THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 39

TUESDAY, 5 JULY 2011

Contents

1 Meeting of Senate ................................................................. 1159
2 Government Documents ....................................................... 1159
3 Death of Sergeant Todd Langley ........................................... 1160
4 Carbon Credits (Carbon Farming Initiative) Bill 2011
   Carbon Credits (Consequential Amendments) Bill 2011
   Australian National Registry of Emissions Units Bill 2011 .......... 1160
5 Questions ................................................................. 1160
6 Questions on Notice—Answers and Explanation ........................ 1160
7 Motion to Take Note of Answer ............................................. 1160
8 Notices ............................................................................. 1161
9 Postponement .................................................................... 1163
10 Taxation—Proposed Tax Summit .......................................... 1163
11 Notice of Motion Withdrawn .................................................. 1164
12 Foreign Affairs, Defence and Trade References Committee—Variation of
   Reference ............................................................................ 1164
13 Education, Employment and Workplace Relations Legislation Committee—
   Reference ........................................................................... 1164
14 Migration—Joint Standing Committee—Leave to Meet During Sitting ... 1165
15 Public Accounts and Audit—Joint Statutory Committee—Leave to Meet
   During Sitting .................................................................... 1165
16 Community Affairs Legislation Committee—Extension of Time to Report.... 1165
17 National Broadband Network—Joint Standing Committee—Leave to Meet
   During Sitting ...................................................................... 1165
18 Migration Amendment (Declared Countries) Bill 2011—General Business
   Order of the Day Discharged .................................................. 1165
19 Migration Amendment (Declared Countries) Bill (No. 2) 2011 .............. 1166
20 Foreign Affairs—Marrickville Council—Israeli Boycott ...................... 1166
21 Law and Justice—Equal Marriage Rights .................................... 1168
22 Community Affairs References Committee—Extensions of Time to Report ... 1169
23 Bankruptcy Amendment (Exceptional Circumstances Exit Package)
   Bill 2011 ........................................................................... 1169
<table>
<thead>
<tr>
<th>Page</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>24</td>
<td>Discussion of Matter of Public Importance—Taxation—Proposed Carbon Tax</td>
</tr>
<tr>
<td>25</td>
<td>Transport—Aviation Safety—Ministerial Statement—Document</td>
</tr>
<tr>
<td>26</td>
<td>Family and Community Services—Ai-Live System—National Pilot—Document</td>
</tr>
<tr>
<td>27</td>
<td>Foreign Affairs—Palestine and Israel—Document</td>
</tr>
<tr>
<td>28</td>
<td>Finance—Reserve Bank of Australia—Bank Fees and Charges Report—Document</td>
</tr>
<tr>
<td>30</td>
<td>Public Accounts and Audit—Joint Statutory Committee—423rd and 424th Reports</td>
</tr>
<tr>
<td>31</td>
<td>Documents</td>
</tr>
<tr>
<td>32</td>
<td>Committee Membership</td>
</tr>
<tr>
<td>33</td>
<td>Customs Amendment (Serious Drugs Detection) Bill 2011</td>
</tr>
<tr>
<td>34</td>
<td>Australia’s Immigration Detention Network—Joint Select Committee—Variation of Appointment</td>
</tr>
<tr>
<td>35</td>
<td>Committee Membership</td>
</tr>
<tr>
<td>36</td>
<td>Carbon Credits (Carbon Farming Initiative) Bill 2011</td>
</tr>
<tr>
<td></td>
<td>Carbon Credits (Consequential Amendments) Bill 2011</td>
</tr>
<tr>
<td>37</td>
<td>Australian National Registry of Emissions Units Bill 2011</td>
</tr>
<tr>
<td>38</td>
<td>Government Documents—Consideration</td>
</tr>
<tr>
<td>39</td>
<td>Adjournment</td>
</tr>
<tr>
<td></td>
<td>Attendance</td>
</tr>
</tbody>
</table>

---

No. 39—5 July 2011
1 MEETING OF SENATE
The Senate met at 12.30 pm. The President (Senator the Honourable John Hogg) took the chair, read prayers and made an acknowledgement of country.

