2010-11

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 54

TUESDAY, 20 SEPTEMBER 2011

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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:

- Defence Housing Australia (DHA)—Statement of corporate intent 2011-12.
- *Privacy Act 1988*—Report for 2009-10 on the operation of the Act, including financial statements for the Office of the Privacy Commissioner—Correction.
- **Treaties**—
  - *Bilateral*—
    - Text, together with national interest analysis—

3 **Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010**

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.

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

4 **Questions**

Questions without notice were answered.

5 **Motions to Take Note of Answers**

Senator Humphries 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 Birmingham and Cormann today relating to a proposed carbon tax.

Debate ensued.

*Question put and passed.*
Senator Di Natale moved—That the Senate take note of the answer given by the Minister for Finance and Deregulation (Senator Wong) to a question without notice asked by Senator Di Natale today relating to the tobacco industry.

Question put and passed.

6 NOTICES

The Minister for Tertiary Education, Skills, Jobs and Workplace Relations (Senator Evans): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the law relating to long service leave in the black coal mining industry, and for related purposes. Coal Mining Industry (Long Service Leave) Legislation Amendment Bill 2011.

The Minister for Tertiary Education, Skills, Jobs and Workplace Relations (Senator Evans): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the social security law, and for related purposes. Social Security Legislation Amendment (Family Participation Measures) Bill 2011.

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

(1) Divisions may take place on:
   (a) Thursday, 13 October 2011, after 4.30 pm; and
   (b) Monday, 21 November 2011, before 12.30 pm.

(2) The order of the Senate of 22 November 2010 relating to the days of meeting of the Senate for the year 2011, be modified as follows:
   Insert “Monday, 7 November to Thursday, 10 November”.

(3) On Tuesday, 1 November and 8 November 2011:
   (a) the hours of meeting shall be 11 am to 6.30 pm and 7.30 pm to 10.40 pm;
   (b) the routine of business from 11 am shall be consideration of the government business order of the day relating to the Clean Energy Bill 2011 and 17 related bills; and
   (c) the question for the adjournment of the Senate shall be proposed at 10 pm.

(4) On Thursday, 3 November and 10 November 2011:
   (a) the hours of meeting shall be 9.30 am to 8.40 pm;
   (b) consideration of general business and consideration of committee reports, government responses and Auditor-General’s reports under standing order 62(1) and (2) shall not be proceeded with;
   (c) the government business order of the day relating to the Clean Energy Bill 2011 and 17 related bills shall have precedence over all government business;
   (d) divisions may take place after 4.30 pm; and
   (e) the question for the adjournment of the Senate shall be proposed at 8 pm.

(5) The government business order of the day relating to the Clean Energy Bill 2011 and 17 related bills be considered under a limitation of time and that the time allotted be as follows:
   (a) on Thursday, 3 November 2011, from 3.45 pm to 4 pm—second reading;
(b) on Thursday, 10 November 2011, at 4 pm—all remaining stages, excluding consideration of any messages from the House of Representatives; and

(c) on Monday, 21 November 2011, at 6 pm—all remaining stages, including consideration of any messages from the House of Representatives.

(6) Subject to paragraph (5), this order operate as an allocation of time under standing order 142.

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

(a) notes:

(i) the participation and status of women in the economy is central to development efforts,

(ii) the significant contribution the Australian Government is making to improve the lives of women across the globe,

(iii) the successful APEC [Asia-Pacific Economic Cooperation] Women and the Economy Summit, held in San Francisco, California, from 13 September to 16 September 2011, where Australia committed $2.2 million to help women start and expand their own small businesses, and

(iv) that this money will help microfinance institutions provide loans to more than 26 million women by the end of 2013, enabling these women to establish their own business, send their children to school, invest in their livelihoods and improve their families’ standard of living; and

(b) calls on the Government to continue to invest in empowering women through the Australian aid program. (general business notice of motion no. 439)

