THURSDAY, 1 MARCH 2012

Contents

1 Meeting of Senate ................................................................. 2177
2 Commonwealth Commissioner for Children and Young People Bill 2010 .... 2177
3 Environment Protection (Beverage Container Deposit and Recovery Scheme) Bill 2010 ..................................................... 2177
4 Notices ............................................................................. 2178
5 Order of Business—Rearrangement ............................................. 2179
6 Postponements ..................................................................... 2179
7 Low Aromatic Fuel Bill 2012 ..................................................... 2179
8 Assisting Victims of Overseas Terrorism Bill 2012 ....................... 2180
9 Social Issues—World Plumbing Day .......................................... 2180
10 Foreign Affairs—Iran—Human Rights ..................................... 2180
11 Rural and Regional Affairs and Transport References Committee—Extension of Time to Report .............................................. 2181
12 Foreign Affairs—China and Tibet—Human Rights ...................... 2181
13 Environment and Communications References Committee—Proposed Reference .................................................................. 2182
14 Environment—Renewable Energy Bonus Scheme ....................... 2183
15 Publications—Standing Committee—14th Report ......................... 2184
16 Committees—Additional Information—Estimates ......................... 2184
17 Finance and Public Administration References Committee—Report—Operation of the Lobbying Code of Conduct and the Lobbyist Register .... 2184
18 Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—Report—Integrity Commissioner—Report for 2010-11 .... 2185
20 Family Assistance and Other Legislation Amendment Bill 2012 .......... 2185
21 Environment and Communications Legislation Committee—Report—Environment Protection and Biodiversity Conservation Amendment (Emergency Listings) Bill 2011 .................................................. 2186
22 Tax Laws Amendment (2011 Measures No. 9) Bill 2011 ........................................... 2186
23 National Health Amendment (Fifth Community Pharmacy Agreement
Initiatives) Bill 2012........................................................................................................ 2186
24 Australian Research Council Amendment Bill 2011 ................................................. 2187
25 Questions ......................................................................................................................... 2187
26 Notice ............................................................................................................................... 2187
27 Leave of Absence ............................................................................................................ 2187
28 Motions to Take Note of Answers .................................................................................. 2187
29 Selection of Bills—Standing Committee—Report No. 2 of 2012 .............................. 2187
30 Senate—Senator Arbib—Imminent Resignation—Statements by Leave.............. 2189
31 Documents ...................................................................................................................... 2189
32 Indexed Lists of Departmental and Agency Files—Order for Production of
Documents—Document...................................................................................................... 2190
33 Departmental and Agency Contracts—Order for Production of
Documents—Documents.................................................................................................. 2190
34 Committee Membership ................................................................................................. 2191
35 Economics—Economic and Fiscal Policy—Government’s Mismanagement... 2191
36 Government Documents—Orders of the Day—Consideration ................................. 2191
37 Committee Reports and Government Responses—Orders of the Day—
Consideration ..................................................................................................................... 2193
38 Auditor-General’s Reports—Orders of the Day—Consideration ............................ 2194
39 Adjournment .................................................................................................................... 2194
40 Attendance ....................................................................................................................... 2194
1 **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.

2 **COMMONWEALTH COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE BILL 2010**

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

Debate resumed.

*Explanatory notes:* Senator Hanson-Young, by leave, tabled explanatory notes relating to the Australian Greens amendments to be moved to the bill.

Debate continued.

Question put.

The Senate divided—

**AYES, 9**

Brown, Bob
Di Natale
Hanson-Young
Ladlam
Rhiannon
Siewert (Teller)
Waters
Wright
Xenophon

**NOES, 26**

Back
Bernardi
Bilyk
Colbeck
Cormann
Crossin
Edwards
Farrell
Fawcett
Feehey
Fifield
Furner
Gallacher
Hogg
Kroger (Teller)
Lundy
Madigan
Marshall
McEwen
McKenzie
McLucas
Moore
Polley
Pratt
Sterle
Thistlethwaite

Question negatived.