2 GOVERNMENT DOCUMENTS
The following documents were tabled:
Treaties—Multilateral—
Text, together with national interest analysis and regulation impact statement—
3 **DEATH OF SERGEANT TODD LANGLEY**

The Leader of the Government in the Senate (Senator Evans), by leave, moved—That the Senate records its deep sorrow at the death, on 4 July 2011, of Sergeant Todd Langley, while on combat operations in Afghanistan, places on record its appreciation of his service to our country, and tenders its profound sympathy to his family, friends and colleagues in their bereavement.

The motion was supported and all senators present stood in silence—

**Question passed.**

4 **CARBON CREDITS (CARBON FARMING INITIATIVE) BILL 2011**

**CARBON CREDITS (CONSEQUENTIAL AMENDMENTS) BILL 2011**

**AUSTRALIAN NATIONAL REGISTRY OF EMISSIONS UNITS BILL 2011**

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

Debate resumed.

Senator Birmingham moved the following amendment in respect of the Carbon Credits (Carbon Farming Initiative) Bill 2011:

> At the end of the motion, add “and further consideration of the bill be an order of the day for 3 sitting days after a draft of the final regulations relating to the bill is laid on the table”.

Debate ensued.

*At 2 pm:* Debate was interrupted while Senator Back was speaking.

5 **QUESTIONS**

Questions without notice were answered.

6 **QUESTIONS ON NOTICE—ANSWERS AND EXPLANATION**

Senator Cormann, pursuant to standing order 74, asked the Minister representing the Treasurer (Senator Wong) for an explanation of answers not being provided to questions on notice nos 437, 541, 601, 603, 604, 605, 606 and 607.

Senator Wong provided an explanation.

Senator Cormann moved—That the Senate take note of the explanation.

Debate ensued.

**Question put and passed.**

7 **MOTION TO TAKE NOTE OF ANSWER**

Senator Scullion moved—That the Senate take note of the answer given by the Minister for Agriculture, Fisheries and Forestry (Senator Ludwig) to a question without notice asked by Senator Scullion today relating to the live export of cattle to Indonesia.

Debate ensued.
Document: Senator Heffernan, by leave, tabled the following document:

Animal welfare—Indonesia—Live cattle exports—Impact of the suspension of the live cattle trade to Indonesia, Dr Peter Barnard, General Manager, International Markets and Economic Services, dated 29 June 2011.

Declaration of interest: Senator Heffernan declared an interest in relation to the matter under discussion.

Debate continued.
Question put and passed.

8 Notices

The Leader of the Australian Greens (Senator Bob Brown): To move on 18 August 2011—That—

(a) the questions in question time be allocated on an equal basis to all members, including the first question; and
(b) an exception be made where any senator, or party, including the Government, asks the President for a less than equal allocation. (general business notice of motion no. 319)

The Minister for Small Business (Senator Sherry): To move on the next day of sitting—That the following drafts settled with state/territory officials be referred to the Economics Legislation Committee for inquiry and report by 15 August 2011:

Business Names Registration Bill 2011
Business Names Registration (Fees) Bill 2011.

Senator Back: To move on the next day of sitting—That the following matter be referred to the Community Affairs References Committee for inquiry and report by 22 September 2011:

A review of the Professional Services Review (PSR) Scheme provided for under the Health Insurance Act 1973 (the Act) which is responsible for reviewing and investigating the provision of Medicare or Pharmaceutical Benefits Scheme services by health professionals, with particular reference to:

(a) the structure and composition of the PSR, including:
   (i) criteria for selection of the executive and constituent members, encompassing their experience in administrative review proceedings,
   (ii) the role of specialist health professionals in assisting in cases where members lack relevant specialist expertise, and
   (iii) accountability of all parties under the Act;
(b) current operating procedures and processes used to guide committees in reviewing cases;
(c) procedures for investigating alleged breaches under the Act;
(d) pathways available to practitioners or health professionals under review to respond to any alleged breach;
(e) the appropriateness of the appeals process; and
(f) any other related matter.

