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MEETING OF SENATE

The Senate met at 9.30 am. The President (Senator the Honourable John Hogg) took the chair, read prayers and made an acknowledgement of country.

ORDER OF BUSINESS—REARRANGEMENT

The Parliamentary Secretary for Sustainability and Urban Water (Senator Farrell) moved—that general business order of the day no. 55 (Wild Rivers (Environmental Management) Bill 2011) be postponed till a later hour.

Question put and passed.

DEFENCE FORCE RETIREMENT AND DEATH BENEFITS AMENDMENT (FAIR INDEXATION) BILL 2010

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.

Senator Ronaldson moved the following amendments together by leave:


Clause 2, page 2 (table item 2), omit “Schedule 1”, substitute “Schedules 1 and 2”.

Clause 3, page 2 (line 11), after “members”, insert “and Defence Forces Retirement Benefits Scheme members”.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 32

Abetz
Adams
Back
Barnett
Bernardi
Birmingham
Boswell
Brandis
Bushby (Teller)
Cash
Colbeck
Coonan
Cormann
Eggleston
Fielding
Fierravanti-Wells
Fifield
Fisher
Humphries
Johnston
Kroger
Macdonald
Mason
McGauran

NOES, 32

Arbib
Bilyk
Bishop
Brown, Bob
Brown, Carol
Cameron
Conroy
Crossin
Farrell
Faulkner
Feehey
Forshaw
Furner
Hanson-Young
Hogg
Hurley
Hutchins
Ludlam
Lundy
Marshall
McEwen (Teller)
McLaren
Milne
Moore
O’Brien
Pratt
Stiewert
Stephens
Sterle
Wong
Wortley
Xenophon

The ayes and noes were equal and so the question was negatived.
Senator Ronaldson moved the following amendment:
Schedule 1, page 6 (after line 15), at the end of the Schedule, add:

7 Subsection 125(3)
Omit “All”, substitute “Subject to subsection (4), all”.

8 At the end of section 125
Add:

(4) Payments for the purposes of the Defence Force Retirement and Death Benefits Amendment (Fair Indexation) Act 2011 are to be made out of money appropriated by the Parliament for the purpose.

Question—That the amendment be agreed to—put.
The committee divided—

AYES, 32

Senators—
Abetz Bushby (Teller) Fieravanti-Wells McGauran
Adams Cash Fifield Nash
Back Colbeck Fisher Parry
Barnett Coonan Humphries Ronaldson
Bernardi Cormann Johnston Ryan
Birmingham Eggleston Kroger Scullion
Boswell Ferguson Macdonald Troeth
Brandis Fielding Mason Trood

NOES, 32

Senators—
Arbib Farrell Hutchins O’Brien
Bilyk Faulkner Ludlam Pratt
Bishop Forshaw Marshall Stephens
Brown, Bob Furner McEwen (Teller) Sterle
Brown, Carol Hanson-Young McLucas Wong
Conroy Hogg Milne Wortley
Crossin Hurley Moore Xenophon

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

Senator Ronaldson moved the following amendment:
Page 6 (after line 15), at the end of the bill, add:

Schedule 2—Amendment of the Defence Forces Retirement Benefits Act 1948

1 Section 15D
Before “Any”, insert “(1)”.

2 Section 15D
Omit “Any”, substitute “Subject to subsection (2), any”.

3 At the end of section 15D
Add:

(2) Payments for the purposes of the Defence Force Retirement and Death Benefits Amendment (Fair Indexation) Act 2011 are to be made out of money appropriated by the Parliament for the purpose.
4 Subsection 83(1)
Insert:

*LCI* means Pensioner and Beneficiary Living Cost Index.

5 Subsection 83(1)
Insert:

*LCI number*, in relation to a quarter, means the All Groups Pensioner and Beneficiary Living Cost Index number that is the weighted average of the 8 capital cities and is published by the Statistician in respect of that quarter.

6 Subsection 83(1)
Insert:

*VEA* means *Veterans’ Entitlements Act 1986*.

7 Subsection 84(1)
After “in this section”, insert “and section 84AA”.

8 Subsection 84(2)
Omit “The”, substitute “Subject to section 84AA, the”.

9 After section 84
Insert:

84AA Additional increase in certain pensions

(1) This section applies in relation to a pensioner who is 55 or older.

(2) In relation to a pensioner to whom this section applies, the prescribed percentage for a prescribed half-year, ascertained in accordance with subsection 84(3), is taken to be increased in accordance with this section.

(3) If the prescribed percentage for a prescribed half-year is less than the percentage for the prescribed half-year worked out using the pension MBR method in section 84AB, the prescribed percentage is taken to be the percentage worked out using the pension MBR method.

(4) If, after applying subsection (3), the prescribed percentage for the prescribed half-year is less than the percentage for the prescribed half-year worked out using the LCI method in section 84AC, the prescribed percentage is taken to be the percentage worked out using the LCI method.

84AB Percentage increase using the pension MBR method

(1) The percentage worked out in relation to a prescribed half-year using the *pension MBR method* is the percentage that represents \( A - B \) expressed as a percentage of \( B \),

where:

\( A \) is the single pension rate MBR amount (see item 1A of the table in section 59A of the *VEA*) applicable on the adjustment day prior to the first day of the prescribed half-year; and
\(B\) is the single pension rate MBR amount (see item 1A of the table in section 59A of the VEA) applicable on the day before that adjustment day worked out to 3 decimal places.

Note: Changes in the single pension rate MBR amount reflect changes in Male Total Average Weekly Earnings (MTAWE).

**Rounding**

(2) If a percentage worked out under subsection (1) would, if it were worked out to 4 decimal places, end in a number that is greater than 4, that percentage is to be increased by 0.001.