3 **ENVIRONMENT PROTECTION (BEVERAGE CONTAINER DEPOSIT AND RECOVERY SCHEME) BILL 2010**

Order of the day read for the adjourned debate on the motion of Senator Ludlam—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 Waters in continuation.
4 Notices

Senator Carol Brown: To move on the next day of sitting—That the Joint Standing Committee on Electoral Matters be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 14 March 2012. (general business notice of motion no. 675)

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

(a) notes:

(i) footage of animal cruelty at the Temur Petir and Cakung abattoirs in Jakarta that was aired on the Australian Broadcasting Corporation television program Lateline on 28 February 2012 shows serious and systematic breaches of the Government’s new Export Supply Chain Assurance System,

(ii) the Royal Society for the Prevention of Cruelty to Animals [RSPCA] Chief Scientist has identified 61 observed incidents of non-compliance with the Government’s own supply chain assurance elements at the Temur Petir and Cakung abattoirs,

(iii) the Minister for Agriculture, Fisheries and Forestry (Senator Ludwig) has refused to publicly reveal whether Australian cattle are being exported to the Temur Petir and Cakung abattoirs,

(iv) that making this information public would not compromise any departmental investigation, and without it the public can have no confidence that the Government’s new system to protect animal welfare is being monitored and enforced,

(v) a Perth-based cattle exporter, International Livestock Exports, announced on 29 February that it had suspended shipments to one of the Indonesian abattoirs in question, placing the industry response ahead of the Government’s response to the situation, and

(vi) that animal rights activists such as Animals Australia and the Indonesian activists who filmed the Jakarta abattoirs are to be congratulated for exposing the continuing cruelty in the live export industry and the failure of Australia’s new regulatory regime; and

(b) calls on the Government to:

(i) confirm whether Australian cattle are being exported to the Temur Petir and Cakung abattoirs,

(ii) publicly disclose the names of any companies involved in exporting live cattle to the Temur Petir and Cakung abattoirs in Jakarta,

(iii) immediately suspend the export licences of those companies involved in exporting live cattle to the Temur Petir and Cakung abattoirs in Jakarta until an investigation has been conducted,

(iv) urgently put more resources into monitoring and enforcement of the supply chain assurance system to ensure that animal welfare is prioritised in the Government’s new regulatory regime, and

(v) move to introduce a ban on live animal exports. (general business notice of motion no. 676)
ORDER OF BUSINESS—REARRANGEMENT

The Parliamentary Secretary for Sustainability and Urban Water (Senator Farrel) moved—That government business be interrupted at 1 pm to allow consideration of the following government business orders of the day till not later than 2 pm today:

No. 3 Tax Laws Amendment (2011 Measures No. 9) Bill 2011.
No. 4 National Health Amendment (Fifth Community Pharmacy Agreement Initiatives) Bill 2012.
No. 5 Australian Research Council Amendment Bill 2011.

Question put and passed.

Senator Farrell moved—That the order of general business for consideration today be as follows:

(a) general business notice of motion no. 641 standing in the name of Senator Fifield relating to the Government’s mismanagement of economic and fiscal policy; and

(b) orders of the day relating to government documents.

Question put and passed.

POSTPONEMENTS

The following items of business were postponed:

General business notice of motion no. 608 standing in the name of Senator Rhiannon for today, relating to the Bsafe program, postponed till 13 March 2012.

General business notice of motion no. 673 standing in the name of Senator Ludlam for today, relating to Mr Julian Assange, postponed till 13 March 2012.

LOW AROMATIC FUEL BILL 2012

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 645—That the following bill be introduced:

A Bill for an Act to promote the supply of low aromatic fuel and control the supply of other fuels in certain areas, and for related purposes.

Question put and passed.