Senators Siewert and Ludlam: To move on the next day of sitting—That the Senate—
(a) condemns the heavy-handed tactics of the Western Australian Government which has instructed Western Australian police to forcibly remove locals from the road blockade at James Price Point, arresting elderly women, traditional owners and custodians;
(b) acknowledges the concern in the Broome community about the regional impact of the Browse development at James Price Point; and
(c) calls on the Minister for Sustainability, Environment, Water, Population and Communities (Mr Burke) to:
   (i) withdraw his decision to allow clearing to take place as an uncontrolled action before the heritage and environmental assessments have been completed,
   (ii) undertake an environmental assessment of the clearing activity,
   (iii) accept and table a petition of 3000 local people opposing the development, and
   (iv) undertake immediate consultation with the Broome community.  
(general business notice of motion no. 320)

Senator Ludlam: To move on the next day of sitting—That the Criminal Code Amendment (Cluster Munitions Prohibition) Bill 2010 be referred to the Joint Standing Committee on Treaties for inquiry and report by 7 September 2011.  
(general business notice of motion no. 321)

Senator Heffernan: To move on the next day of sitting—That—
(a) the following matter be referred to the Rural Affairs and Transport References Committee for inquiry and report by 30 November 2011: An examination of the Foreign Investment Review Board (FIRB) national interest test (the test), including:
   (i) how the test was applied to purchases of Australian agricultural land by foreign companies, foreign sovereign funds and other entities in the past 12 months,
   (ii) how the test was applied to purchases of Australian agri-businesses by foreign companies, foreign sovereign funds and other entities in the past 12 months,
   (iii) the role of the Government, regulators and receivers, including their obligations under the Corporations Act 2001 and/or the Foreign Acquisitions and Takeovers Act 1975, and including the role of the Australian Securities and Investments Commission, in upholding the test,
   (iv) the global food task and Australia’s food security in the context of sovereignty, and
   (v) the role of the foreign sovereign funds in acquiring Australian sovereign assets; and
(b) in conducting this inquiry, the committee should examine ways of improving the transparency of decisions made by the FIRB under the test and all other rules which govern its operation.
The Leader of the Australian Greens (Senator Bob Brown): To move on the next day of sitting—That the Senate calls on the Government to hold an independent inquiry into any Australian involvement in the conduct of the Abu Ghraib prison in Baghdad from 2003, including knowledge of such involvement by the then Prime Minister or other ministers. (general business notice of motion no. 322)

The Leader of the Australian Greens (Senator Bob Brown): To move on 7 July 2011—
That the Senate—
(a) notes:
   (i) Sri Lanka’s ‘killing fields’, which aired on Four Corners on Monday, 4 July 2011, is further shocking evidence supporting allegations of war crimes committed during the 2009 civil conflict in Sri Lanka, and
   (ii) that British Prime Minister, Mr David Cameron, said in response to the program on 15 June 2011 that ‘the Sri Lankan Government needs that to be investigated, and the UN needs it to be investigated. We need to make sure that we get to the bottom of what happened, and that lessons are learned’; and
(b) urges the Australian Government to support an international call for an independent investigation into war crimes committed by both the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam. (general business notice of motion no. 323)

9 POSTPONEMENT
The following item of business was postponed:
General business notice of motion no. 316 standing in the name of Senator Mason for today, relating to non-government schools, postponed till 16 August 2011.

10 TAXATION—PROPOSED TAX SUMMIT
Senator Cormann, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 199—That the Senate—
(a) notes the Government’s decision to delay the tax summit from June 2011 to October 2011;
(b) considers that any genuine tax summit will properly review and report on Labor’s proposals to introduce a national mining tax and a carbon tax; and
(c) decides that no legislation to impose a national mining tax or a carbon tax be considered by the Senate until after the October tax summit has reported.

