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1 **MEETING OF SENATE**

The Senate met at 9 am. The President (Senator the Honourable John Hogg) took the chair; read prayers and made an acknowledgement of country.

2 **LEAVE OF ABSENCE**

Senator Kroger, by leave, moved—That leave of absence be granted to the following senators:

(a) Senator Bushby for today, for personal reasons; and

(b) Senators Birmingham, Cormann, Joyce and Sinodinos for today, on account of parliamentary business.

Question put and passed.

3 **AUSTRALIAN COMMISSION FOR LAW ENFORCEMENT INTEGRITY—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING SITTING—VARIATION**

Senator Kroger, by leave and on behalf of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity, moved—that the order of the Senate agreed to on 15 March 2012 authorising the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity to hold a public meeting during the sitting of the Senate be varied by omitting “1.30 pm” and substituting “11 am”.

Question put and passed.

4 **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.]

- Commissioner of Taxation—Public Rulings—
  Goods and Services Tax Determination GSTD 2012/3.
  Miscellaneous Taxation Ruling—Erratum—MT 2008/1.
  Product Rulings—
    Addendum—PR 2011/18.
  Taxation Determination TD 2012/1.

- Crimes Act—Select Legislative Instruments 2012 Nos—
  20—Crimes Amendment Regulation 2012 (No. 1) [F2012L00576].
  21—Crimes Amendment Regulation 2012 (No. 2) [F2012L00577].

- Financial Sector (Collection of Data) Act—Financial Sector (Collection of Data) (Reporting Standard) Determinations Nos—
  4 of 2012—Reporting Standard ARS 110.0 Capital Adequacy [F2012L00574].

- Industry Research and Development Act—
  Clean Technology Food and Foundries Investment Program Direction No. 1 of 2012 [F2012L00573].
  Clean Technology Investment Program Direction No. 1 of 2012 [F2012L00575].
Native Title Act—Select Legislative Instrument 2012 No. 27—Native Title (Prescribed Bodies Corporate) Amendment Regulation 2012 (No. 1) [F2012L00578].

Remuneration Tribunal Act—Determinations—
2012/02—Members of Parliament – Base Salary and Related Matters [F2012L00567].
2012/03—Parliamentary Additional Salary and Related Matters [F2012L00568].
2012/05—Specified Statutory Offices – Remuneration and Allowances [F2012L00570].
2012/06—Departmental Secretaries – Classification Structure and Terms and Conditions [F2012L00571].

Sydney Airport Curfew Act—Dispensation Report 03/12.

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

The Parliamentary Secretary for School Education and Workplace Relations (Senator Collins), by leave, moved—That senators be discharged from and appointed to committees as follows:

Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—
Discharged—Senator Macdonald
Appointed—Senator Cash

Human Rights—Joint Statutory Committee—
Appointed—Senators Edwards and Humphries

Law Enforcement—Joint Statutory Committee—
Discharged—Senator Mason
Appointed—Senator Nash

National Broadband Network—Joint Standing Committee—
Discharged—Senator Stephens
Appointed—
Senator Gallacher
    Participating member: Senator Stephens

Regulations and Ordinances—Standing Committee—
Discharged—Senator Ronaldson
Appointed—Senator Colbeck

Scrutiny of Bills—Standing Committee—
Discharged—Senator Fifield
Appointed—Senator Macdonald.

Question put and passed.
Messages from the House of Representatives were reported informing the Senate of changes in the membership of joint committees, as follows:

Message no. 374, dated 15 March 2012—
Parliamentary Joint Committee on Human Rights, Mr Jenkins, Ms Parke, Mr KJ Thomson, Mr Wyatt and Mr Tehan
Joint Standing Committee on Treaties, Mr LDT Ferguson in place of Ms Bird
Parliamentary Joint Committee on Corporations and Financial Services, Ms O’Neill in place of Mr Ripoll
Parliamentary Standing Committee on Public Works, Ms Hall in place of Mr Ripoll
Joint Standing Committee on the National Broadband Network, Mr Mitchell in place of Mrs D’Ath
Joint Select Committee on Gambling Reform, Ms Brodtmann in place of Mr Champion
Joint Standing Committee on Foreign Affairs, Defence and Trade, Mr McClelland in place of Mr Byrne.

