal skins has collapsed over recent years due to lack of demand and import bans in the European Union, the United States, Mexico and South Africa because of the cruelty involved in the sealing methods; and

(c) the continued involvement of Australian-based fur and skins company, Hatem Yavuz, as the last remaining buyer of the skins. (*general business notice of motion no. 494*)

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

Coordinator-General for Remote Indigenous Services Bill 2009
Migration Amendment (Abolishing Detention Debt) Bill 2009
National Greenhouse and Energy Reporting Amendment Bill 2009
Private Health Insurance Legislation Amendment Bill 2009.

Documents: Senator Ludwig tabled the following documents:

Consideration of legislation—Statements of reasons [4] for introduction and passage of the bills in the 2009 winter sittings.

Senator Milne: To move on the next day of sitting—That there be laid on the table by 4 pm on 11 August 2009:

(a) any documents or advice prepared by or for the Department of Foreign Affairs and Trade (DFAT) or the Department of Agriculture, Fisheries and Forestry (DAFF) since the Government came to power, relating to legal and policy issues surrounding illegal timber imports and options for addressing such imports;

(b) all material provided to the Centre for International Economics relating to the development of the Regulatory Impact Statement for illegal timber legislation options; and

(c) any correspondence from or to DAFF or DFAT, relating to illegal timber imports since the Government came to power, including but not limited to correspondence from other departments. (*general business notice of motion no. 495*)

Senators Macdonald and Boswell: To move on the next day of sitting—That the Senate calls on the Government to fix by Proclamation, a day, not later than 31 July 2009, on which the provisions inserted into the *Great Barrier Reef Marine Park Act 1975* which treat as spent, certain convictions relating to offences against former section 38C of that Act which were passed through the Senate on 11 November 2008 and adopted unanimously by the House of Representatives on 12 November 2008, commence. (*general business notice of motion no. 496*)

Senator Milne: To move on the next day of sitting—That the Senate calls on the Government to implement its policy to insert a greenhouse trigger into the *Environment Protection and Biodiversity Conservation Act 1999*. (*general business notice of motion no. 497*)

18 **POSTPONEMENTS**

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Xenophon for today, proposing a reference to the Standing Committee of Senators' Interests, postponed till 25 June 2009.

Business of the Senate notice of motion no. 2 standing in the name of Senator Colbeck for today, proposing the disallowance of the Export Control (Fees) Amendment Orders 2009, postponed till 25 June 2009.

General business notice of motion no. 465 standing in the name of the Leader of the Family First Party (Senator Fielding) for today, proposing the introduction of the Banking Amendment (Keeping Banks Accountable) Bill 2009, postponed till 25 June 2009.

General business notice of motion no. 479 standing in the name of Senator Xenophon for today, relating to the consideration of legislation and the hours of meeting and routine of business for 13 August 2009, postponed till 25 June 2009.

General business notice of motion no. 480 standing in the name of Senator Xenophon for today, proposing an order for the production of documents by the Productivity Commission, postponed till 25 June 2009.

19 **PRIVILEGES—STANDING COMMITTEE—REFERENCE**

Senator Heffernan, pursuant to notice of motion not objected to as a formal motion, moved matter of privilege notice of motion no. 1—That the following matter be referred to the Committee of Privileges:

Whether any adverse action was taken against Mr Godwin Grech in consequence of his evidence before the Economics Legislation Committee on 19 June 2009, and, if so, whether any contempt of the Senate was committed in that regard.

Question put and passed.

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

Privileges—Standing Committee—Reference—Letters from Senator Heffernan to the President, dated 22 June 2009 [2].

20 **FOREIGN AFFAIRS—SUDAN**

The Leader of the Australian Greens (Senator Bob Brown) amended general business notice of motion no. 478 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) acknowledges the Sudanese Government's decision to allow aid agencies to return to Darfur and encourages it to facilitate the resumption of the agencies' operations;

(b) encourages the United Nations, the African Union, the Arab League and other countries to urge Sudanese authorities to permit more patrols to ensure the safety of humanitarian operational areas; and

(c) calls on the Australian Government to prioritise humanitarian funding to Sudan.