Question put.
The Senate divided—

AYES, 31

Senators—

<table>
<thead>
<tr>
<th>Adams</th>
<th>Cash</th>
<th>Fisher</th>
<th>Mason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Back</td>
<td>Colbeck</td>
<td>Heffernan</td>
<td>McKenzie</td>
</tr>
<tr>
<td>Bernardi</td>
<td>Cormann</td>
<td>Humphries</td>
<td>Payne</td>
</tr>
<tr>
<td>Birmingham</td>
<td>Edwards</td>
<td>Johnston</td>
<td>Payne</td>
</tr>
<tr>
<td>Boswell</td>
<td>Eggleston</td>
<td>Joyce</td>
<td>Scullion</td>
</tr>
<tr>
<td>Boyce</td>
<td>Fawcett</td>
<td>Kroger</td>
<td>Williams (Teller)</td>
</tr>
<tr>
<td>Brandis</td>
<td>Fierravanti-Wells</td>
<td>Macdonald</td>
<td>Xenophon</td>
</tr>
<tr>
<td>Bushby</td>
<td>Fifield</td>
<td>Madigan</td>
<td></td>
</tr>
</tbody>
</table>
Senators—

Arbib, Faulkner, Marshall, Siewert
Bilyk, Feeney, McEwen (Teller), Singh
Bishop, Furner, McLucas, Stephens
Brown, Bob, Gallagher, Milne, Sterle
Brown, Carol, Hanson-Young, Moore, Thistlethwaite
Cameron, Hogg, Policy, Urquhart
Collins, Ludlam, Pratt, Waters
Crossin, Ludwig, Rhiannon, Wright
Di Natale, Lundy, Sherry

Question negatived.

11 NOTICE OF MOTION WITHDRAWN

Senator Siewert withdrew business of the Senate notice of motion no. 1 standing in her name for today, proposing a reference to the Education, Employment and Workplace Relations Legislation Committee.

12 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—VARIATION OF REFERENCE

Senator Xenophon amended business of the Senate notice of motion no. 3 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the resolution of the Senate of 9 February 2011, relating to the terms of reference of the Foreign Affairs, Defence and Trade References Committee on the procurement procedures for defence capital projects, be amended as follows:

At the end of the motion, add:

(e) assess the effectiveness of the Defence Materiel Organisation, including:

(i) its role and functions,

(ii) its processes, management structure and staffing, in particular as compared to similar organisations in the United Kingdom, the United States of America, Canada and other comparable jurisdictions and large Australian commercial enterprises,

(iii) its full costs, assessed against the timeliness and quality of its output and the service it provides to the Australian Defence Force, and

(iv) the extent to which it value-adds to national defence and to the long-term viability of Australian defence industries.

Question put and passed.

13 EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION COMMITTEE—REFERENCE

Senator McEwen, at the request of Senator Marshall and pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 2—That the provisions of the Safety, Rehabilitation and Compensation Amendment (Fair Protection for Firefighters) Bill 2011 be referred to the Education, Employment and Workplace Relations Legislation Committee for inquiry and report by 15 September 2011.

Question put and passed.
14 MIGRATION—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTING
Senator McEwen, at the request of Senator Bilyk and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 311—That the Joint Standing Committee on Migration be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 17 August 2011, from 10.30 am to noon.
Question put and passed.

15 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING SITTING
Senator McEwen, at the request of Senator Bishop and pursuant to notice of motion no. 312—That the Joint Committee of Public Accounts and Audit be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 6 July 2011, from noon to 1 pm, to take evidence for the committee’s inquiry into national funding agreements.
Question put and passed.

16 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT
Senator McEwen, at the request of the Chair of the Community Affairs Legislation Committee (Senator Moore) and pursuant to notice of motion no. 314—That the time for the presentation of the report of the Community Affairs Legislation Committee on the 2011-12 Budget estimates be extended to 7 July 2011.
Question put and passed.

17 NATIONAL BROADBAND NETWORK—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTING
Senator McEwen, at the request of Senator Stephens and pursuant to notice of motion no. 315—That the Joint Standing Committee on the National Broadband Network be authorised to:
(a) hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Tuesday, 5 July 2011, from 6 pm; and
(b) hold a public meeting during the sitting of the Senate on Tuesday, 5 July 2011, from 6.15 pm.
Question put and passed.