Message no. 375, dated 15 March 2012—
Parliamentary Joint Committee on Intelligence and Security, Mr Rudd in place of Mr Melham.

6 MINERALS RESOURCE RENT TAX BILL 2011
MINERALS RESOURCE RENT TAX (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL 2011
MINERALS RESOURCE RENT TAX (IMPOSITION—GENERAL) BILL 2011
MINERALS RESOURCE RENT TAX (IMPOSITION—CUSTOMS) BILL 2011
MINERALS RESOURCE RENT TAX (IMPOSITION—EXCISE) BILL 2011
PETROLEUM RESOURCE RENT TAX ASSESSMENT AMENDMENT BILL 2011
PETROLEUM RESOURCE RENT TAX (IMPOSITION—GENERAL) BILL 2011
PETROLEUM RESOURCE RENT TAX (IMPOSITION—CUSTOMS) BILL 2011
PETROLEUM RESOURCE RENT TAX (IMPOSITION—EXCISE) BILL 2011
TAX LAWS AMENDMENT (STRONGER, FAIRER, SIMPLER AND OTHER MEASURES) BILL 2011
SUPERANNUATION GUARANTEE (ADMINISTRATION) AMENDMENT BILL 2011

Order of the day read for the adjourned debate on the motion—That these bills be now read a second time—and on the amendment moved by Senator Cormann in respect of the Minerals Resource Rent Tax Bill 2011:

At the end of the motion, add “but the Senate:

(a) notes that the Government has not complied with:
   (i) the order of the Senate made on 1 November 2011, ordering the production of information relating to the cost of all measures attached to the mining tax over the current forward estimates, and
   (ii) a number of other outstanding orders in relation to mining tax revenue estimates and related assumptions; and
(b) declines to consider the bill further until:
   (i) the Government publicly releases all information it holds relating to:
       (A) the commodity price and production volume assumptions it has used in respect of its mining tax revenue estimates,
       (B) the updated estimates of the cost of all measures associated with the mining tax over the forward estimates,
(c) the cost estimate of its commitment to credit all state and territory royalties against the resource rent tax liabilities, and

(d) the cost estimate of the upfront tax deductions able to be claimed by mining projects subject to the Minerals Resource Rent tax on the basis of the market valuation method, and

(ii) the Senate has passed a resolution that this bill and related bills may be listed for debate”.

Debate resumed.

At 2 pm: Debate was interrupted.

7 NOTICE

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

(a) notes that:

(i) Australian journalist, Austin Mackell, his translator Ailya Alwi, post-graduate student Derek Ludovici and taxi driver Zakaria Ahmad were arrested in Mahalla al-Kubra, Egypt, on 11 February 2012, where Mr Mackell was due to interview labour organiser Kamal Elfayoumi,

(ii) the crimes Mr Mackell has been charged with, paying children to throw stones at public buildings, carry five- to seven-year gaol sentences,

(iii) the charges are widely recognised as being fabricated, similar in kind to charges against others who have spoken out against or reported on human and civil rights abuses, and

(iv) a free and independent media will play a critical role in the development of a democratic Egypt; and

(b) calls on the Minister for Foreign Affairs, Senator Bob Carr, to urge the Egyptian authorities to drop the politicised charges against Mr Mackell and his colleagues, and to lift the travel restrictions placed on his movements. (general business notice of motion no. 709)

8 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 2.14 pm till Monday, 19 March 2012 at 10 am.

9 ATTENDANCE


ROSEMARY LAING
Clerk of the Senate

Printed by authority of the Senate