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

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

Debate adjourned till the next day of sitting, Senator Siewert in continuation.
ASSISTING VICTIMS OF OVERSEAS TERRORISM BILL 2012

Senator Brandis, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 670—That the following bill be introduced:

A Bill for an Act to establish a process for assisting victims of overseas terrorist acts, and for related purposes.

Question put and passed.

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

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

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

SOCIAL ISSUES—WORLD PLUMBING DAY

Senator Kroger, at the request of Senator Boyce and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 668—That the Senate—

(a) recognises:

(i) the importance of World Plumbing Day on 11 March and its aim of highlighting the role that the plumbing industry plays in relation to health through the provision of safe water and sanitation, and
(ii) the environmental role of the industry in water conservation and energy efficiency and the increasing use of renewable sources of energy;

(b) notes that it is estimated that 3.1 million children die each year as a result of water related diseases; and

(c) congratulates the World Plumbing Council on its role in promoting the importance of the plumbing industry, both in developed countries and in developing countries where good plumbing could save lives.

Question put and passed.

FOREIGN AFFAIRS—IRAN—HUMAN RIGHTS

Senator Bernardi, also on behalf of Senators Stephens and Fawcett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 669—that the Senate—

(a) supports freedom of religion as a universal human right;

(b) does not support the imprisonment or persecution of individuals on the basis of their religious belief;
(c) calls on the Iranian authorities to release Pastor Youcef Nadarkhani, who has been sentenced to death for the sole reason of his refusal to recant his Christian faith;
(d) recognises that this action is a breach of Iran’s international obligations, its own constitution and stated religious values; and
(e) stands in solidarity with Pastor Nadarkhani, his family and all those who seek to practise their religion without fear of persecution.

Question put and passed.

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

Senator Kroger, at the request of the Chair of the Rural and Regional 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. 672—That the time for the presentation of the report of the Rural and Regional Affairs and Transport References Committee on the Foreign Investment Review Board national interest test be extended to 27 June 2012.

Question put and passed.

12 FOREIGN AFFAIRS—CHINA AND TIBET—HUMAN RIGHTS

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 671—That the Senate
(a) notes the deteriorating human rights situation in China and Tibet over recent months, including the following developments:
   (i) the imposition of a media blackout by Chinese authorities in Sichuan, Qinghai and the region of Tibet since 24 January 2012, including shutting down the presence of international and non-government media organisations and coverage of pro-Tibetan activities, which has been documented by global press freedom organisation Reporters Without Borders,
   (ii) the continuation of Tibetan people self-immolating as a form of protest that now amounts to 23 self-immolations and 15 deaths since February 2009,
   (iii) the increased Chinese military presence since early 2012 on the streets of Lhasa, Serthar and parts of eastern Tibet which has been described by the exiled Tibetan Prime Minister Lobsang Sangay as a state of ‘undeclared martial law’, and
   (iv) a reported increase in arbitrary arrests of hundreds of Tibetans by Chinese authorities since 6 February 2012 upon the Tibetans’ return from the annual Buddhist Kalachakra ceremony in Bodhgaya, India, which has been condemned by international organisation Human Rights Watch; and
(b) calls on the Australian Government to:
   (i) urge the Chinese Government to restore press freedom and release any Tibetan people who have been arbitrarily arrested on account of their political or religious views, and
(ii) support the call by exiled Tibetan Prime Minister Lobsang Sangay on 21 February 2012 for a United Nations special investigator to undertake a fact-finding mission in Tibet to better inform the international community of the situation.

Question put.
The Senate divided—

AYES, 10

Senators—
Brown, Bob
Di Natale
Hanson-Young

Ladlam
Madigan
Rhiannon

Siewert (Teller)
Waters
Xenophon

NOES, 37

Senators—
Abetz
Arbib
Back
Bernardi
Bilyk
Boyce
Brown, Carol
Cameron
Cash

Colbeck
Cormann
Crossin
Edwards
Fawcett
Feneley
Fifield
Furner
Gallacher

Kroger
Ludwig
Lundy
Macdonald
Marshall
McEwen (Teller)
McKenzie
McLucas
Moore

Polley
Pratt
Ryan
Singh
Thistlethwaite
Urquhart
Williams

Question negatived.