18 MIGRATION AMENDMENT (DECLARED COUNTRIES) BILL 2011—GENERAL BUSINESS ORDER OF THE DAY DISCHARGED
Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 318—That general business order of the day no. 57, relating to the Migration Amendment (Declared Countries) Bill 2011, be discharged from the Notice Paper.
Question put and passed.
19 Migration Amendment (Declared Countries) Bill (No. 2) 2011

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 317—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, 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.

20 Foreign Affairs—Marrickville Council—Israeli Boycott

Senator Boswell, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 308—That the Senate—

(a) condemns the boycott of Israel instigated by Marrickville Council – part of the Global Boycott Divestments and Sanctions – banning any links with Israeli organisations or organisations that support Israel and prohibiting any academic, government, sporting or cultural exchanges with Israel;

(b) acknowledges that Israel is a legitimate and democratic state and a good friend of Australia; and

(c) denounces the Israeli boycott by Marrickville Council and others, and condemns any expansion of it.

The Leader of the Australian Greens (Senator Bob Brown), by leave, moved the following amendment:

Omit all words after “That”, substitute “the Senate recognises the rights of the people of Palestine and Israel to live together as self-governing states based on the 1967 borders”.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 9

Senators—
Brown, Bob
Di Natale
Hanson-Young
Ludlam
Milne
Rhiannon
Siewert (Teller)
Waters
Wright
Question negatived.

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

Senator Xenophon, by leave, moved the following amendment:

After paragraph (c), insert:

(d) notes:

(i) the detrimental effect of the Israeli and Egyptian blockade in Gaza on the Palestinian people living in Gaza, and

(ii) that Australia is a good friend of the Palestinian territories and its people.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 10

Senators—

Brown, Bob
Di Natale
Hanson-Young

Ludlam
Milne
Rhiannon

Siewert (Teller)
Waters
Xenophon

Wright

NOES, 34

Senators—

Abetz
Back
Bilyk
Boswell
Boyce
Brown, Carol
Colbeck
Cormann
Crossin

Fifield
Furner
Gallacher
Joyce
Groger (Teller)
Ludwig
Lundy
Madigan
McEwen

McKenzie
McLucas
Moore
Nash
Parry
Payne
Polley
Pratt
Ryan

Singh
Stephens
Sterle
Thistlethwaite
Urquhart
Xenophon
Scullion
Singh
Stephens
Sterle
Thistlethwaite
Urquhart
Williams

Question negatived.

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

Main question put.
The Senate divided—

AYES, 33

Senators—
Abetz  Fifield  McKenzie  Stephens
Back   Finner   McLucas  Sterle
Bilyk  Gallacher  Nash   Thistlethwaite
Boswell Joyce  Parry   Urquhart
Boyce  Kroger   Polley  Williams
Colbeck Ludwig  Pratt  Xenophon
Cormann Lundy  Ryan
Crossin Madigan  Scullion
Feeney  McEwen (Teller)  Singh

NOES, 9

Senators—
Brown, Bob  Ludlam  Rhiannon  Waters
Di Natale  Milne  Siewert (Teller)  Wright
Hanson-Young

Question agreed to.

21 LAW AND JUSTICE—EQUAL MARRIAGE RIGHTS

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 310—That the Senate—

(a) notes that:
   (i) the New York State Congress has legislated for marriage equality, and
   (ii) in doing so, New York has joined the following states of the United States of America, Massachusetts, California, Connecticut, Iowa, Vermont, Washington DC and New Hampshire, along with more than 10 other nations;

(b) recognises that Australia is one of only a few democratic nations that does not provide same-sex couples with equal marriage rights; and

(c) calls on the Government to support marriage equality for all Australian citizens.

Question put.

The Senate divided—

AYES, 9

Senators—
Brown, Bob  Ludlam  Rhiannon  Waters
Di Natale  Milne  Siewert (Teller)  Wright
Hanson-Young

NOES, 31

Senators—
Back   Finner  Marshall  Singh
Bilyk  Gallacher  McKenzie  Stephens
Boswell Hogg   McLucas  Sterle
Colbeck Joyce  Nash   Thistlethwaite
Cormann Kroger (Teller)  Parry  Urquhart
Crossin Ludwig  Polley  Williams
Feeney  Lundy  Ryan
Fifield  Madigan  Scullion

Question negatived.
22 **Community Affairs References Committee—Extensions of Time to Report**

The Chair of the Community Affairs References Committee (Senator Siewert), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 313—That the time for the presentation of reports of the Community Affairs References Committee be extended as follows:

(a) the funding and administration of mental health services in Australia—to 20 September 2011; and

(b) supply of Pharmaceutical Benefits Scheme medicines to remote area Aboriginal Health Services—to 11 October 2011.

