CONTENTS

TUESDAY, 5 DECEMBER

Questions Without Notice—
   Electoral Matters: Fraud Allegations........................................................... 20645
   Flood Assistance: New South Wales and Queensland........................................ 20645
   Disability Services: Employment ................................................................. 20646
   Employment: Westpac Adelaide Call Centre .................................................. 20646
   Centrelink: Employees with Disabilities ....................................................... 20647
   Tax Reform: Trusts .......................................................................................... 20648
   Australian Taxation Office: Company Audits .................................................. 20649
   Cruise Ship Endeavour: Loss of Natural Night Sky ........................................... 20649
   Australian Taxation Office: Company Audits .................................................. 20650
   Crime: Statistics ............................................................................................. 20651
   Information Technology and Telecommunications: Statistics ............................ 20652
   Aviation: Competition ..................................................................................... 20653
   Goods and Services Tax: Rural Fire Brigades .................................................. 20654
   Information Technology: Internet ..................................................................... 20656

Answers to Questions Without Notice—
   Nursing Homes: Accreditation ....................................................................... 20657
   Goods and Services Tax: Advertising Costs ..................................................... 20657
   Australian Taxation Office: Company Audits .................................................. 20658
   Defence Security: Mr Merv Jenkins .................................................................. 20658
   Centrelink: Employees with Disabilities .......................................................... 20659
   Tax Reform: Trusts .......................................................................................... 20664

Petitions—
   Commercial Television Industry Code of Practice ........................................... 20665
   Aged Care Facilities ........................................................................................ 20665

Notices—
   Withdrawal ....................................................................................................... 20666
   Presentation ....................................................................................................... 20666

Committees—
   Electoral Matters Committee—Meeting........................................................... 20667

Committees—
   Postponement .................................................................................................. 20667

Committees—
   Economics References Committee—Reference ............................................... 20667

Privilege ............................................................................................................... 20668

Audit of Parliamentary Allowances and Entitlements Bill 2000, Government Advertising (Objectivity, Fairness and Accountability) Bill 2000—
   Referral to Committee ...................................................................................... 20672

Netherlands Euthanasia Bill ................................................................................. 20672

Business—
   Consideration of Legislation .......................................................................... 20672

Committees—
   Finance and Public Administration References Committee—Meeting.............. 20672
   Legal and Constitutional Legislation Committee—Report: Government Response................................................................................................................................. 20673
   Treaties Committee—Report: Government Response........................................ 20673
   Rural and Regional Affairs and Transport Legislation Committee—Report: Government Response................................................................. 20674
CONTENTS—continued

Electoral Matters Committee—Membership........................................................... 20678
Roads to Recovery Bill 2000—
  First Reading ........................................................................................................ 20678
  Second Reading .................................................................................................... 20678
Assent to Laws......................................................................................................... 20680
Crimes Amendment (Forensic Procedures) Bill 2000—
  Report of Legal and Constitutional Legislation Committee............................ 20680
Business—
  Government Business ......................................................................................... 20681
Interactive Gambling (Moratorium) Bill 2000—
  Recommittal ......................................................................................................... 20682
Wool Services Privatisation Bill 2000—
  Second Reading ................................................................................................... 20686
  In Committee ........................................................................................................ 20703
  Third Reading ...................................................................................................... 20717
Interactive Gambling (Moratorium) Bill 2000—
  In Committee ....................................................................................................... 20718
Adjournment—
  Companies: Employee Entitlements .................................................................... 20737
  Parliamentary Privilege: Whistleblowers ............................................................. 20739
  Aboriginals and Torres Strait Islanders: Reconciliation ....................................... 20741
Documents—
  Tabling .................................................................................................................. 20742
Questions on Notice—
  Council for Aboriginal Reconciliation: Public Opinion Research—
    (Question No. 1971) .......................................................................................... 20743
  House of Representatives Members: Electorate Staff—(Question No. 2393) ......... 20743
  Department of Employment, Workplace Relations and Small Business:
    Programs and Grants to the Bass Electorate—(Question No. 2407) ................. 20744
  Department of Employment, Workplace Relations and Small Business:
    Programs and Grants to the Kalgoorlie Electorate—(Question No. 2425) ......... 20746
  Department of Employment, Workplace Relations and Small Business:
    Programs and Grants to the Eden-Monaro Electorate—(Question No. 2443) .... 20744
  Centenary of Federation: Costs—(Question No. 2490) ........................................ 20749
  Centenary of Federation: Costs—(Question No. 2599) ........................................ 20751
  Department of Communications, Information Technology and the Arts:
    Corporate Services—(Question No. 2635) ......................................................... 20752
  Department of Health and Aged Care: Corporate Services—(Question No. 2640) .......................... 20763
  Department of Agriculture, Fisheries and Forestry: Corporate Services—
    (Question No. 2646) ......................................................................................... 20763
  Department of Agriculture, Fisheries and Forestry: Corporate Services—
    (Question No. 2684) ......................................................................................... 20767
  Department of Agriculture, Fisheries and Forestry: Corporate Services—
    (Question No. 2703) ......................................................................................... 20768
  Regional Assistance Program: Funding—(Question No. 2710) ......................... 20769
  Area Consultative Committees—(Question No. 2713) ........................................ 20769
CONTENTS—continued