**Publication of substituted amounts**

(3) If at any time (whether before or after the commencement of this section), the Australian Statistician publishes an amount in substitution for a particular amount previously published by the Australian Statistician, the publication of the later amount is to be disregarded for the purposes of this section.

**Interpretation**

(4) In this section:

**adjustment day** means:

(a) 20 March; or

(b) 20 September.

### 84AC Percentage increase using the LCI method

(1) The percentage worked out in relation to a prescribed half-year using the **LCI method** is the percentage that represents \(A - B\) expressed as a percentage of \(B\),

where:

\(A\) is the LCI number in respect of the first quarter of the most recent half-year; and

\(B\) is the highest LCI number in respect of the first quarter of any half-year earlier than the most recent half-year worked out to 3 decimal places.

**Rounding**

(2) If a percentage worked out under subsection (1) would, if it were worked out to 4 decimal places, end in a number that is greater than 4, that percentage is to be increased by 0.001.

**Publication of substituted living cost index numbers**

(3) Subject to subsection (4), if at any time (whether before or after the commencement of this section) the Australian Statistician publishes a living cost index number for a quarter in substitution for a living cost index number previously published by the Australian Statistician for that quarter, the publication of the later living cost index number is to be disregarded for the purposes of this section.
Change to reference base

(4) If at any time (whether before or after the commencement of this section) the Australian Statistician changes the reference base for the Pensioner and Beneficiary Living Cost Index, regard is to be had, for the purposes of applying this section after the change takes place, only to living cost index numbers published in terms of the new reference base.

Interpretation

(5) In this section: most recent half-year means the half-year immediately preceding the prescribed half-year.

Question—That the amendment be agreed to—put.
The committee divided—

AYES, 32

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<th>Senators</th>
<th>Bushby (Teller)</th>
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NOES, 32

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The ayes and noes were equal and so the question was negatived.
Bill agreed to.
Bill to be reported without amendment.

The President resumed the chair and the Chair of Committees (Senator Ferguson) reported accordingly.
On the motion of Senator Ronaldson the report from the committee was adopted.
Senator Ronaldson moved—That this bill be now read a third time.
Debate ensued.
Question put.
The Senate divided—

**AYES, 34**

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**NOES, 34**

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

**4 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION AMENDMENT (BIOREGIONAL PLANS) BILL 2011**

Order of the day read for the adjourned debate on the motion of Senator Colbeck—That this bill be now read a second time.

Debate resumed.

*Time expired:* The time for general business orders of the day for the consideration of bills reached the limit of 2 hours 20 minutes.

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

**5 PETITION**

The following petition, lodged with the Clerk by Senator Hanson-Young, was received:

> From 470 petitioners, requesting that the Senate pass the Migration Amendment (Complementary Protection) Bill 2011.

**6 NOTICES**

Senators Cormann, Xenophon and Williams: To move on 21 June 2011—That—

(a) the National Consumer Credit Protection Amendment Regulations 2011 (No. 2), as contained in Select Legislative Instrument 2011 No. 40 and made under the *National Consumer Credit Protection Act 2009*; and

(b) the National Consumer Credit Protection Amendment Regulations 2011 (No. 3), as contained in Select Legislative Instrument 2011 No. 67 and made under the *National Consumer Credit Protection Act 2009*,

be disallowed.
Senators Cormann, Xenophon and Williams: To move on 21 June 2011—that the Senate requests that there be laid on the table, no later than 31 December 2011, a report by the Reserve Bank of Australia into bank fees and charges levied by authorised deposit-taking institutions. (general business notice of motion no. 280)

The Chair of the Community Affairs References Committee (Senator Siewert): To move on the next day of sitting—that the time for the presentation of the report of the Community Affairs References Committee on planning options and services for people ageing with a disability be extended to 6 July 2011. (general business notice of motion no. 281)

Senator Xenophon: To move on the next day of sitting—that the following bill be introduced: A Bill for an Act about online financial transactions connected with interactive gambling services, and other gambling matters. Interactive Gambling and Broadcasting Amendment (Online Transactions and Other Measures) Bill 2011. (general business notice of motion no. 282)

Senator Xenophon: To move on 21 June 2011—that the following bill be introduced: A Bill for an Act to amend the National Consumer Credit Protection Act 2009 in relation to fees imposed by credit providers, and for related purposes. Consumer Credit Protection Amendment (Fees) Bill 2011. (general business notice of motion no. 283)

7 PRIVATE SENATORS’ BILLS—CONSIDERATION

The Minister for Agriculture, Fisheries and Forestry (Senator Ludwig) moved—that the following general business orders of the day be considered on Thursday, 23 June 2011 under the temporary order relating to the consideration of private senators’ bills:

No. 57 Environment Protection and Biodiversity Conservation Amendment (Bioregional Plans) Bill 2011.

No. 55 Wild Rivers (Environmental Management) Bill 2011.

No. 50 National Broadband Network Financial Transparency Bill 2010 (No. 2).

No. 17 Evidence Amendment (Journalists’ Privilege) Bill 2010 (No. 2).

No. 20 Food Standards Amendment (Truth in Labelling—Palm Oil) Bill 2010.

No. 52 Foreign Acquisitions Amendment (Agricultural Land) Bill 2010.

Question put and passed.

8 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator McEwen, by leave and at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin), moved—that the time for the presentation of the report of the Legal and Constitutional Affairs Legislation Committee on the provisions of the Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy Bill 2011 and related bills be extended to 20 June 2011.

Question put and passed.
9 Finance and Public Administration Legislation Committee—Leave to Meet During Sitting

The Deputy Chair of the Finance and Public Administration Legislation Committee (Senator Fifield), by leave, moved—That the Finance and Public Administration Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 1 pm.