13 ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE—PROPOSED REFERENCE

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 1—that the following matter be referred to the Environment and Communications References Committee for inquiry and report by 28 June 2012:

The Murray Darling draft Basin Plan, and in undertaking the inquiry the committee must consider:

(a) the science and modelling relevant to the development of the draft Basin Plan;
(b) the outcomes of various scenarios of water recovery, including but not limited to the 2750GL featured in the draft Basin Plan, and the implications of groundwater extraction;
(c) the operation of the review mechanisms contained in the draft Basin Plan;
(d) system constraints that have an impact on the draft Basin Plan, and the information and research available to the Murray-Darling Basin Authority (MDBA) relating to redesigned river management options;
(e) the interaction of the draft Basin Plan with relevant legal requirements;
(f) the MDBA’s engagement with basin communities, including original Indigenous owners; and
(g) any other matters.

Question put.
The Senate divided—

AYES, 10

Senators—

Brown, Bob  Ludlam  Siewert (Teller)  Wright
Di Natale  Madigan  Waters  Xenophon
Hanson-Young  Rhiannon

NOES, 37

Senators—

Arbib  Colbeck  Kroger  Polley
Back  Cormann  Ludwig  Pratt
Bernardi  Crossin  Lundy  Ryan
Bilyk  Edwards  Macdonald  Singh
Boyce  Fawcett  Marshall  Thistlethwaite
Brown, Carol  Feeney  McEwen (Teller)  Urquhart
Bushby  Fifield  McKenzie  Williams
Cameron  Furner  McLucas
Carr  Gallacher  Moore
Cash  Hogg  Parry

Question negatived.

14 ENVIRONMENT—RENEWABLE ENERGY BONUS SCHEME

The Leader of the Australian Greens (Senator Bob Brown), at the request of Senator Milne and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 674—That the Senate—

(a) notes that:

(i) solar hot water is among the most cost-effective way to reduce householders’ power bills and cut greenhouse gas emissions,

(ii) the Australian solar water heating industry employs more than 1000 people in manufacturing and many more in installation around the country, and is beginning to develop as an export industry, and

(iii) the Australian solar water heating industry is already under pressure from the high Australian dollar, low renewable energy certificate prices and imports of instantaneous gas hot water systems; and

(b) calls on the Government to:

(i) immediately reinstate and extend the Renewable Energy Bonus Scheme which has helped a quarter of a million Australians to reduce their power bills and which has supported the development of a clean manufacturing and installation industry, and

(ii) release information about the extent to which the scheme’s forecast expenditure will exceed actual spending in the 2011-12 and 2012-13 financial years.

Question put and passed.
15 **PUBLICATIONS—STANDING COMMITTEE—14TH REPORT**

Senator McEwen, at the request of the Chair of the Standing Committee on Publications (Senator Carol Brown), tabled the following report:

**PUBLICATIONS COMMITTEE**

**14TH REPORT**

The Publications Committee reports that it has met in conference with the Publications Committee of the House of Representatives.

The Committee, having considered documents presented to the Parliament since 9 February 2012, recommends that the following be printed:

- Audio-Visual Copyright Society Limited (Screenrights)—Report for 2010-11.
- Australian Customs and Border Protection Service—Report for 2010-11—Correction.
- Innovation Australia—Report for 2010-11.

Senator Carol Brown

Chair

1 March 2012.

Senator McEwen moved—That the report be adopted.

Question put and passed.