The Deputy Chair of the Finance and Public Administration Legislation Committee (Senator Ryan): To move on the next day of sitting—That the time for the presentation of the final report of the Finance and Public Administration Legislation Committee on the exposure drafts of Australian privacy amendment legislation be extended to 12 October 2011. (general business notice of motion no. 440)

The Chair of the Community Affairs References Committee (Senator Siewert): To move on the next day of sitting—That the Community Affairs References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 21 September 2011, from 4.30 pm. (general business notice of motion no. 441)

Senator Siewert: To move on 22 September 2011—That the following bill be introduced: A Bill for an Act to amend the Fisheries Management Act 1991, and for related purposes. Fisheries Management Amendment (North West Slope Fishery Partial Closure) Bill 2011. (general business notice of motion no. 442)

The Chair of the Rural Affairs and Transport References Committee (Senator Heffernan): To move on the next day of sitting—That the Rural Affairs and Transport References Committee be authorised to meet during the sitting of the Senate on Wednesday, 21 September 2011, from 5 pm, for a private briefing. (general business notice of motion no. 443)

The Leader of the Opposition in the Senate (Senator Abetz): To move on the next day of sitting—That the Senate rejects the Government’s attempts to provide inadequate protections for asylum seekers in its proposed legislation to resurrect its Malaysian asylum seeker deal. (general business notice of motion no. 444)
Senator Carol Brown: To move on the next day of sitting—That the time for the presentation of the report of the Joint Standing Committee on Electoral Matters on the funding of political parties and election campaigns be extended to 1 December 2011. *(general business notice of motion no. 445)*

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

(a) notes:

(i) a roundtable meeting held in Federal Parliament supported a call for Sri Lanka to be suspended from the Councils of the Commonwealth because it has:

(A) refused to hold an independent investigation into alleged war crimes committed in Sri Lanka during the final stages of the civil war in 2009, and

(B) breached its commitment to uphold the ‘rule of law’ in the Commonwealth’s values and principles, as set out in the Millbrook Commonwealth Action Program,

(ii) a precedent was set for temporarily suspending a country from the Councils of the Commonwealth when Pakistan was suspended in 1999 and Fiji was suspended in 2000 and 2006, and

(iii) the Sri Lankan President is planning to attend the Commonwealth Heads of Government Meeting in Perth in October 2011; and

(b) calls on the Australian Government to support calls for Sri Lanka to be suspended from the Councils of the Commonwealth until the Government of Sri Lanka:

(i) agrees to an international independent investigation into war crimes,

(ii) restores human rights and the rule of law, and


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

(a) notes that:

(i) on 7 September 2001, the United Nations (UN) General Assembly passed Resolution 55/282 declaring that the International Day of Peace should be observed annually on the fixed date of 21 September, as a day of global ceasefire and non-violence,

(ii) UN Secretary-General Ban Ki-Moon has urged member states to support the observance of global ceasefire, and

(iii) the slogan chosen by the UN for the 2011 marking of the day is ‘Peace = Future’, drawing particular attention to the impact of armed conflict on children and that the world’s concerns will soon be in their hands;

(b) supports non-government organisations in Australia who intend to observe the day through vigils, concerts and walks; and

(c) calls on the Australian Government to:

(i) promote the observance of a global ceasefire for the duration of 21 September, and

(ii) support the observation of a ceasefire by not engaging in hostilities for the duration of 21 September, unless provoked to do so in self-defence. *(general business notice of motion no. 447)*
Senator Ludlam: To move on 11 October 2011—That the Senate—

(a) notes:
   (i) that the Northern Territory Government adopted legislation to launch a territory-wide container deposit scheme from 12 January 2010,
   (ii) that Coca-Cola Amatil has proposed legal action against the Northern Territory Government citing a breach of section 9 of the Mutual Recognition Act 1992, and
   (iii) Clean Up Australia’s activities throughout Australia over the weekend of 16 September and 17 September 2011; and

(b) calls on the Australian Government to adopt a container deposit scheme by all states and territories, effectively annulling the proposed court action by Coca-Cola Amatil. (general business notice of motion no. 448)

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

- Defence Legislation Amendment Bill 2011
- Indigenous Affairs Legislation Amendment Bill (No. 2) 2011
- National Residue Survey (Excise) Levy Amendment (Deer) Bill 2011
- Protection of the Sea (Prevention of Pollution from Ships) Amendment (Oils in the Antarctic Area) Bill 2011.