Question put and passed.

10 Rural Affairs and Transport References Committee—Leave to Meet During Sitting

Senator Bushby, by leave and at the request of the Chair of the Rural Affairs and Transport References Committee (Senator Heffernan), moved—That the Rural Affairs and Transport References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 3.30 pm.

Question put and passed.

11 Postponements

The following items of business were postponed:

Government business notice of motion no. 2 standing in the name of the Minister for Agriculture, Fisheries and Forestry (Senator Ludwig) for today, proposing the approval of Health Insurance (Extended Medicare Safety Net) Amendment Determinations, postponed till 23 June 2011.

Government business notice of motion no. 3 standing in the name of the Minister for Agriculture, Fisheries and Forestry (Senator Ludwig) for today, proposing the approval of the Health Insurance (Extended Medicare Safety Net – Telehealth) Amendment Determination, postponed till 23 June 2011.

12 Rural Affairs and Transport References Committee—Reference

Senator Siewert amended business of the Senate notice of motion no. 1 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the following matters be referred to the Rural Affairs and Transport References Committee for inquiry and report by 25 August 2011:

(a) the role and effectiveness of government, Meat and Livestock Australia, Livecorp and relevant industry bodies, in improving animal welfare standards in Australia’s live export markets, including:

(i) the level, nature and effectiveness of:

(A) expenditure and efforts to promote or improve animal welfare standards with respect to all Australian live export market countries,

(B) expenditure and efforts on marketing and promoting live export to Australian producers,

(C) ongoing monitoring of the subscription to, and practise of, animal welfare standards in all live export market countries, and

(D) actions to improve animal welfare outcomes in all other live export market countries and the evidence base for these actions;
(ii) the extent of knowledge of animal welfare practices in Australia’s live export markets, including:

(A) formal and informal monitoring and reporting structures, and

(b) formal and informal processes for reporting and addressing poor animal welfare practices;

(b) the domestic economic impact of the live export trade within Australia, including:

(i) the impact on regional and remote employment especially in northern Australia,

(ii) the impact and role of the industry on local livestock production and prices, and

(iii) the impact on the processing of livestock within Australia; and

(c) any other related matters.

Question put and passed.

13 MIGRATION AMENDMENT (DECLARED COUNTRIES) BILL 2011

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 271—That the following bill be introduced:

A Bill for an Act to amend the Migration Act 1958 in relation to the declaration of third countries for removal of offshore entry persons.

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.

14 HISTORICAL EVENTS—AUSTRALIAN NATIONAL CAPITAL—INTERNATIONAL DESIGN COMPETITION—CENTENARY

Senator Humphries, also on behalf of Senator Lundy, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 272—That the Senate—

(a) notes that:

(i) 24 May 2011 marks the centenary of the launch of an international competition to design an Australian national capital,

(ii) the winning design by the American architect, Walter Burley Griffin, was announced in May 1912, and
(iii) the winning design for Canberra was a collaboration between Griffin and his wife Marion Mahony Griffin; and

(b) calls on the National Capital Authority and the Intergovernmental Working Group for the Centenary of Canberra to work with the Parliament to arrange an appropriate celebration of the centenary of the choice of the Griffin design for our nation’s capital.

Question put and passed.

15 HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION

The Minister for Agriculture, Fisheries and Forestry (Senator Ludwig), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—that, on Monday, 20 June 2011:

(a) the hours of meeting shall be 10 am to noon, 3.30 pm to 6.30 pm and 7.30 pm to 10.30 pm; and

(b) the routine of business from 3.30 pm shall be the items specified in standing order 57(1)(a)(iv) to (xi).

Question put and passed.

16 SCRUTINY OF NEW TAXES—SELECT COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Parry, at the request of the Chair of the Select Committee on the Scrutiny of New Taxes (Senator Cormann) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 273—that the Select Committee on the Scrutiny of New Taxes be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 16 June 2011, from 1.50 pm.

Question put and passed.

17 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator McEwen, at the request of Senator Crossin and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 275—that the Joint Standing Committee on the National Capital and External Territories be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 22 June 2011, from 12.30 pm to 2 pm, to take evidence for the committee’s biannual review of the National Capital Authority.

Question put and passed.

18 ENVIRONMENT—TASMANIA—TARKINE WILDERNESS—NATIONAL HERITAGE LIST

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 278—that the Senate—

(a) reaffirms the World Heritage significance of the Tarkine wilderness in the northwest of Tasmania;

(b) notes:

(i) the resolution passed unanimously by the Senate on 13 September 2007, that noted that the Government had ‘asked the Australian Heritage Council also to examine, identify and advise the Minister for the Environment and Water Resources (Mr Turnbull) of any World Heritage values contained in the areas proposed’, and
(ii) that this request was never communicated to the Australian Heritage Council or carried out; and

(c) calls on the Government to:

(i) direct the Australian Heritage Council as a matter of urgency to advise the Minister for Sustainability, Environment, Water, Population and Communities (Mr Burke) of any World Heritage values contained in the Tarkine area boundary already examined by the Council,

(ii) immediately include the Tarkine on the National Heritage List through the Minister’s emergency listing powers, and

(iii) publicly release the Australian Heritage Council’s 2010 report into the National Heritage values of the Tarkine.

Question put.

The Senate divided—

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Question negatived.

19 ENVIRONMENT—AUSTRALIAN DETERGENT INDUSTRY—PHOSPHATES

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. 276—that the Senate—

(a) congratulates the not-for-profit organisation Do Something! for its successful ‘National Phosphate Ban’ campaign which has resulted in all major players in the Australian detergent industry now implementing or agreeing to phase out phosphates in laundry detergents by 2014; and

(b) calls on the Government to legislate to ban phosphate based laundry detergents.