16 **COMMITTEES—ADDITIONAL INFORMATION—ESTIMATES**

Senator McEwen, at the request of the chairs of the respective committees, tabled the following documents:

- Budget estimates 2011-12 (Supplementary)—
  - Economics Legislation Committee—Additional information received between 9 February and 29 February 2012—Treasury portfolio.
  - Finance and Public Administration Legislation Committee—Additional information received between 9 February and 29 February 2012—Finance and Deregulation portfolio.
  - Prime Minister and Cabinet portfolio.
  - Legal and Constitutional Affairs Legislation Committee—Additional information received between 8 February and 28 February 2012—Attorney-General’s portfolio.
  - Immigration and Citizenship portfolio.

17 **FINANCE AND PUBLIC ADMINISTRATION REFERENCES COMMITTEE—REPORT—OPERATION OF THE LOBBYING CODE OF CONDUCT AND THE LOBBYIST REGISTER**

The Chair of the Finance and Public Administration References Committee (Senator Ryan) tabled the following report and documents:


Report ordered to be printed on the motion of Senator Ryan.
Senator Ryan moved—that the Senate take note of the report.
Debate ensued.
Debate adjourned till the next day of sitting, Senator Rhiannon in continuation.

18 Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—Report—Integrity Commissioner—Report for 2010-11

Senator Macdonald, on behalf of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity, tabled the following report:


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

Senator Macdonald moved—that the Senate take note of the report.
Debate ensued.
Debate adjourned till the next day of sitting, Senator Singh in continuation.


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


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

Senator Boyce moved—that the Senate take note of the report.
Debate ensued.
Debate adjourned till the next day of sitting, Senator Cormann in continuation.

20 Family Assistance and Other Legislation Amendment Bill 2012

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

Message no. 364, dated 29 February 2012—A Bill for an Act to amend the law relating to family assistance and social security, and for related purposes.

The Parliamentary Secretary for Sustainability and Urban Water (Senator Farrell) 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 Farrell moved—That this bill be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the first day in the next period of sittings.

21 Environment and Communications Legislation Committee—Report—Environment Protection and Biodiversity Conservation Amendment (Emergency Listings) Bill 2011

Pursuant to order, Senator Bilyk, at the request of the Chair of the Environment and Communications Legislation Committee (Senator Cameron), tabled the following report and documents:


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

22 Tax Laws Amendment (2011 Measures No. 9) 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 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 Sustainability and Urban Water (Senator Farrell) the bill was read a third time.

23 National Health Amendment (Fifth Community Pharmacy Agreement Initiatives) Bill 2012

Order of the day read for the adjourned debate on the motion of the Minister for Agriculture, Fisheries and Forestry (Senator Ludwig)—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 Sustainability and Urban Water (Senator Farrell) the bill was read a third time.
24 **AUSTRALIAN RESEARCH COUNCIL AMENDMENT BILL 2011**

Order of the day read for the adjourned debate on the motion of the Minister for Tertiary Education, Skills, Science and Research (Senator Evans)—That this bill be now read a second time.
Debate resumed.
*At 2 pm: Debate was interrupted while Senator Fawcett was speaking.*

25 **QUESTIONS**

Questions without notice were answered.

26 **NOTICE**

Senator Fierravanti-Wells gave a notice of motion as follows: To move on the next day of sitting—That the following bills, as passed by the House of Representatives on 15 February 2012, be referred to the Economics Legislation Committee for inquiry and report by 19 June 2012:

- Fairer Private Health Insurance Incentives Bill 2012
- Fairer Private Health Insurance Incentives (Medicare Levy Surcharge) Bill 2012

27 **LEAVE OF ABSENCE**

Senator Kroger, by leave, moved—That leave of absence be granted to Senators Joyce and Payne for today, for personal reasons.
Question put and passed.

28 **MOTIONS TO TAKE NOTE OF ANSWERS**

Senator Williams moved—That the Senate take note of answers given by the Minister for Tertiary Education, Skills, Science and Research (Senator Evans) and the Minister for Finance and Deregulation (Senator Wong) to questions without notice asked by Opposition senators today.
Debate ensued.
Question put and passed.