Child Care Benefit—(Question No. 2950) .......................................................... 20778

Australian Competition and Consumer Commission: Tasmania—
(Question No. 2955) .......................................................................................... 20778
Department of Finance and Administration: Efficiency Dividend—
(Question No. 2956) .......................................................................................... 20778
Vietnam Veterans Counselling Service: Funding—(Question No. 2965) ........ 20780
Department of Employment, Workplace Relations and Small
Business: Unauthorised Computer Access—(Question No. 2972) ................. 20780
Department of Family and Community Services: Unauthorised
Computer Access—(Question No. 2973) ............................................................ 20782
Department of Health and Aged Care: Unauthorised Computer
Access—(Question No. 2975) ........................................................................... 20784
Department of Agriculture, Fisheries and Forestry: Unauthorised
Computer Access—(Question No. 2980) ........................................................... 20785
Employee Benefit Tax Avoidance Schemes—(Question No. 2989) .............. 20786
Employee Benefit Tax Avoidance Schemes—(Question No. 2990) .............. 20786
Employee Benefit Tax Avoidance Schemes—(Question No. 2991) .............. 20786
Department of the Environment and Heritage: Programs and Grants
to the Electorate of Richmond—(Question No. 2993) ..................................... 20787
Department of the Environment and Heritage: Programs and Grants
to the Cowper Electorate—(Question No. 3005) ............................................ 20788
Department of the Environment and Heritage: Programs and Grants
to the Page Electorate—(Question No. 3017) .................................................... 20789
Department of the Environment and Heritage: Programs and Grants
to the Bass Electorate—(Question No. 3029) ...................................................... 20790
Department of the Environment and Heritage: Programs and Grants
to the Hinkler Electorate—(Question No. 3041) .............................................. 20791
Department of the Environment and Heritage: Programs and Grants
to the Gwydir Electorate—(Question No. 3053) .............................................. 20792
Department of the Environment and Heritage: Programs and Grants
to the Eden-Monaro Electorate—(Question No. 3065) .................................... 20793
Sydney West Letters Facility: Suspicious Parcel—(Question No. 3079) ........ 20794
Department of Foreign Affairs and Trade: Motor Vehicle Fuel
Expenditure—(Question No. 3084 and 3089) ...................................................... 20795
Department of Employment, Workplace Relations and Small Business:
Motor Vehicle Fuel Expenditure—(Question No. 3087) .................................. 20798
Department of Industry, Science and Research: Motor Vehicle Fuel
Expenditure—(Question No. 3094) ................................................................. 20799
Aboriginal and Torres Strait Islander Commission: Motor Vehicle
Fuel Expenditure—(Question No. 3099) ............................................................ 20802
Department of Finance and Administration: Dividends—(Question
No. 3107) ........................................................................................................ 20807
Colonial Limited: Authorised Deposit Taking Institution—(Question
No. 3113) ........................................................................................................ 20808
Centrelink: Breaching—(Question No. 3115) ................................................. 20810
G & K O’Connor Meatworks: Fees and Charges—(Question No. 3132) ...... 20810
Department of Defence: Harris-Daishowa (Australia) Pty Ltd—
(Question No. 3140) ....................................................................................... 20810
People with Disabilities: Supported Residential Services, Melbourne—
(Question No. 3158) ....................................................................................... 20811
Tuesday, 5 December 2000

The PRESIDENT (Senator the Hon. Margaret Reid) took the chair at 2.00 p.m., and read prayers.