Question put.

The Senate divided—

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Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 277—That the Senate—

(a) notes:

(i) the dire situation facing wild orang-utan populations in southeast Asian forests which are being destroyed at a rate equal to 300 soccer fields every hour;

(ii) that orang-utans are predicted to be extinct in the wild within 10 to 15 years due largely to the palm oil industry replacing native forest with palm plantations,

(iii) that only three vegetable oils, namely peanut, sesame and soybean, are required to be labelled as food products under Australian labelling laws, allowing palm oil to be hidden as vegetable oil,

(iv) the DeforestACTION program run in 350 Australian schools and in many other schools worldwide raises awareness of forestry impacts and fundraises for international wildlife and forest conservation projects, and

(v) the DeforestACTION program’s objectives are to:

(A) raise funds to buy back and preserve rainforests (initially in Indonesia),

(B) regrow a full forest ecosystem (initially 50,000 hectares),

(C) create the world’s largest orang-utan sanctuary, allowing people to interact remotely with the animals,

(D) monitor rainforest via satellites to provide real time intelligence required to halt illegal deforestation,

(E) develop a proven model for 21st century learning to be embraced by schools globally, and

(F) create global awareness of the dangers of destroying forest for monoculture farming, especially palm oil;

(b) recognises and congratulates Tasmania’s Taroona High School students and staff for their awareness and fundraising activities for the DeforestACTION program resulting in recognition of Taroona High School as the world’s leading school for the program; and

(c) calls on the Government to:

(i) include palm oil as a declared ingredient in food and cosmetic products under current labelling laws, and
(ii) support the DeforestACTION program by showing leadership in protecting native forests in Australia and primary forests around the world.

Question put.
The Senate divided—

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NOES, 32

Question negatived.

21 **ENVIRONMENT—WESTERN AUSTRALIA—JAMES PRICE POINT—BILBY HABITAT**

Senator Siewert, also on behalf of Senator Ludlam, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 274—

That the Senate—

(a) notes that:

(i) the bilby is listed as a threatened species under the *Environment Protection and Biodiversity Conservation Act 1999*,

(ii) human generated habitat degradation is identified as a major threat to bilbies according to the National Recovery Plan for the Greater Bilby Macrotis lagotis (2006), and

(iii) the plan lists the following threats to the species:

(A) a potential increase in predation through creating a corridor for predators to move along,

(B) habitat destruction and degradation resulting from mining and other development, and

(C) road mortality,

(iv) building a gas hub at James Price Point, Western Australia, could result in degradation to known bilby habitats,

(v) Woodside Petroleum has been given permission by the Government to clear 25 hectares of vegetation in known bilby habitat,

(vi) there was evidence of bilbies in the area according to surveys conducted for the project, and

(vii) this decision on clearing pre-empts any final decision by the Minister for Sustainability, Environment, Water, Population and Communities (Mr Burke) on the gas hub and has been given during the process of a strategic assessment; and
(b) calls on the Minister for Sustainability, Environment, Water, Population and Communities to re-examine this decision and halt any clearing until a decision has been made on the strategic assessment of a gas hub for Browse Basin gas.

Question put and negatived.

22 FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—REPORTING DATE
Senator McEwen, at the request of Senator Stephens and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 279—That the final report of the Finance and Public Administration Legislation Committee on its inquiry into exposure drafts of Australian privacy amendment legislation be presented by 30 September 2011.

Question put and passed.

23 COMMUNITY AFFAIRS REFERENCES COMMITTEE—REFERENCE
Senator Xenophon amended business of the Senate notice of motion no. 2 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the following matter be referred to the Community Affairs References Committee for inquiry and report by 12 October 2011:

The regulatory standards for the approval of medical devices in Australia, with particular attention to devices with high revision rates, and in undertaking the inquiry the committee consider:

(a) the role of the Therapeutic Goods Administration in regulating the quality of devices available in Australia;
(b) the cost effectiveness of subsidised devices;
(c) the effectiveness and accuracy of the billing code and prostheses list;
(d) the processes in place to ensure that approved products continue to meet Australian standards;
(e) the safety standards and approval processes for devices that are remanufactured for multiple use;
(f) the processes in place to notify the relevant authorities and the general public of high revision rates or possible faulty devices;
(g) the effectiveness of the current regimes in place to ensure prostheses with high revision rates are identified and the action taken once these devices are identified;
(h) the effectiveness of the implemented recommendations of the Health Technology Assessment; and
(i) any other related matter.

Statement by leave: Senator Xenophon, by leave, made a statement relating to the motion.

Question put and passed.

24 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ESTIMATES
Senator McEwen, at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin), tabled the following documents:

Legal and Constitutional Affairs Legislation Committee—Additional estimates 2010-11—Additional information received between 11 May and 14 June 2011—Attorney-General’s portfolio.
Immigration and Citizenship portfolio.
25 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—REPORTS—ACCESS FOR SMALL AND MEDIUM BUSINESS TO FINANCE AND STATUTORY OVERSIGHT OF THE AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Senator Boyce, on behalf of the Parliamentary Joint Committee on Corporations and Financial Services, tabled the following reports and documents:


Reports ordered to be printed on the motion of Senator Boyce.

Senator Boyce moved—that the Senate take note of the reports.

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

26 LAW ENFORCEMENT—JOINT STATUTORY COMMITTEE—REPORT—ADEQUACY OF AVIATION AND MARITIME SECURITY MEASURES TO COMBAT SERIOUS AND ORGANISED CRIME

The Chair of the Parliamentary Joint Committee on Law Enforcement (Senator Hutchins) tabled the following report and documents:

- Law Enforcement—Joint Statutory Committee—Inquiry into the adequacy of aviation and maritime security measures to combat serious and organised crime—Report, dated June 2011, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

Senator Hutchins moved—that the Senate take note of the report.