Question put and passed.

21 **EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT**

The Chair of the Education, Employment and Workplace Relations Legislation Committee (Senator Marshall), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 477—That the time for the presentation of the report of the Education, Employment and Workplace Relations Legislation Committee on the provisions of the Higher Education Support Amendment (2009 Budget Measures) Bill 2009 be extended to 5 August 2009.

Question put and passed.

22 **FINANCE AND PUBLIC ADMINISTRATION REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT**

The Chair of the Finance and Public Administration References Committee (Senator Bernardi), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 476—That the time for the presentation of the report of the Finance and Public Administration References Committee on the relationship between the Central Land Council and Centrecorp Aboriginal Investment Corporation Pty Ltd be extended to 30 October 2009.

Question put and passed.

23 **ECONOMICS—GREENHOUSE GAS EMISSION CUTS**

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 483—That the Senate calls on the Government to task the Department of the Treasury with modelling the cost of achieving greenhouse gas emission cuts of 40 per cent below 1990 levels by 2020 and to present the information to the Senate by 11 August 2009.

Statement by leave: The Special Minister of State (Senator Ludwig), by leave, made a statement relating to the motion.

Question put and passed.

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

24 **PARTHENON MARBLES**

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. 484—That the Senate calls on the Australian Government to make representations to the British Government to undertake the permanent return of the so-called 'Elgin Marbles' to the Greek Government and the people of Greece recognising that the marbles were part of the Parthenon at the Acropolis in Athens and should be returned to their historical home.

Senator Xenophon, by leave, moved the following amendment:

Omit the words "so-called 'Elgin Marbles'", substitute "Parthenon Marbles".

Statement by leave: Senator Bob Brown, by leave, made a statement relating to the matter.

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

Main question, as amended, put and passed.

25 **COMMUNICATIONS—DIGITAL BROADCASTING—COMMUNITY TELEVISION**

Senator Ludlam, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 486—That the Senate—

(a) notes that:

(i) it has been 2 years since the Minister for Broadband, Communications and the Digital Economy (Senator Conroy) attended Channel 31's Antenna Awards and announced that 'Community Television would not be left behind' in Australia's transition to digital television, and

(ii) despite the Minister's assurances, there was no funding to facilitate community television's transition to digital broadcasting in the 2009-10 Budget; and

(b) calls on the Australian Government to:

(i) immediately allocate available digital spectrum to the current community television license holders, and

(ii) provide funding to facilitate community television's transition to digital broadcasting and inform the Senate of a timeline to achieve this.

Question put and passed.

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

26 **TRADE PRACTICES AMENDMENT (GUARANTEED LOWEST PRICES—BLACKTOWN AMENDMENT) BILL 2009**

The Leader of The Nationals in the Senate (Senator Joyce), also on behalf of Senator Xenophon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 481—That the following bill be introduced:

A Bill for an Act to amend the *Trade Practices Act 1974* to reduce predatory pricing by requiring corporations to offer and supply products at consistent prices across adjacent markets, and for related purposes.

Question put and passed.

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

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

27 **MARRIAGE EQUALITY AMENDMENT BILL 2009**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 485—That the following bill be introduced:

A Bill for an Act to amend the *Marriage Act 1961* to create the opportunity for marriage equality for people regardless of their sex, sexuality or gender identity, and for related purposes.

Question put and passed.

Senator Hanson-Young 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 Hanson-Young moved—That this bill be now read a second time.

Explanatory memorandum: Senator Hanson-Young, by leave, tabled an explanatory memorandum relating to the bill.

Debate adjourned till the next day of sitting, Senator Hanson-Young in continuation.

Document: Senator Hanson-Young, by leave, tabled the following document:

> Law and justice—Sexuality discrimination—Petitioning document from over 30 000 signatories relating to same-sex marriage, adoption rights, and access to in-vitro fertilisation programs.

28 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ECONOMICS—RUDD GOVERNMENT**

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

> The inability of the Rudd Government to control spending and manage debt.