Documents: Senator Ludwig tabled the following documents:


The Minister for Agriculture, Fisheries and Forestry (Senator Ludwig): To move on the next day of sitting—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Clean Energy Bill 2011 and related bills, allowing them to be considered during this period of sittings.

Document: Senator Ludwig tabled the following document:


7 POSTPONEMENT

The following item of business was postponed:

General business notice of motion no. 438 standing in the name of Senator Siewert for today, relating to the North West Slope Trawl Fishery, postponed till 21 September 2011.
8 FAMILY AND COMMUNITY SERVICES—SURF LIFE SAVING AUSTRALIA

Senator Kroger, at the request of Senators Boyce, McKenzie, Di Natale and Thistlethwaite and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 422—That the Senate—

(a) notes:

(i) that surf life savers are as Australian as wattle, koalas and the love of sport,

(ii) that Surf Life Saving Australia safeguards more than 100 million beach visits every year,

(iii) that in the 2010-11 financial year there were 61 coastal drownings in Australia, a decrease of more than 15 per cent on the 84 coastal drownings in the 2009-10 financial year, as outlined in the new report, National coastal safety report 2011: A summary of coastal drowning deaths in Australia,

(iv) that the Australian Water Safety Council aims to halve drowning deaths by the year 2020 and that Surf Life Saving Australia is pivotal to achieving that goal,

(v) the important role that Surf Life Saving Australia plays in our community, and

(vi) that, while Surf Life Saving Australia provides a wonderful service, the organisation relies on the community for financial support and volunteers so it can continue to ensure that our beaches are safe; and

(b) calls on the Australian Government to:

(i) continue support for Surf Life Saving Australia, and

(ii) assist Surf Life Saving Australia by providing further funding for its data research program designed to support development of education, technology, communications and operations to reduce drowning deaths in Australia.

Question put and passed.

9 FOREIGN AFFAIRS—HARKIN-ENGEL PROTOCOL—ANNIVERSARY

Senator McEwen, at the request of Senators Moore, Marshall, Birmingham, Parry and Hanson-Young and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 424—That the Senate—

(a) notes the 10th anniversary of the Harkin-Engel Protocol signed in September 2001, designed to encourage voluntary standards for the certification of cocoa production that prohibits and eliminates engagement in the worst forms of child labour, as defined by the International Labour Organization Convention 182 which has been ratified by Australia; and

(b) calls on the Australian Government to:

(i) be proactive in measures to counter people trafficking or slavery,

(ii) actively engage in international fora to ensure greater priority for consideration of measures against child slavery and trafficking,

(iii) work cooperatively to improve traceability of products through the monitoring of their derivation, where practical, with reference to people trafficking or slavery, and
(iv) cooperate closely with organisations and entities against people trafficking.

Question put and passed.

10 COMMUNICATIONS—WEST AUSTRALIAN FOOTBALL LEAGUE—BROADCAST

Senator Bishop, also on behalf of Senators Johnston and Ludlam, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 425—That the Senate calls on the Australian Broadcasting Corporation to maintain its broadcasts of West Australian Football League (WAFL) games, recognising:

(a) the widespread following of the WAFL domestically in Western Australia, quite separate from the Australian Football League;
(b) the WAFL has extensive and far-reaching support throughout regional and remote areas of the state;
(c) that Australian football, our indigenous game, has a special place within our Indigenous communities and is an ideal vehicle to engage Indigenous students in school;
(d) the WAFL provides development opportunities for emerging talent in a range of skills and industries; and
(e) the WAFL instils a sense of community pride in the players’ place of origin.