Senator Waters moved—That the Senate take note of the answer given by the Minister for Broadband, Communications and the Digital Economy (Senator Conroy) to a question without notice asked by Senator Waters today relating to the Great Barrier Reef Marine Park and dumped dredge spoil.
Question put and passed.

29 **SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 2 OF 2012**

The Chair of the Selection of Bills Committee (Senator McEwen) tabled the following report:

**SELECTION OF BILLS COMMITTEE**

**REPORT NO. 2 OF 2012**

1. The committee met in private session on Thursday, 1 March 2012 at 11.19 am.
2. The committee resolved to recommend—that—
   (a) the provisions of the Aviation Transport Security Amendment (Screening) Bill 2012 be referred immediately to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 9 May 2012;
   (b) the provisions of the Classification (Publications, Films and Computer Games) Amendment (R 18+ Computer Games) Bill 2012 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 16 March 2012; and
   (c) the provisions of the Equal Opportunity for Women in the Workplace Amendment Bill 2012 be referred immediately to the Education, Employment and Workplace Relations Legislation Committee for inquiry and report by 8 May 2012.

3. The committee resolved to recommend—that the following bills not be referred to committees:
   Assisting Victims of Overseas Terrorism Bill 2012
   Corporations Amendment (Phoenixing and Other Measures) Bill 2012
   Electoral and Referendum Amendment (Protecting Elector Participation) Bill 2012
   Family Assistance and Other Legislation Amendment Bill 2012
   Financial Framework Legislation Amendment Bill (No. 1) 2012
   Higher Education Support Amendment Bill (No. 1) 2012
   Native Title Amendment (Reform) Bill (No. 1) 2012
   Social Security and Other Legislation Amendment (Disability Support Pension Participation Reforms) Bill 2012
   Superannuation Legislation Amendment (Trustee Obligations and Prudential Standards) Bill 2012.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
   Protecting Children from Junk Food Advertising (Broadcasting and Telecommunications Amendment) Bill 2011
   Corporations Legislation Amendment (Audit Enhancement) Bill 2012
   Indirect Tax Laws Amendment (Assessment) Bill 2012
   Low Aromatic Fuel Bill 2012
   Public Service Amendment Bill 2012
   Special Broadcasting Service Amendment (Natural Program Breaks and Disruptive Advertising) Bill 2012

Anne McEwen
Chair
1 March 2012.

Senator McEwen moved—That the report be adopted.
Question put and passed.
30 **SENATE—SENIATOR ARIB—IMMINENT RESIGNATION—STATEMENTS BY LEAVE**

Senator Arbib, by leave, made a statement relating to his imminent resignation. Senators, by leave, made statements relating to the matter.

Leave was granted for senators to continue statements relating to the imminent resignation of Senator Arbib after 4.30 pm.

Senators, by leave, made further statements relating to the matter.

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.

- **Australian Meat and Live-stock Industry Act**—


- **Banking Act**—Banking (Foreign Exchange) Regulations—Revocations of variations of exemptions and directions relating to foreign currency transactions, dated 22 February 2012—
  - Burma [F2012L00430].
  - Iran [F2012L00431].
  - Libya [F2012L00433].
  - North Korea [F2012L00428].
  - Syria [F2012L00432].
  - The former Federal Republic of Yugoslavia [F2012L00434].
  - Zimbabwe [F2012L00435].

- **Defence Act**—Determinations under section 58B—Defence Determinations—
  - 2012/10—Summer schools and approved clubs for overseas members – amendment.
  - 2012/11—Hardship post conditions of service – amendment.
  - 2012/12—Employment with the UN – amendment.

- **Export Control Act**—Export Control (Orders) Regulations—Export Control (Animals) Amendment Order 2012 (No. 1) [F2012L00439].

- **Fisheries Management Act**—Southern and Eastern Scalefish and Shark Fishery (Closures) Direction No. 2 2012 [F2012L00429].