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

29 **SCRUTINY OF BILLS—STANDING COMMITTEE—7TH REPORT AND ALERT DIGEST NO. 8 OF 2009**

Senator Humphries, at the request of the Chairman of the Standing Committee for the Scrutiny of Bills (Senator Coonan), tabled the following report and document:

> Scrutiny of Bills—Standing Committee—
> Seventh report of 2009, dated 24 June 2009.
> Alert Digest No. 8 of 2009, dated 24 June 2009.

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

Senator Humphries moved—That the Senate take note of the report.

Question put and passed.

30 **SENATORS' INTERESTS—STANDING COMMITTEE—REGISTER OF SENATORS' INTERESTS—DOCUMENT**

Senator Abetz, at the request of the Chair of the Standing Committee of Senators' Interests (Senator Johnston), tabled the following document:

> Senators' Interests—Standing Committee—Register of senators' interests incorporating statements of registrable interests and notifications of alterations of interests of senators lodged between 2 December 2008 and 22 June 2009, dated June 2009.

Senator Abetz moved—That the Senate take note of the document.

Debate ensued.

Question put and passed.

31 **PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—414TH REPORT**

Senator Farrell, on behalf of the Joint Committee of Public Accounts and Audit, tabled the following report:

> Public Accounts and Audit—Joint Statutory Committee—414th report—Review of Auditor-General's reports tabled between August 2007 and August 2008, dated June 2009.

Senator Farrell moved—That the Senate take note of the report.

Question put and passed.

32 **FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—INQUIRY INTO AUSTRALIA'S RELATIONSHIP WITH ASEAN**

Senator Farrell, on behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, tabled the following report:

> Foreign Affairs, Defence and Trade—Joint Standing Committee—Inquiry into Australia's relationship with ASEAN—Report, dated June 2009.

Senator Farrell moved—That the Senate take note of the report.

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

33 **INDUSTRY—PREPARING OUR FOREST INDUSTRIES FOR THE FUTURE—MINISTERIAL STATEMENT—DOCUMENT**

The Minister for Employment Participation (Senator Arbib) tabled the following document:

> Industry—Preparing our forest industries for the future—Ministerial statement by the Minister for Agriculture, Fisheries and Forestry (Mr Burke), dated 24 June 2009.

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

Debate ensued.

Question put and passed.

34 **DEPARTMENT OF THE SENATE—REGISTER OF SENATE SENIOR EXECUTIVE OFFICERS' INTERESTS—DOCUMENT**

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

> Department of the Senate—Register of Senate Senior Executive Officers' Interests incorporating statements of registrable interests and notifications of alterations of interests of Senate senior executive officers lodged between 2 December 2008 and 22 June 2009, dated June 2009.

35 **AUDITOR-GENERAL—AUDIT REPORT NO. 45 OF 2008-09—DOCUMENT**

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

> Auditor-General—Audit report no. 45 of 2008-09—Performance audit—Funding for non-government schools—Department of Education, Employment and Workplace Relations.

36 **STANDING ORDER 37(3)—ACCESS TO COMMITTEE DOCUMENTS—DOCUMENT**

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

> Standing order 37(3)—Access to committee documents—Report to the Senate.

37 **PARLIAMENTARY COMMITTEE REPORTS—GOVERNMENT RESPONSE—PRESIDENT'S REPORT ON GOVERNMENT RESPONSES**

The Minister for Broadband, Communications and the Digital Economy (Senator Conroy) tabled the following document:

Government response to the schedule of government responses outstanding to parliamentary committee reports tabled by the President of the Senate on 4 December 2008, dated June 2009.

38 **INDUSTRIAL RELATIONS—AUSTRALIAN BUILDING AND CONSTRUCTION COMMISSIONER—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**

Pursuant to the order of the Senate of 23 June 2009, the Minister for Broadband, Communications and the Digital Economy (Senator Conroy), tabled the following documents:

Industrial relations—Australian Building and Construction Commissioner—

Letter from the Australian Building and Construction Commissioner (Mr Lloyd) to the Deputy Prime Minister (Ms Gillard), dated 22 April 2009 and attachments.