Question put and passed.

11 RURAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator McEwen, at the request of the Chair of the Rural Affairs and Transport Legislation Committee (Senator Sterle) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 426—That the time for the presentation of the report of the Rural Affairs and Transport Legislation Committee on the Qantas Sale Amendment (Still Call Australia Home) Bill 2011 be extended to 21 November 2011.

Question put and passed.

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

Senator McEwen, at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Crossin) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 429—That the time for the presentation of the report of the Legal and Constitutional Affairs Legislation Committee on the Native Title Amendment (Reform) Bill 2011 be extended to 3 November 2011.

Question put and passed.

13 ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

Senator McEwen, at the request of the Deputy Chair of the Environment and Communications References Committee (Senator Cameron) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 432—That the time for the presentation of the final report of the Environment and Communications References Committee on the status, health and sustainability of the koala population be extended to 21 September 2011.

Question put and passed.
14 **NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator McEwen, at the request of the Chair of the Joint Standing Committee on the National Capital and External Territories (Senator Pratt) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 433—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, 21 September 2011, from 12.30 pm to 1.45 pm.

Question put and passed.

15 **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 not objected to as a formal motion, moved general business notice of motion no. 434—That the Joint Standing Committee on the National Broadband Network be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 20 September 2011, from 6 pm to 9.30 pm.

Question put and passed.

16 **ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator McEwen, at the request of the Deputy Chair of the Environment and Communications References Committee (Senator Cameron) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 436—That the Environment and Communications References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Tuesday, 20 September 2011, from 5.30 pm, in relation to its inquiry on the status, health and sustainability of the koala population.

Question put and passed.

17 **LEGAL AND CONSTITUTIONAL AFFAIRS REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Kroger, at the request of the Chair of the Legal and Constitutional Affairs References Committee (Senator Humphries) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 427—That the Legal and Constitutional Affairs References Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 22 September 2011, from 4 pm to 5 pm, to take evidence for the committee’s inquiry into international child abduction to and from Australia.

Question put and passed.
18 RURAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Kroger, at the request of the Chair of the Rural Affairs and Transport References Committee (Senator Heffernan) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 430—That the Rural Affairs and Transport References Committee be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 20 September 2011, from 4.30 pm, to take evidence for the committee’s inquiry into the live export trade, together with the Live Animal Export (Slaughter) Prohibition Bill 2011 [No. 2] and the Live Animal Export Restriction and Prohibition Bill 2011 [No. 2].

Question put and passed.

19 RURAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—EXTENSIONS OF TIME TO REPORT

Senator Kroger, at the request of the Chair of the Rural Affairs and Transport References Committee (Senator Heffernan) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 431—That the time for the presentation of the reports of the Rural Affairs and Transport References Committee on the live export trade, and the Live Animal Export (Slaughter) Prohibition Bill 2011 [No. 2] and the Live Animal Export Restriction and Prohibition Bill 2011 [No. 2], be extended to 12 October 2011.

Question put and passed.

20 AUSTRALIA’S CLEAN ENERGY FUTURE LEGISLATION—JOINT SELECT COMMITTEE—LEAVE TO MEET DURING SITTING

The Deputy Chair of the Joint Select Committee on Australia’s Clean Energy Future Legislation (Senator Milne), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 428—That the Joint Select Committee on Australia’s Clean Energy Future Legislation be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 21 September 2011, from 9.30 am to noon.

Question put and passed.