Debate ensued.

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

27 FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION AMENDMENT (FURTHER ELECTION COMMITMENTS AND OTHER MEASURES) BILL 2011

FAMILY ASSISTANCE LEGISLATION AMENDMENT (CHILD CARE FINANCIAL VIABILITY) BILL 2011

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

- Message no. 174, dated 14 June 2011—A Bill for an Act to amend the law relating to family assistance, child support and social security, and for related purposes.

The Minister for Small Business (Senator Sherry) moved—that these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Sherry moved—that these bills be now read a second time.
Explanatory memorandum: Senator Sherry tabled a revised explanatory memorandum relating to the Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Further Election Commitments and Other Measures) Bill 2011.

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

Consideration of legislation: Senator Sherry moved—That the bills be listed on the Notice Paper as separate orders of the day.

Question put and passed.

28 **GOVERNANCE OF AUSTRALIAN GOVERNMENT SUPERANNUATION SCHEMES BILL 2011**

**ComSuper Bill 2011**

**Superannuation Legislation (Consequential Amendments and Transitional Provisions) Bill 2011**

**Taxation of Alternative Fuels Legislation Amendment Bill 2011**

**Excise Tariff Amendment (Taxation of Alternative Fuels) Bill 2011**

**Customs Tariff Amendment (Taxation of Alternative Fuels) Bill 2011**

**Energy Grants (Cleaner Fuels) Scheme Amendment Bill 2011**

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

Message no. 180, dated 15 June 2011—A Bill for an Act to provide for the administration of certain Australian Government superannuation schemes by a single body, and for related purposes.


Message no. 179, dated 14 June 2011—A Bill for an Act to change the law relating to certain fuels, and for related purposes.

Message no. 177, dated 14 June 2011—A Bill for an Act to amend the law relating to excise on certain fuels, and for related purposes.

Message no. 178, dated 14 June 2011—A Bill for an Act to amend the law relating to customs duties on certain fuels, and for related purposes.


The Minister for Small Business (Senator Sherry) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Sherry moved—That these bills be now read a second time.

On the motion of Senator Sherry the debate was adjourned till the next day of sitting.
Consideration of legislation: Senator Sherry moved—that the bills be listed on the Notice Paper as two orders of the day, as follows:
(a) Governance of Australian Government Superannuation Schemes Bill 2011, ComSuper Bill 2011 and Superannuation Legislation (Consequential Amendments and Transitional Provisions) Bill 2011; and

Question put and passed.

29 **SEX AND AGE DISCRIMINATION LEGISLATION AMENDMENT BILL 2010**
A message from the House of Representatives was reported agreeing to the amendments made by the Senate to the following bill:

30 **COMMITTEE MEMBERSHIP**
Messages from the House of Representatives were reported informing the Senate of the appointment of members of the House of Representatives to joint committees, as follows:
Message no. 162, dated 30 May 2011—Joint Standing Committee on the National Broadband Network, Mr Scott appointed as a participating member.
Message no. 172, dated 2 June 2011—Joint Standing Committee on Electoral Matters, Mr Windsor, Mr Tehan and Mr Chester appointed for the purpose of the committee’s inquiry into funding of political parties and election campaigns.

31 **AUSTRALIA’S IMMIGRATION DETENTION NETWORK—JOINT SELECT COMMITTEE—APPOINTMENT**
A message from the House of Representatives was reported proposing the appointment of a joint select committee, as follows:
Message no. 173, dated 2 June 2011—Proposed Joint Select Committee on Australia’s Immigration Detention Network, and transmitting for the concurrence of the Senate the following resolution:
That:
(1) a Joint Select Committee on Australia’s Immigration Detention Network be appointed to inquire into and report on:
(a) any reforms needed to the current Immigration Detention Network in Australia;
(b) the impact of length of detention and the appropriateness of facilities and services for asylum seekers;
(c) the resources, support and training for employees of Commonwealth agencies and/or their agents or contractors in performing their duties;
(d) the health, safety and wellbeing of asylum seekers, including specifically children, detained within the detention network;
(e) impact of detention on children and families, and viable alternatives;
(f) the effectiveness and long-term viability of outsourcing immigration detention centre contracts to private providers;

(g) the impact, effectiveness and cost of mandatory detention and any alternatives, including community release;

(h) the reasons for and nature of riots and disturbances in detention facilities;

(i) the performance and management of Commonwealth agencies and/or their agents or contractors in discharging their responsibilities associated with the detention and processing of irregular maritime arrivals or other persons;

(j) the health, safety and wellbeing of employees of Commonwealth agencies and/or their agents or contractors in performing their duties relating to irregular maritime arrivals or other persons detained in the network;

(k) the level, adequacy and effectiveness of reporting incidents and the response to incidents within the immigration detention network, including relevant policies, procedures, authorities and protocols;

(l) compliance with the Government’s immigration detention values within the detention network;

(m) any issues relating to interaction with States and Territories regarding the detention and processing of irregular maritime arrivals or other persons;

(n) the management of good order and public order with respect to the immigration detention network;

(o) the total costs of managing and maintaining the immigration detention network and processing irregular maritime arrivals or other detainees;

(p) the expansion of the immigration detention network, including the cost and process adopted to establish new facilities;

(q) the length of time detainees have been held in the detention network, the reasons for their length of stay and the impact on the detention network;

(r) processes for assessment of protection claims made by irregular maritime arrivals and other persons and the impact on the detention network; and

(s) any other matters relevant to the above terms of reference;