- **Health Insurance Act**—Health Insurance (Review of GP Mental Health Treatment Plan) Revocation Determination 2012 [F2012L00436].
National Health Act—Instruments Nos PB—
  8 of 2012—National Health (Growth Hormone Program) Special Arrangement Amendment Instrument 2012 (No. 1) [F2012L00437].
Veterans’ Entitlements Act—Statements of Principles concerning—
  Chloracne No. 17 of 2012 [F2012L00447].
  Chloracne No. 18 of 2012 [F2012L00448].
  Dengue Fever No. 13 of 2012 [F2012L00443].
  Dengue Fever No. 14 of 2012 [F2012L00444].
  Haemochromatosis No. 21 of 2012 [F2012L00450].
  Inflammatory Bowel Disease No. 19 of 2012 [F2012L00449].
  Inflammatory Bowel Disease No. 20 of 2012 [F2012L00452].
  Non-Aneurysmal Aortic Atherosclerotic Disease No. 15 of 2012 [F2012L00445].
  Non-Aneurysmal Aortic Atherosclerotic Disease No. 16 of 2012 [F2012L00446].

32 Indexed Lists of Departmental and Agency Files—Order for Production of Documents—Document
The following document was tabled pursuant to the order of the Senate of 30 May 1996, as amended:
Indexed lists of departmental and agency files for the period 1 July to 31 December 2011—Statement of compliance—Industry, Innovation, Science, Research and Tertiary Education portfolio.

33 Departmental and Agency Contracts—Order for Production of Documents—Documents
The following documents were tabled pursuant to the order of the Senate of 20 June 2001, as amended:
Departmental and agency contracts for 2011—Letters of advice—
  Climate Change and Energy Efficiency portfolio.
  Families, Housing, Community Services and Indigenous Affairs portfolio.
  Health and Ageing portfolio.
  Immigration and Citizenship portfolio.
  Regional Australia, Local Government, Arts and Sports portfolio.
  Veterans’ Affairs portfolio.
34 COMMITTEE MEMBERSHIP

The President informed the Senate that he had received letters requesting changes in the membership of committees.

The Parliamentary Secretary for Disabilities and Carers (Senator McLucas), by leave, moved—That senators be discharged from and appointed to committees as follows:

**Legal and Constitutional Affairs Legislation Committee—**

Appointed—

- Substitute member: Senator Ludlam to replace Senator Wright for the committee’s inquiry into the provisions of the Classification (Publications, Films and Computer Games) Amendment (R 18+ Computer Games) Bill 2012
- Participating member: Senator Wright

**Rural and Regional Affairs and Transport Legislation Committee—**

Appointed—

- Substitute member: Senator Ludlam to replace Senator Siewert for the committee’s inquiry into the provisions of the Aviation Transport Security Amendment (Screening) Bill 2012
- Participating member: Senator Siewert.

Question put and passed.

*General business was called on.*

35 ECONOMICS—ECONOMIC AND FISCAL POLICY—GOVERNMENT’S MISMANAGEMENT

Senator Cormann, by leave and at the request of Senator Fifield, moved general business notice of motion no. 641—That the Senate notes the mismanagement of economic and fiscal policy by the current Government.

Debate ensued.

*At 6 pm:* Debate was interrupted while Senator Polley was speaking.

36 GOVERNMENT DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION

The following orders of the day relating to government documents were considered:


- **Wet Tropics Management Authority—**Report for 2010-11, including report on the State of the Wet Tropics. Motion of Senator McLucas to take note of document called on. On the motion of Senator Macdonald the debate was adjourned till Thursday at general business.

- **Department of Resources, Energy and Tourism—**Report for 2010-11, including report of Geoscience Australia. Motion of Senator Ronaldson to take note of document agreed to.
Australian Institute of Marine Science (AIMS)—Report for 2010-11. Motion of the Parliamentary Secretary for Disabilities and Carers (Senator McLucas) to take note of document called on. On the motion of Senator Macdonald the debate was adjourned till Thursday at general business.