QUESTIONS WITHOUT NOTICE

Electoral Matters: Fraud Allegations

Senator FAULKNER (2.01 p.m.)—My question is directed to Senator Ellison, the Special Minister of State. Will the minister refer to the AEC the allegations by an independent candidate in the seat of Cook, Mr Darren Boehm, of an alleged cash for preferences deal with the member for Cook, Mr Bruce Baird? If not, why not?

Senator ELLISON—There have been a lot of articles in the newspaper recently on all sorts of allegations and goings-on. I think that Senator Faulkner could preface his remarks by referring to other articles which deal with the ALP as well. I have seen that article and no-one has raised it with me. If the matter is raised with me, I will take appropriate action.

Senator FAULKNER—Madam President, I ask a supplementary question. Given that the minister regarded it as important to refer to the AEC the allegations of an alleged preference deal involving Mr Swan on the same day that those allegations appeared in the media, again I ask: will he undertake to immediately refer the serious allegations involving Mr Baird? Will he adopt the same standards and the same process?

Senator ELLISON—There is no difference of procedure applied to these matters. As Senator Faulkner has raised the matter now and wants me to have a look at it, I will look into the matter and get back to him.

Flood Assistance: New South Wales and Queensland

Senator SANDY MACDONALD (2.03 p.m.)—My question is to the Minister for Regional Services, Territories and Local Government, Senator Ian Macdonald. Minister, will you inform the Senate of the considered and considerable federal government initiative to assist primary producers and others affected by the recent devastating flood in northern New South Wales and south-western Queensland?

Senator IAN MACDONALD—Senator Sandy Macdonald raises an issue that is very much in the minds of all Australians. Australians are known as a group of people who have a real concern for their neighbour in times of calamity. Therefore, I am pleased to advise the Senate today of an announcement made by the Deputy Prime Minister providing substantial federal government assistance to those badly affected by the recent floods in north-western New South Wales and southern Queensland. I understand that Senator Sandy Macdonald personally knows of the tragedies in those areas. Many of his neighbours, people he is very close to, will have been devastated by this. I understand that Senator Macdonald’s own property was substantially affected by the flood.

The federal government has provided a four-part flood package. This package follows on from visits to the area by the Prime Minister, the Deputy Prime Minister—whose property was badly affected by the flood—and the Treasurer, Mr Peter Costello, all of whom saw at first-hand the devastation that had been wreaked upon that area. The floods are bad enough, but they have come at the wrong time of year. They have come at a time when crops were just being planted. The devastation has meant that many farm families will lose their entire income. Of course, that has a flow-on effect to the communities that serve these farm families.

The value of the package announced by Mr Anderson today is some $216 million over two years. The elements of the package include income support for farm business which is, of course, subject to an income and off-farm assets test; there is a second element: cash grants for crop replanting—up to $60,000 for the replanting of crops—interest subsidies for farmers and income support for farm families; an interest rate subsidy on existing debt, again subject to an off-farm assets test; and grants to small businesses in those flood affected communities. Up to $10,000 will be provided to small and medium sized businesses in flood areas to help them meet the cost of flood repairs.
The package includes some $71 million in federal assistance under the national disaster relief arrangements for activities like emergency household relief and urgent repairs to flood damaged roads and public facilities. The package is based on need, and all those who meet the eligibility criteria will receive assistance. Regrettably, the New South Wales government has limited its contribution to its normal natural disaster relief arrangements. I join Mr Anderson in calling upon Mr Carr to provide additional help with interest subsidies and cropping grants. I also join Mr Anderson and the government in calling on the banks to take an especially lenient and compassionate approach to the extreme circumstances faced by many of these communities.

In addition to this package, there is an additional package which the Deputy Prime Minister announced on 20 November, the $10 million Flood Recovery Fund. That Flood Recovery Fund, which I will be administering, will assist with the reconstruction of community facilities, the clean-up of public areas, and community service grants. Eligible organisations for this fund will include local councils and voluntary service groups. (Time expired)

Disability Services: Employment

Senator GIBBS (2.08 p.m.)—My question is to Senator Newman, the Minister for Family and Community Services. Is the minister aware of statements made by the Centrelink chief executive officer, Sue Vardon, which confirmed that the number of employees with disabilities is diminishing within both the Australian Public Service and Centrelink? Will the minister confirm for the Senate that, since March 1996, the percentage of people with disabilities employed by Commonwealth departments fell from five per cent to 4.2 per cent, or a reduction of approximately 2,200 people.