(2) the committee consist of 11 members, 2 Members to be nominated by the Government Whip or Whips, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Members to be nominated by the Opposition Whip or Whips, 2 Senators nominated by the Leader of the Opposition in the Senate, 1 Member and 1 Senator nominated by the Australian Greens Whip, and 1 non-aligned member;

(3) participating members may be appointed to the committee. Participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of a member of the committee, but may not vote on any questions before the committee;

(4) every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives;
(5) the members of the committee hold office as a joint select committee until the House of Representatives is dissolved or expires by effluxion of time, whichever is the earlier;

(6) the committee shall elect a Government chair and deputy chair;

(7) the deputy chair shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting;

(8) in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote;

(9) 3 members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House;

(10) the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine;

(11) the committee appoint the chair of each subcommittee who shall have a casting vote only;

(12) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(13) 2 members of a subcommittee constitute the quorum of that subcommittee;

(14) members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum;

(15) the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced;

(16) the committee or any subcommittee may conduct proceedings at any place it sees fit;

(17) the committee or any subcommittee have power to adjourn from time to time and to sit during any adjournment of the House of Representatives and the Senate;

(18) the committee may report to both Houses of Parliament from time to time and that it present its final report no later than 7 October 2011;

(19) the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

The Minister for Small Business (Senator Sherry), by leave, moved—That the Senate concurs with the resolution of the House of Representatives contained in message no. 173 relating to the appointment of a joint select committee.

Question put and passed.
32 GOVERNOR-GENERAL’S MESSAGES—ASSENT TO LAWS

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

25 May 2011—Messages Nos—

11—

12—
Electoral and Referendum Amendment (Enrolment and Prisoner Voting) Act 2011 (Act No. 29, 2011)
Australian Research Council Amendment Act (No. 1) 2011 (Act No. 30, 2011)

13—
Human Services Legislation Amendment Act 2011 (Act No. 32, 2011)

26 May 2011—Messages Nos—

14—
Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Budget and Other Measures) Act 2011 (Act No. 34, 2011)

15—
Electoral and Referendum Amendment (Provisional Voting) Act 2011 (Act No. 37, 2011)


33 ECONOMICS LEGISLATION COMMITTEE—REPORT—OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT (NATIONAL REGULATOR) BILL 2011 AND RELATED BILLS

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


Report ordered to be printed on the motion of Senator Carol Brown.
34 Economics Legislation Committee—Report—Foreign Acquisitions Amendment (Agricultural Land) Bill 2010

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


Report ordered to be printed on the motion of Senator Carol Brown.

35 Community Affairs Legislation Committee—Report—Food Standards Amendment (Truth in Labelling—Palm Oil) Bill 2010

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

Community Affairs Legislation Committee—Food Standards Amendment (Truth in Labelling—Palm Oil) Bill 2010—Report, dated June 2011, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

Report ordered to be printed on the motion of Senator Carol Brown.

36 National Radioactive Waste Management Bill 2010

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary for Defence (Senator Feeney)—That this bill be now read a second time—and on the amendment moved by Senator Ludlam:

At the end of the motion, add “and further consideration of the bill be an order of the day for the next sitting day after:

(a) the Government receives the written consent of the Legislative Assembly of the Northern Territory to the dumping of radioactive waste in the Territory;

(b) the Minister for Resources and Energy has completed consultations with representatives of the Muckaty Land Trust and all other parties with an interest in, or who would be affected by, a decision to select the Muckaty Station site as the location for the national radioactive waste facility; and

(c) the Federal Court decision is handed down in the case between the Muckaty traditional owners, the Northern Land Council and the Commonwealth concerning the nomination of the Muckaty Station site as the location for the national radioactive waste facility”.

Debate resumed.

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

37 QUESTIONS
Questions without notice were answered.

38 MOTION TO TAKE NOTE OF ANSWERS
Senator Bernardi moved—that the Senate take note of the answers given by the Minister for Finance and Deregulation (Senator Wong) to questions without notice asked by Senators Boswell and Birmingham today relating to a proposed carbon tax. Debate ensued. Question put and passed.

39 AUDITOR-GENERAL—AUDIT REPORT NO. 48 OF 2010-11—DOCUMENT
The Deputy President (Senator Ferguson) tabled the following document:
Auditor-General—Audit report no. 48 of 2010-11—Performance audit—Monitoring and compliance arrangements supporting quality of care in residential aged care homes: Department of Health and Ageing; Aged Care Standards and Accreditation Agency Ltd.

40 PRIVILEGES—STANDING COMMITTEE—DOCUMENT
Senator Parry, at the request of the Chair of the Standing Committee of Privileges (Senator Johnston), tabled the following document:
Privileges—Standing Committee—Correspondence on the application of parliamentary privilege to working papers and reports from the Australian National Audit Office [5].

41 DOCUMENTS
The following documents were tabled by the Clerk:
[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]
Appropriation Act (No. 2) 2008-2009 and Appropriation Act (No. 1) 2009-2010—Determination to Reduce Appropriations Upon Request (No. 17 of 2010-2011) [F2011L01048].
Corporations Act—ASIC Class Order [CO 11/519] [F2011L01040].
12 of 2011—Careers Australia Education Institute Pty Ltd [F2011L01046].
Interstate Road Transport Act—Determination of routes for B-double vehicles carrying higher mass limits under the Federal Interstate Registration Scheme (FIRS) 2011 (No. 2) [F2011L01043].

Plant Health Australia (Plant Industries) Funding Act—Plant Health Australia (Plant Industries) Funding Determination 2011 [F2011L01047].