21 ECONOMICS—MICROBREWERIES

Senator Milne, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 417—That the Senate—

(a) notes that:

(i) microbreweries are important niche businesses in Australia, providing valuable job opportunities and economic growth, particularly in rural and regional areas,

(ii) microbreweries need recognition within the tax system through the Microbrewery Refund, given that they are competing in a domestic market heavily dominated by large multinational companies,

(iii) the Microbrewery Refund was introduced in 2000 and that the definition of a microbrewery has not been reviewed and is now markedly out of step with industry reality, and
(iv) the maximum excise refund has remained capped at $10,000, while the beer excise has been raised twice a year for the past 11 years with the consumer price index; and

(b) calls on the Government to amend:

(i) the definition of a microbrewery under regulation 2AB of the Excise Regulations 1925, so that a microbrewery is defined as a brewery that produces up to 300,000 litres of beer annually, replacing the current maximum volume of 30,000 litres, and

(ii) paragraph 50(1)(zzd) of the Excise Regulations 1925 to remove the maximum of $10,000 excise refund that can be claimed in a financial year.

Statements by leave: The Leader of the Opposition in the Senate (Senator Abetz) and Senator Milne, by leave, made statements relating to the motion.

Question put.

The Senate divided—

**AYES, 9**

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**NOES, 31**

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Question negatived.

22 **TRADE—NEW ZEALAND—EXPORT OF APPLES TO AUSTRALIA—ORDER FOR PRODUCTION OF DOCUMENTS**

Senator Colbeck, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 423—That the Senate—

(a) orders that there be laid on the table, and presented to the President under standing order 166, by 5 pm on Thursday, 6 October 2011 by the Minister for Agriculture, Fisheries and Forestry (Senator Ludwig) a document, or documents, containing information regarding the determination of eligibility of New Zealand pack houses and orchards to export apples to Australia, specifically:

(i) supply copies of audit checklists and other audit tools used to determine the eligibility of New Zealand pack houses and orchards to export apples to Australia,

(ii) supply copies of audit reports for all New Zealand pack houses and orchards registered and licensed to export apples to Australia,
(iii) provide details of the qualifications, skills, technical expertise and other selection criteria for the Australian Quarantine and Inspection Service (AQIS) auditors and New Zealand third party auditors (IVA auditors) involved in establishing and verifying the eligibility of New Zealand pack houses and orchards to export apples to Australia,

(iv) provide details of any consideration given to using the Joint Accreditation System of Australia and New Zealand [JAS-ANZ] to audit and accredit the IVA auditors and processes and AQIS auditors and processes,

(v) describe the product identification and traceability processes used in each of the pack houses registered for export of apples to Australia, including how apples can be conclusively traced back to particular orchards,

(vi) provide details of any product reconciliation that is undertaken to verify the origin of apples from particular blocks and orchards,

(vii) provide details of all product recall and/or product withdrawal procedures for pack houses and orchards registered for export of apples to Australia,

(viii) provide details of the testing and verification of product recall and/or product withdrawal procedures, including details of when these procedures were last tested and the outcome of that test, for pack houses and orchards registered for export of apples to Australia,

(ix) provide details of all compulsory inspections undertaken in orchards and pack houses by orchard/pack house staff and by IVA/AQIS inspectors and auditors for pack houses and orchards registered or wishing to become registered for export of apples to Australia,

(x) provide copies of internal inspection records for all inspections undertaken on consignments of apples that were subsequently rejected from the export program,

(xi) detail the specific procedures for dealing with rejected consignments of New Zealand apples when the rejection takes place:

(A) in New Zealand, and

(B) once apples have arrived in Australia,

(xii) outline the specific consequences for pack houses once there has been a rejection of export apples, including steps and processes involved in re-entering the export market, and

(xiii) define what constitutes a ‘significant outbreak’ of fire blight; and

(b) notes that this information is required by Thursday, 6 October 2011, to allow consideration of it before a parliamentary delegation travels to New Zealand to investigate biosecurity and verification processes associated with the export of apples to Australia.

Statements by leave: The Minister for Agriculture, Fisheries and Forestry (Senator Ludwig) and Senator Colbeck, by leave, made statements relating to the motion.