Letter from the Deputy Prime Minister (Ms Gillard) to the Australian Building and Construction Commissioner (Mr Lloyd).

39 **AUSTRALIAN PARLIAMENTARY DELEGATION TO CANADA, THE UNITED STATES, ITALY, AUSTRIA, THE UNITED KINGDOM AND THE NETHERLANDS—DOCUMENT**

Senator Hutchins, by leave, tabled the following document:

Canada, the United States, Italy, Austria, the United Kingdom and the Netherlands—Report of the Australian parliamentary delegation, 12 April to 3 May 2009, dated June 2009.

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

Debate ensued.

Question put and passed.

40 **AUSTRALIAN PARLIAMENTARY DELEGATION TO 120TH ASSEMBLY OF THE INTER-PARLIAMENTARY UNION—DOCUMENT**

Senator Troeth, by leave, tabled the following document:

120th Assembly of the Inter-Parliamentary Union in Addis Ababa, Ethiopia, 4 to 10 April 2009 and a bilateral visit to Switzerland, 11 to 18 April 2009—Report of the Australian parliamentary delegation, dated June 2009.

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

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

41 **DOCUMENTS**

The following documents were tabled by the Clerk:

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

Australian Prudential Regulation Authority Act—Australian Prudential Regulation Authority (Confidentiality) Determination No. 7 of 2009—Information provided by authorised insurers for the purposes of the National Claims and Policies Database [F2009L02386]*.

Australian Research Council Act—

Australian Research Council Linkage Infrastructure, Equipment and Facilities Funding Rules for funding commencing in 2010 Variation (No. 1) [F2009L02310]*.

Australian Research Council Linkage Projects Funding Rules for funding commencing in 2010 Variation (No. 1) [F2009L02308]*.

Building and Construction Industry Improvement Act—Ministerial directions in relation to coercive powers, dated 17 June 2009 [F2009L02483]*.

Charter of the United Nations Act—Select Legislative Instrument 2009 No. 113—Charter of the United Nations (Sanctions—Al-Qaida and the Taliban) Amendment Regulations 2009 (No. 1) [F2009L02396]*.

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

AD/B747/334 Amdt 1—Escape Slides, Ramp Slides and Slides/Rafts of Upper Deck, Off-wing and Main Doors [F2009L02179]*.

AD/B767/250 Amdt 1—Lower Wing Skin [F2009L02182]*.

AD/BEA 121/10—Rudder Drain Hole [F2009L02183]*.

AD/BEA 121/13—Internal Door Lock Operating Handle [F2009L02184]*.

AD/BELL 47/102—Main Rotor Blades Box Beam Clips [F2009L02469]*.

AD/LA-4/5—Battery Relay – Installation [F2009L02284]*.

Defence Force (Home Loans Assistance) Act—Warlike service – Opersion Riverbank Declaration 2009 [F2009L02434]*.

Energy Efficiency Opportunities Act—Select Legislative Instrument 2009 No. 119—Energy Efficiency Opportunities Amendment Regulations 2009 (No. 1) [F2009L02397]*.

Health Insurance Act—

Health Insurance (Accredited Pathology Laboratories – Approval) Amendment Principles 2009 (No. 1) [F2009L02453]*.

Health Insurance (Allied Health Services) Determination 2009 [F2009L02406]*.

Health Insurance (Diabetes Testing in Aboriginal and Torres Strait Islander Primary Health Care Sites) Amendment Determination 2009 (No. 1) [F2009L02468]*.

Higher Education Support Act—VET Provider Approvals Nos—

28 of 2009—The Board of the East Gippsland Institute of Technical and Further Education [F2009L02454]*.

29 of 2009—The Board of the Chisholm Institute of Technical and Further Education [F2009L02458]*.

30 of 2009—The Board of the Bendigo Regional Institute of Technical and Further Education [F2009L02461]*.