Department of Innovation, Industry, Science and Research—Report for 2010-11, including report of IP Australia. Motion of Senator Colbeck to take note of document agreed to.

Bureau of Meteorology—Report for 2010-11. Motion of Senator Bushby to take note of document agreed to.

NBN Co Limited—Report for 2010-11. Motion of Senator Bushby to take note of document agreed to.


Torres Strait Regional Authority—Report for 2010-11. Motion of Senator Bushby to take note of document called on. On the motion of the Parliamentary Secretary for Disabilities and Carers (Senator McLucas) the debate was adjourned till Thursday at general business.

Australian Fisheries Management Authority—Report for 2010-11. Motion of Senator Bushby to take note of document called on. On the motion of Senator Macdonald the debate was adjourned till Thursday at general business.

Great Barrier Reef Marine Park Authority—Report for 2010-11. Motion of Senator Bushby to take note of document called on. On the motion of the Parliamentary Secretary for Disabilities and Carers (Senator McLucas) the debate was adjourned till Thursday at general business.


Commonwealth Grants Commission—Report on GST revenue sharing relativities—2012 update. Motion of Senator Cash to take note of document debated. On the motion of Senator Bushby the debate was adjourned till Thursday at general business.


General business concluded.
37 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—ORDERS OF THE DAY—
CONSIDERATION

The following orders of the day relating to committee reports and government responses were considered:

Education, Employment and Workplace Relations References Committee—Report—The administration and purchasing of disability employment services in Australia—Government response. Motion to take note of document moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

Community Affairs References Committee—Report—Consumer access to pharmaceutical benefits—Government response. Motion to take note of document moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

Community Affairs References Committee—Report—Former forced adoption policies and practices. Motion of the chair of the committee (Senator Siewert) to take note of report called on. Debate adjourned till the next day of sitting, Senator Carol Brown in continuation.

Cyber Safety—Joint Select Committee—Interim report—High-wire act—cyber-safety and the young—Government response. Motion of Senator Ludlam to take note of document agreed to.

Economics References Committee—Report—Investing for good: The development of a capital market for the not-for-profit sector in Australia. Motion of Senator Stephens to take note of report agreed to.


Rural Affairs and Transport References Committee—Report—Animal welfare standards in Australia’s live export markets, Live Animal Export (Slaughter) Prohibition Bill 2011 [No. 2] and Live Animal Export Restriction and Prohibition Bill 2011 [No. 2]. Motion of the chair of the committee (Senator Heffernan) to take note of report agreed to.

Rural and Regional Affairs and Transport—Standing Committee—Report—Climate change and the Australian agricultural sector—Government response. Motion of Senator Kroger to take note of document called on. On the motion of Senator Bushby debate was adjourned till the next day of sitting.

Community Affairs References Committee—Final report—Inquiry into Commonwealth funding and administration of mental health services. Motion of the chair of the committee (Senator Siewert) to take note of report called on. Debate adjourned till the next day of sitting, Senator Fierravanti-Wells in continuation.

Scrutiny of New Taxes—Select Committee—Interim report—The carbon tax: Economic pain for no environmental gain. Motion of the chair of the committee (Senator Cormann) to take note of report debated and agreed to.

National Broadband Network—Joint Standing Committee—First report—Review of the rollout of the National Broadband Network. Motion of Senator Macdonald to take note of report agreed to.

38 AUDITOR-GENERAL’S REPORTS—ORDERS OF THE DAY—CONSIDERATION

The following orders of the day relating to reports of the Auditor-General were considered:


Auditor-General—Audit report no. 26 of 2011-12—Performance audit—Capacity development for Indigenous service delivery—Department of Families, Housing, Community Services and Indigenous Affairs; Department of Education, Employment and Workplace Relations; Department of Health and Ageing. Motion to take note of document moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

39 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.29 pm till Tuesday, 13 March 2012 at 12.30 pm.

40 ATTENDANCE


ROSEMARY LAING
Clerk of the Senate

Printed by authority of the Senate