Question put and passed.
23 **ADMINISTRATION—GUNNS AND FORESTRY TASMANIA—COMMERCIAL DISPUTE**

Senator Colbeck, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 437—That the Senate calls on the Government to ensure that:

(a) Commonwealth funds are not used to resolve the commercial dispute between Gunns and Forestry Tasmania; and

(b) assistance to forest contractors is not reduced.

*Leave refused:* Senator Milne sought leave to move an amendment to the motion.

An objection was raised and leave was not granted.

Question put.

The Senate divided—

**AYES, 29**

Abetz
Adams
Back
Bernardi
Birmingham
Boyce
Bushby
Cash
Colbeck
Cormann
Edwards
Fawcett
Fierravanti-Wells
Fifield
Heffernan
Humphries
Johnston
Joyce
Kroger (Teller)
Macdonald
Madigan
Mason
McKenzie
Nash
Parry
Ronaldson
Ryan
Scullion
Williams

**NOES, 32**

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Collins
Conroy
Crossin
Di Natale
Farrell
Faulkner
Furner
Gallacher
Hanson-Young
Hogg
Ludlam
Ludwig
Lundy
Marshall
McEwen (Teller)
Milne
Moore
Pratt
Rhiannon
Siewert
Singh
Stephens
Sterle
Thistlethwaite
Urquhart
Waters
Wright

Question negatived.

24 **FOREIGN AFFAIRS—UNITED STATES OF AMERICA—TAXATION**

Senator Milne, at the request of the Leader of the Australian Greens (Senator Bob Brown) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 435—That the Senate supports moves by the President of the United States of America, Barack Obama, to close tax loopholes for those earning a million dollars a year, ensuring that millionaires pay a minimum rate of tax that at least matches that of middle-class families.

Question put and passed.

*Statement by leave:* Senator Cormann, by leave, made a statement relating to the motion.
25 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—TAXATION—PROPOSED CARBON TAX—TOURISM INDUSTRY

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 impact of the Gillard Government’s proposed carbon tax on the Australian tourism industry.

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

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

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

Standing order 37(3)—Access to committee documents—Senate Standing Committee on Foreign Affairs and Defence (1975)—Report to the Senate.

27 COMMITTEE MEMBERSHIP

The Acting Deputy President (Senator Cameron) 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:

Economics References Committee—

Appointed—
Substitute member: Senator Colbeck to replace Senator Williams for the committee’s inquiry into the impacts of supermarket price decisions on the dairy industry on 6 October 2011
Participating member: Senator Williams

Public Works—Joint Statutory Committee—

Appointed—Senator Boyce.

Question put and passed.

28 NATIONAL HEALTH REFORM AMENDMENT (NATIONAL HEALTH PERFORMANCE AUTHORITY) BILL 2011

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

Message no. 267, dated 20 September 2011—National Health Reform Amendment (National Health Performance Authority) Bill 2011.

29 HIGHER EDUCATION LEGISLATION AMENDMENT (STUDENT SERVICES AND AMENITIES) BILL 2010

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.

Declaration of interest: Senator Edwards declared an interest in relation 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.
Question—That the bill be agreed to—divided, at the request of Senator Hanson-Young, in respect of Schedule 1, item 6, subsection 19-67(3).
Schedule 1, item 6, subsection 19-67(3) debated.

At 6.50 pm: The Acting Deputy President (Senator Moore) resumed the chair and the Temporary Chair of Committees reported progress.

30 GOVERNMENT DOCUMENTS—CONSIDERATION
The government documents tabled earlier today (see entry no. 2) and general business order of the day no. 8 relating to government documents were called on but no motion was moved.

31 ADJOURNMENT
The Acting Deputy President (Senator Moore) proposed the question—That the Senate do now adjourn.
Debate ensued.
The Senate adjourned at 8.50 pm till Wednesday, 21 September 2011 at 9.30 am.

32 ATTENDANCE

ROSEMARY LAING
Clerk of the Senate

Printed by authority of the Senate