Question put and passed.

23 **Bankruptcy Amendment (Exceptional Circumstances Exit Package) Bill 2011**

Senator Xenophon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 298—That the following bill be introduced:

A Bill for an Act to amend the Bankruptcy Regulations 1996 in relation to the Exceptional Circumstances Exit Package, and for related purposes.

Question put and passed.

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

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

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

24 **Discussion of Matter of Public Importance—Taxation—Proposed Carbon Tax**

The President 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 continued determination to impose a carbon tax and put Australians under further cost of living pressures.

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

25 **Transport—Aviation Safety—Ministerial Statement—Document**

The Parliamentary Secretary for Defence (Senator Feeney) tabled the following document:

Transport—Aviation safety—Ministerial statement by the Minister for Infrastructure and Transport (Mr Albanese), dated 4 July 2011.
26 **FAMILY AND COMMUNITY SERVICES—AI-LIVE SYSTEM—NATIONAL PILOT—DOCUMENT**

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

Family and community services—Ai-Live system—National pilot—Letter to the President of the Senate from the Minister for School Education, Early Childhood and Youth (Mr Garrett) responding to the resolution of the Senate of 23 March 2011, dated 29 June 2011.

27 **FOREIGN AFFAIRS—PALESTINE AND ISRAEL—DOCUMENT**

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

Foreign affairs—Palestine and Israel—Letter to the President of the Senate from the Minister for Foreign Affairs (Mr Rudd) responding to the resolution of the Senate of 11 May 2011, dated 25 June 2011.

28 **FINANCE—RESERVE BANK OF AUSTRALIA—BANK FEES AND CHARGES REPORT—DOCUMENT**

The Parliamentary Secretary for Defence (Senator Feeney) tabled the following document:


29 **NATIONAL BROADBAND NETWORK—JOINT STANDING COMMITTEE—ADVISORY REPORT ON THE TELECOMMUNICATIONS LEGISLATION AMENDMENT (FIBRE DEPLOYMENT) BILL 2011**

Senator Stephens, on behalf of the Joint Committee on the National Broadband Network, tabled the following report:


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

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

30 **PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—423RD AND 424TH REPORTS**

Senator Polley, on behalf of the Joint Committee of Public Accounts and Audit, tabled the following reports:


424th report—Eighth biannual hearing with the Commissioner of Taxation, dated June 2011.

Senator Polley, by leave, moved—That the Senate take note of the reports.

Question put and passed.
31 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. 1) 2010-2011—Advance to the Finance Minister—No. 5 of 2010-2011 [F2011L01350].

Australian Prudential Regulation Authority Act—Australian Prudential Regulation Authority (Commonwealth Costs) Determination 2011 [F2011L01329].

Bankruptcy Act—Bankruptcy (Fees and Remuneration) Determination 2010 (No. 2) Amendment Determination 2011 (No. 1) [F2011L01344].


Broadcasting Services Act—Broadcasting Services (Events) Notice (No. 1) 2010 (Amendment No. 9 of 2011) [F2011L01353].

Civil Aviation Act—

Civil Aviation Regulations—Instruments Nos CASA—
- 286/11—Direction – number of cabin attendants for Airbus A320 aircraft [F2011L01357].
- 287/11—Direction – number of cabin attendants for Fokker F100 aircraft [F2011L01358].
- 297/11—Direction – number of cabin attendants [F2011L01345].

Civil Aviation Safety Regulations—Instrument No. CASA EX63/11—Exemption – display of markings on Boeing Stearman bi-plane [F2011L01346].