Senator NEWMAN—I am not aware of those figures, and I will check them for Senator Gibbs.

Senator GIBBS—While you are checking that—and I thank you for that—would you also agree with the statement by the Centrelink chief executive officer, Sue Vardon, that the declining level of Commonwealth employees with disabilities can directly be attributed to the outsourcing of many of the functions that were previously undertaken by people with disabilities, including mail room duties and filing? How does the minister’s portfolio intend to lead by example and employ more people with disabilities when their current multiskilling and outsourcing policies clearly exclude them?

Senator NEWMAN—I did not see Ms Vardon’s comments, as I said, but she may have been referring to the fact that people have moved across from public employment to private employment in providing some of the services that the government provides for people. That may be an explanation for some of the changes in the figures. As I said, I will have a look and let you know. But, of course, the government’s disability strategy means that, regardless of whether it is a department employing people or a department paying for goods and services from other organisations, we expect support and opportunities for people with disabilities to be available across the board. We are very determined to increase the number of people who are disabled who want work, and for those who want access to buildings, transport and so on we are determined to improve the situation. I will be very interested to follow up that inquiry for you. (Time expired)

Employment: Westpac Adelaide Call Centre

Senator CHAPMAN (2.11 p.m.)—My question is directed to the Leader of the Government in the Senate. Given the Howard government’s strong record on job creation, will the minister inform the Senate of a major investment by Westpac which will deliver new jobs in the financial services sector in South Australia.

Senator HILL—Yes, our government has established an impressive record on job creation. Since it came to office in 1996, almost 800,000 new jobs have been created. I will repeat that: almost 800,000 jobs have been created. Our government’s sound and responsible economic management has delivered low inflation and low interest rates, allowing businesses to grow and to employ
more Australians. Unemployment is currently down to 6.3 per cent, equal to its lowest level in more than a decade. Compare that to Labor’s shameful record in office. There were one million Australians unemployed, with the unemployment rate peaking at a disgraceful 11.2 per cent. Even with our strong record on employment growth, our government recognises that there is still more to do. Our government has overhauled our outdated personal taxation system, delivering $12 billion in income tax to Australian workers.

Senator Cook interjecting—

Senator HILL—We have overhauled our outdated taxation system, delivering $12 billion in income tax cuts to Australian workers, for the benefit of Senator Cook. We have reformed our industrial relations system, providing increased flexibility for workers and greater incentive for businesses to increase employment. We are in the process of putting in place a new business taxation system which will provide major benefits to all employers. In contrast, after almost five years since Labor lost office, Labor remains a policy free zone on employment issues as well as most other issues. Meanwhile our government continues to move ahead in supporting business growth and the job opportunities that this growth supplies.

That is why we welcome today’s announcement by the Westpac Banking Corporation of its plan to establish a new call centre in Adelaide, creating around 600 jobs. Westpac says the 600 new jobs are not simply being transferred from interstate. It estimates that the centre will directly add more than $275 million to the South Australian economy over the next seven years. That is good news for the South Australian economy and it is another feather in the cap of the Olsen government. It builds on the 1,600 jobs created when Westpac established its first call centre in Adelaide in 1996.

Our government has some sympathy with the South Australian government on economic issues. Of course, when the Liberal Party came to power in South Australia the Labor Party had squandered $3 billion in taxpayers’ money through losses by the State Bank. They have worked hard in South Australia to re-establish and rebuild the state’s economy, and that hard work is now paying off with new investment and new jobs. Similarly, when we came to office federally we inherited an economic mess from Labor, who had run up $80 billion of debt in their last five years in office. Like our South Australian counterparts, we have turned the economy around, we are back in the black and we continue to expect more economic growth and more jobs.

Centrelink: Employees with Disabilities

Senator CHRIS EVANS (2.14 p.m.)—My question is directed to Senator Newman, the Minister for Family and Community Services. Is the minister aware that two Western Australian Centrelink employees with disabilities have recently been made redundant from their positions and that casual employees are currently being contracted to perform their duties? Isn’t it true that these two employees have been deemed to be unsuitable, because of their disability, to perform tasks associated with customer service and multitasking? Can the minister confirm that neither employee was offered redeployment or retraining or received any practical assistance from the APS Labour Market Adjustment Program?