42 COMMITTEE MEMBERSHIP

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

The Minister for Finance and Deregulation (Senator Wong), by leave, moved—that senators be discharged from and appointed to committees as follows:

Australia’s Food Processing Sector—Select Committee—

Appointed—

Senators Colbeck, Fisher and Ryan

Participating members: Senators Abetz, Adams, Back, Bernardi, Birmingham, Boswell, Boyce, Brandis, Bushby, Cash, Coonan, Cormann, Eggleston, Fierravanti-Wells, Fifield, Heffernan, Humphries, Johnston, Joyce, Kroger, Macdonald, Mason, Nash, Parry, Payne, Ronaldson, Scullion and Williams

Australia’s Immigration Detention Network—Joint Select Committee—

Appointed—Senator Hanson-Young

Rural Affairs and Transport References Committee—

Appointed—

Substitute member: Senator Siewert to replace Senator Milne for the committee’s inquiry into live export trade

Participating member: Senator Milne.

Question put and passed.

43 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Finance and Deregulation (Senator Wong) moved—that the order of consideration of government business orders of the day for the remainder of today be as follows:

No. 2 Combating the Financing of People Smuggling and Other Measures Bill 2011.

No. 5 Social Security Amendment (Parenting Payment Transitional Arrangement) Bill 2011.

No. 6 Tertiary Education Quality and Standards Agency Bill 2011


No. 7 Social Security Legislation Amendment (Job Seeker Compliance) Bill 2011.

No. 8 Midwife Professional Indemnity Legislation Amendment Bill 2011.


Question put and passed.
44 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—IMMIGRATION—BORDER SECURITY

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

The Gillard Government’s failure to secure Australia’s borders and refusal to implement effective and humane policies to deny people smugglers the product they sell.

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

45 COMBATING THE FINANCING OF PEOPLE SMUGGLING AND OTHER MEASURES BILL 2011

Order of the day read for the adjourned debate on the motion of the Minister for Tertiary Education, Skills, Jobs and Workplace Relations (Senator Evans)—That this bill be now read a second time.

Debate resumed.

Explanatory memorandum: The Parliamentary Secretary for Sustainability and Urban Water (Senator Farrell) tabled an addendum to the explanatory memorandum relating to the bill.

Debate continued.

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.

Explanatory memorandum: Senator Farrell tabled a supplementary explanatory memorandum relating to the government amendment to be moved to the bill.

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

Schedule 1, page 7 (line 20), after item 18, insert:

18A After subsection 49(1)

Insert:

(1A) A person (the issuer) must not give a notice under subsection (1) to another person (the recipient) unless the issuer reasonably believes that the recipient has knowledge of the information, or possession or control of the document, that is specified in the notice.
(1B) The period specified in the notice for giving the information or document must be at least 14 days after the notice is given unless:
(a) the recipient is the reporting entity who communicated information to the AUSTRAC CEO under section 41, 43 or 45; or
(b) both of the following apply:
   (i) the issuer considers that specifying a shorter period is necessary;
   (ii) the shorter period specified is reasonable in the circumstances.

Bill, as amended, agreed to.
Bill to be reported with an amendment.

The Acting Deputy President (Senator Moore) resumed the chair and the Temporary Chair of Committees reported accordingly.
On the motion of Senator Farrell the report from the committee was adopted and the bill read a third time.

46 SOCIAL SECURITY AMENDMENT (PARENTING PAYMENT TRANSITIONAL ARRANGEMENT) BILL 2011
Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary for Sustainability and Urban Water (Senator Farrell)—That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
No amendments to the bill were circulated and no senator required that it be considered in committee.
On the motion of the Parliamentary Secretary for Disabilities and Carers (Senator McLucas) the bill was read a third time.

47 TERTIARY EDUCATION QUALITY AND STANDARDS AGENCY BILL 2011
TERTIARY EDUCATION QUALITY AND STANDARDS AGENCY (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL 2011
Order of the day read for the adjourned debate on the motion of the Minister for Agriculture, Fisheries and Forestry (Senator Ludwig)—That these bills be now read a second time.
Debate resumed.

Debate continued.
Question put and passed.
Bills read a second time.
The Senate resolved itself into committee for the consideration of the bills.

In the committee
Bills taken together and as a whole by leave.

Explanatory memoranda: Senator Evans tabled supplementary explanatory memoranda [2] relating to the government amendments to be moved to the bills.

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

In respect of the Tertiary Education Quality and Standards Agency Bill 2011—
Clause 4, page 5 (line 6), after “regulated higher education awards.”, insert “Some providers (including Australian universities registered in the Australian university provider category) are authorised to self-accredit their courses of study.”.
Clause 4, page 5 (lines 9 to 11), omit “TEQSA is also responsible for ensuring that higher education provided in Australia, or by Australian providers, meets the Higher Education Standards Framework.”, substitute “TEQSA regulates higher education using principles relating to regulatory necessity, risk and proportionality, and using a standards-based quality framework.”.
Clause 4, page 5 (line 12), omit “That Framework”, substitute “That quality framework”.
Clause 5, page 11 (line 2), omit “58(1)(e) or (h)”, substitute “58(1)(h)”. 
Clause 5, page 15 (line 8), omit “Standards;”, substitute “Standards.”.
Clause 5, page 15 (line 9), omit paragraph (c).
Clause 21, page 23 (line 1), omit “12 months”, substitute “9 months”.
Clause 21, page 23 (line 11), omit “12 months”, substitute “9 months”.