Commissioner of Taxation—Public Rulings—


Goods and Services Tax Advice—Erratum—GSTA TPP 025W.


Taxation Rulings—
- Addendum—TR 2008/2.

Commonwealth Services Delivery Agency Act—Commonwealth Services Delivery Agency (Functions of Chief Executive Officer – Repeal) Direction 2011 [F2011L01325].

Corporations Act—Select Legislative Instrument 2011 No. 128—Corporations Amendment Regulations 2011 (No. 2) [F2011L01368].

Corporations (Fees) Act—Select Legislative Instrument 2011 No. 129—Corporations (Fees) Amendment Regulations 2011 (No. 1) [F2011L01369].
Defence Home Ownership Assistance Scheme Act—Defence Home Ownership Assistance Scheme (Average House Price and Median Interest Rate) Amendment Determination 2011 (No. 1) [F2011L01347].

Fair Work Act—Fair Work (State Declarations — employer not to be national system employer) Endorsement 2011 (No. 1) [F2011L01333].


Federal Magistrates Act—Federal Magistrates (Terms and Conditions of Appointment) Amendment Determination 2011 (No. 1).

Financial Management and Accountability Act—
Financial Management and Accountability Determination 2011/08 – Section 32 (Transfer of Functions from FHCSIA to DPMC) [F2011L01399].
Select Legislative Instrument 2011 No. 119—Financial Management and Accountability Amendment Regulations 2011 (No. 3) [F2011L01359].


Medicare Australia Act—Medicare Australia (Functions of Chief Executive Officer – Repeal) Direction 2011 [F2011L01317].

Migration Act—Migration Regulations—Instruments IMMI—
11/025—Classes of persons [F2011L01362].
11/028—Specified place [F2011L01301].
11/032—Visa subclasses for the purposes of the health requirement [F2011L01268].

Military Superannuation and Benefits Act—Military Superannuation and Benefits Trust Deed Amendment 2011 (No. 1) [F2011L01351].

National Vocational Education and Training Regulator Act—
Data Provision Requirements 2011 [F2011L01342].
Fit and Proper Person Requirements 2011 [F2011L01341].
National Vocational Education and Training Regulator Act (Classification of States) Determination 2011 [F2011L01386].
Standards for NVR Registered Training Organisations 2011 [F2011L01356].

Quarantine Act—Quarantine Amendment Proclamation 2011 (No. 1) [F2011L01410].


Social Security Act—
Social Security (Special Disability Trust) (FaHCSIA) Guidelines 2011 [F2011L01343].
Social Security (Special Disability Trust – Trust Deed, Reporting and Audit Requirements) (FaHCSIA) Determination 2011 [F2011L01314].

Committee Membership

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

The Parliamentary Secretary for Defence (Senator Feeney), by leave, moved—that senators be discharged from and appointed to committees as follows:

Community Affairs Legislation Committee—
    Appointed—Participating members: Senators Di Natale, Rhiannon, Waters and Wright
Community Affairs References Committee—
Appointed—Participating members: Senators Di Natale, Rhiannon, Waters and Wright

Economics Legislation Committee—
Appointed—Participating members: Senators Di Natale, Rhiannon, Waters and Wright

Economics References Committee—
Appointed—Participating members: Senators Di Natale, Rhiannon, Waters and Wright

Education, Employment and Workplace Relations Legislation Committee—
Discharged—Senator Hanson-Young
Appointed—
Senator Rhiannon
Participating members: Senators Di Natale, Hanson-Young, Waters and Wright

Education, Employment and Workplace Relations References Committee—
Discharged—Senators Bilyk and Hanson-Young
Appointed—
Senators Gallacher and Rhiannon
Participating members: Senators Bilyk, Di Natale, Hanson-Young, Waters and Wright

Electoral Matters—Joint Standing Committee—
Discharged—Senator Bob Brown
Appointed—Senator Rhiannon

Environment and Communications Legislation Committee—
Discharged—Senators Gallacher and Ludlam
Appointed—
Senators Bilyk and Waters
Participating members: Senators Di Natale, Gallacher, Ludlam, Rhiannon and Wright