31 of 2009—The Board of The Sunraysia Institute of Technical and Further Education [F2009L02462]*.

Migration Act, Immigration (Education) Act and Australian Citizenship Act—Select Legislative Instrument 2009 No. 116—Migration Legislation Amendment Regulations 2009 (No. 2) [F2009L02376]*.

Private Health Insurance Act—

Private Health Insurance (Benefit Requirements) Rules 2009 (No. 1) [F2009L02452]*.

Private Health Insurance (Complying Product) Rules 2009 (No. 1) [F2009L02451]*.

Private Health Insurance (Data Provision) Rules 2009 [F2009L02410]*.

Private Health Insurance (Health Insurance Business) Rules 2009 [F2009L02409]*.

Quarantine Act—Quarantine Service Fees Amendment Determination 2009 (No. 1) [F2009L02355]*.

Social Security (Administration) Act—

Social Security (Administration) (Payment Pending Review) (FaHCSIA) Guidelines 2009 [F2009L02466]*.

Social Security (Administration) (Penalty Amount) (FaHCSIA) Determination 2009 (No. 1) [F2009L02463]*.

Social Security (Administration) (Persistent Non-compliance) (FaHCSIA) Determination 2009 (No. 1) [F2009L02460]*.

* Explanatory statement tabled with legislative instrument.

42 DEPARTMENTAL AND AGENCY APPOINTMENTS AND VACANCIES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

The following documents were tabled pursuant to the order of the Senate of 24 June 2008, as amended:

Departmental and agency appointments and vacancies—Budget estimates—Letters of advice—

Climate Change and Water portfolio agencies.

Education, Employment and Workplace Relations portfolio agencies.

43 COMMITTEE MEMBERSHIP

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

The Minister for Broadband, Communications and the Digital Economy (Senator Conroy), by leave, moved—That senators be discharged from and appointed to committees as follows:

Corporations and Financial Services—Joint Statutory Committee—

Discharged—Senator Marshall

Appointed—Senator McLucas

Electoral Matters—Joint Standing Committee—

Discharged—Senator Ronaldson

Appointed—Senator Ryan

Privileges—Standing Committee—

Discharged—Senator McGauran

Appointed—Senator Johnston

Public Works—Joint Statutory Committee—

Discharged—Senator Bishop

Appointed—Senator McLucas.

Question put and passed.

44 **PRIVILEGES—STANDING COMMITTEE—STATEMENT BY PRESIDENT—PROPOSED REFERENCE**

The President made a statement relating to a matter of privilege raised by the Special Minister of State (Senator Ludwig) concerning possible false or misleading evidence given at a public hearing of the Economics Legislation Committee and the alleged use of a false document as a basis for questioning in the committee.

The President informed the Senate that, pursuant to the procedures provided by standing order 81 and resolutions of the Senate of 25 February 1988, he had determined that a motion relating to the matters may have precedence of all other business on the day for which the notice is given.

Document: The President tabled the following document:

Privileges—Standing Committee—Proposed reference—Letter from Senator Ludwig to the President, dated 24 June 2009.

Notice of motion: The Minister for Broadband, Communications and the Digital Economy (Senator Conroy), at the request of Senator Ludwig, gave a notice of motion as follows: To move on the next day of sitting—That the following matters be referred to the Committee of Privileges:

(a) whether any false or misleading evidence was given to the Economics Legislation Committee at its hearing on 19 June 2009; and

(b) whether there was any improper interference with the proceedings of the committee, or any misleading of the committee, by the use of a false document as a basis for questioning of a witness;

and whether any contempt was committed in that regard.

At 6.50 pm—

45 **GOVERNMENT DOCUMENTS—CONSIDERATION**

The government document tabled earlier today (*see entry no. 2*) was called on but no motion was moved.

46 **ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 7.30 pm till Thursday, 25 June 2009 at 9.30 am.

47 **ATTENDANCE**

Present, all senators except Senators Barnett*, Brandis*, Lundy*, McGauran* and Stephens* (* on leave).

HARRY EVANS
Clerk of the Senate

Printed by authority of the Senate