Heading to clause 33, page 28 (line 19), omit the heading, substitute:

33 Conditions about authority to self-accredit

TEQSA to consult about such conditions
Clause 33, page 28 (line 20), omit “This section”, substitute “Subsection (2)”.
Clause 33, page 29 (after line 4), at the end of the clause, add:
Consequences for accreditation if authority removed
(4) If:
(a) a course of study is accredited by a registered higher education provider; and
(b) a condition imposed under subsection 32(1) removes the provider’s authority to self-accredit the course of study;
the accreditation is cancelled when that removal takes effect.
Note: The provider may apply to TEQSA for TEQSA to accredit the course of study under Part 4.

Heading to Division 1, page 36 (line 2), omit the heading, substitute:

**Division 1—Accrediting courses of study**

Clause 45, page 36 (lines 3 to 6), omit the clause, substitute:

45 **Who can accredit courses of study**

*Australian universities can self-accredit courses of study*

(1) Each registered higher education provider that:

(a) is registered in the Australian university provider category; and

(b) is:

(i) established by or under, or recognised by, a law of the Commonwealth, a State or a Territory; or

(ii) registered as a company under Part 2A.2 of the *Corporations Act 2001*;

is authorised to self-accredit each course of study that leads to a higher education award that it offers or confers.

(2) However, this authority is subject to section 32 (about imposing conditions on a provider’s registration).

Note: TEQSA may impose a condition restricting or removing the provider’s authority to self-accredit. TEQSA will need to consult (see section 33) and comply with the principles in Part 2 before doing so.

(3) Subsection (1) does not limit the registered higher education providers that may be authorised to self-accredit one or more courses of study.

*TEQSA can accredit courses of study*

(4) Divisions 2 to 4 of this Part apply to a registered higher education provider in relation to a course of study if the provider is not authorised to self-accredit the course of study.

Clause 49, page 38 (line 11), omit “12 months”, substitute “9 months”.

Clause 49, page 38 (line 21), omit “12 months”, substitute “9 months”.

Clause 58, page 44 (lines 12 and 13), omit paragraph (1)(e).

Clause 58, page 44 (line 19), omit “(a) to (e)”, substitute “(a) to (d)”.

Clause 167, page 115 (lines 13 and 14), omit paragraph (2)(a), substitute:

(a) ensure the Panel members collectively possess an appropriate balance of professional knowledge and demonstrated expertise, including in higher education and the development of quality standards; and

Clause 167, page 115 (after line 18), at the end of paragraph (2)(b), add:

(iii) the staff of higher education providers; and

Clause 183, page 123 (table item dealing with decisions under section 38), omit “to refuse”.
In respect of the Tertiary Education Quality and Standards Agency (Consequential Amendments and Transitional Provisions) Bill 2011—

Schedule 1, item 4, page 5 (line 20) to page 6 (line 8), omit section 7A, substitute:

7A Meaning of designated authority

(1) The designated authority for a State, in relation to a provider, is as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>For a provider, to the extent that it is:</th>
<th>the designated authority is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>a registered higher education provider (within the meaning of the TEQSA Act)</td>
<td>TEQSA</td>
</tr>
<tr>
<td>2</td>
<td>an NVR registered training organisation (within the meaning of the National Vocational Education and Training Regulator Act 2011)</td>
<td>the National VET Regulator</td>
</tr>
<tr>
<td>3</td>
<td>a provider of:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) an English Language Intensive Course for Overseas Students; or</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) a Foundation program</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>a provider not covered by items 1 to 3</td>
<td>the person responsible under the law of the State for approving providers to provide courses to overseas students for the State</td>
</tr>
</tbody>
</table>

(2) However, if the provider is covered by more than one item of the table, the Minister may, by legislative instrument:

(a) determine that one or more entities are the designated authorities for the State in relation to the provider; and

(b) specify the circumstances in which each of those entities is the designated authority for the State in relation to the provider.

(3) The Minister may, by legislative instrument, determine an entity to be the designated authority for a State in relation to a provider covered by table item 3.

Schedule 1, item 13, page 7 (line 28), omit “subsection 7A(4)”, substitute “subsection 7A(3)”.

Schedule 2, item 8, page 18 (line 22), omit “from "TEQSA”, substitute “conferred by or under the "TEQSA Act”.

Schedule 2, item 14, page 19 (line 23), omit “by "TEQSA”, substitute “by or under the "TEQSA Act”.

Schedule 2, item 23, page 21 (lines 7 and 8), omit “by "TEQSA”, substitute “by or under the "TEQSA Act”.

Schedule 2, item 28, page 22 (line 12), omit “from "TEQSA”, substitute “conferred by or under the "TEQSA Act”.
Schedule 2, item 33, page 23 (line 1), omit “by "TEQSA", substitute “by or under the "TEQSA Act”.

Schedule 3, item 15, page 39 (table item 2), omit “12 months”, substitute “9 months”.

Schedule 3, item 25, page 47 (table item 2), omit “12 months”, substitute “9 months”.

Bills, as amended, agreed to.

Bills to be reported with amendments.

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

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

48 SOCIAL SECURITY LEGISLATION AMENDMENT (JOB SEEKER COMPLIANCE) BILL 2011

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary for Sustainability and Urban Water (Senator Farrell)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

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

On the motion of the Parliamentary Secretary for Disabilities and Carers (Senator McLucas) the bill was read a third time.

49 MIDWIFE PROFESSIONAL INDEMNITY LEGISLATION AMENDMENT BILL 2011

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary for School Education and Workplace Relations (Senator Collins)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

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

On the motion of the Parliamentary Secretary for Disabilities and Carers (Senator McLucas) the bill was read a third time.

50 ADJOURNMENT

The Parliamentary Secretary for Disabilities and Carers (Senator McLucas) moved—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 7.01 pm till Monday, 20 June 2011 at 10 am.
51 ATTENDANCE
Present, all senators except Senators Collins* and Polley* (* on leave).

ROSEMARY LAING
Clerk of the Senate