Environment and Communications References Committee—
Discharged—Senators Gallacher and Ludlam
Appointed—
Senators Bilyk and Waters
Participating members: Senators Di Natale, Gallacher, Ludlam, Rhiannon, Singh and Wright

Finance and Public Administration Legislation Committee—
Discharged—Senator Siewert
Appointed—
Senator Di Natale
Participating members: Senators Rhiannon, Siewert, Waters and Wright

Finance and Public Administration References Committee—
Discharged—Senator Siewert
Appointed—
Senator Di Natale
Participating members: Senators Rhiannon, Siewert, Waters and Wright
Foreign Affairs, Defence and Trade Legislation Committee—
  Appointed—Participating members: Senators Di Natale, Rhiannon, Waters and Wright

Foreign Affairs, Defence and Trade References Committee—
  Appointed—Participating members: Senators Di Natale, Rhiannon, Waters and Wright

Legal and Constitutional Affairs Legislation Committee—
  Discharged—Senator Ludlam
  Appointed—
    Senator Wright
    Participating members: Senators Di Natale, Ludlam, Rhiannon and Waters

Legal and Constitutional Affairs References Committee—
  Discharged—Senator Ludlam
  Appointed—
    Senator Wright
    Participating members: Senators Di Natale, Ludlam, Rhiannon and Waters

Migration—Joint Standing Committee—
  Discharged—Senator Bilyk
  Appointed—Senator Gallacher

Rural Affairs and Transport Legislation Committee—
  Appointed—Participating members: Senators Di Natale, Rhiannon, Waters and Wright

Rural Affairs and Transport References Committee—
  Appointed—Participating members: Senators Di Natale, Rhiannon, Waters and Wright

Senators’ Interests—Standing Committee—
  Discharged—Senator Siewert
  Appointed—Senator Waters.

Question put and passed.

33 CUSTOMS AMENDMENT (SERIOUS DRUGS DETECTION) BILL 2011
A message from the House of Representatives was reported agreeing to the amendment made by the Senate to the following bill:
  Message no. 212, dated 4 July 2011—Customs Amendment (Serious Drugs Detection) Bill 2011.

34 AUSTRALIA’S IMMIGRATION DETENTION NETWORK—JOINT SELECT COMMITTEE—VARIATION OF APPOINTMENT
A message from the House of Representatives was reported as follows:
  Message no. 214, dated 4 July 2011—Agreeing to the amendment made by the Senate to the resolution of appointment of the Joint Select Committee on Australia’s Immigration Detention Network.
35 COMMITTEE MEMBERSHIP
A message from the House of Representatives was reported informing the Senate of the appointment of members of the House of Representatives to the Joint Select Committee on Australia’s Immigration Detention Network, as follows:
   Message no. 213, dated 4 July 2011—Mr Melham and Ms Vamvakinou.

36 CARBON CREDITS (CARBON FARMING INITIATIVE) BILL 2011
   CARBON CREDITS (CONSEQUENTIAL AMENDMENTS) BILL 2011
   AUSTRALIAN NATIONAL REGISTRY OF EMISSIONS UNITS BILL 2011
Order of the day read for the adjourned debate on the motion of the Minister for Small Business (Senator Sherry)—That these bills be now read a second time—and on the amendment moved by Senator Birmingham in respect of the Carbon Credits (Carbon Farming Initiative) Bill 2011 (see entry no. 4).
   Debate resumed.
   At 6.50 pm: Debate was interrupted while Senator Xenophon was speaking.

37 GOVERNMENT DOCUMENTS—CONSIDERATION
The government documents tabled earlier today (see entry no. 2) and general business orders of the day nos 150 and 151 relating to government documents were called on but no motion was moved.

38 ADJOURNMENT
   The Deputy President (Senator Parry) proposed the question—That the Senate do now adjourn.
   Debate ensued.
   The Senate adjourned at 7.48 pm till Wednesday, 6 July 2011 at 9.30 am.

39 ATTENDANCE
Present, all senators except Senators Carr*, Coonan* and Farrell* (* on leave).

ROSEMARY LAING
Clerk of the Senate

Printed by authority of the Senate