Senator NEWMAN—I am not aware of those facts and I will certainly ask Centrelink to provide me with the details.

Senator CHRIS EVANS—Madam President, I ask a supplementary question. I thank the minister for her undertaking to investigate the matter. Can the minister, when she is doing that, seek advice as to whether one of the employees was offered a temporary placement through the supported wage system. Given that the aim of the supported wage system is to provide job opportunities for people with disabilities in the mainstream market, I would like to know why the department was offering to an existing employee of eight years experience a place under that scheme as compensation for being made redundant. If you could check that too, I would appreciate it.

Senator NEWMAN—The answer is yes.
Tax Reform: Trusts

Senator LEES (2.16 p.m.)—My question is to Senator Kemp, the Assistant Treasurer. I refer the minister to Mr Stuart St Clair’s statement this morning that the National Party caucus has voted to oppose the government’s crackdown on tax rorts involving trusts. Has the National Party formally approached the government and asked that this legislation be dumped—given, firstly, that it would pass very easily through this place and, secondly, that the money is badly needed, whether it is to be spent by local government or on hospitals, schools et cetera? I am sure we could all come up with a long list of where the money is badly needed. This is legislation that the Prime Minister and the Treasurer have both committed themselves publicly to. Minister, are you seriously looking at scrapping this legislation?

Senator KEMP—Let me assure Senator Lees that this government is always determined to crack down on tax avoidance. I think our record shows that.

Senator Conroy interjecting—

Senator KEMP—There are some comments from Senator Conroy, so let me just point out to him the abuse which occurred under the previous government in tax avoidance, and no steps were taken. There was Senator Cook’s favourite scheme, the R&D syndicates, which put out the welcome mat for tax avoiders: no action taken in 13 years. There was no effective action taken on trusts.

Senator Cook interjecting—

The PRESIDENT—Order! Senator Cook, you are shouting; your behaviour is disorderly. There is an appropriate time for you to debate issues raised by any other senator, and it is not during this particular answer to the question.

Senator KEMP—I am not quite sure why I was suffering abuse from Senator Cook on that matter. The voting record of Senator Cook on R&D syndicates is quite clear. There is no doubt that that particular scheme, as you well know, Senator Cook, and as we know, put out the welcome mat for tax avoidance. It essentially made for many people the paying of tax optional. So there was a pretty ordinary record from the previous government on this. After 13 years, I think Mr Keating when he went to the election in 1996 raised the issue of the taxpaying of high wealth individuals.

Senator Lees—Madam President, I raise a point of order. The minister has now had half the allocated time and we still have not got to an answer to the question. I did not ask anything about what the previous government may have done, but specifically about trusts legislation that this government has committed itself to.

The PRESIDENT—I draw your attention to the question, Senator Kemp.

Senator KEMP—Let me make clear to Senator Lees that this government is always determined to crack down on tax avoidance. I think our record shows that.

Senator LEES—Madam President, I ask a supplementary question. I think the minister is very close to saying that in fact what we may be looking at is a significantly watered-down version, so I will just double check and ask the minister: can you guarantee that we will not see this exposure draft substantially watered down so that really we do not have a core promise any more but rather a disposable promise?

Senator KEMP—in fairness, this government is a consultative government. It is a comment I have often made in this chamber. One of the reasons why it has been able to make such substantial reforms is the consultative nature of this government. One of the
ways you consult is to have an exposure draft and seek submissions from the public on that exposure draft. And that is precisely what we are doing. Senator Lees is concerned, apparently—I do not think with good reason at all, to be quite frank—so I would refer her to the very extensive and, I might say, very good answer that was given by the Treasurer in the other place just minutes ago.

Australian Taxation Office: Company Audits

Senator COOK (2.21 p.m.)—My question is to Senator Kemp, the Assistant Treasurer. Can the minister confirm that Mr Stephen Breckenridge of KPMG made a complaint to Commissioner Carmody regarding the conduct of the Australian Taxation Office auditor Mr Bob Fitton, who was at the time auditing a big business client of Mr Breckenridge? Can the minister also confirm that, after an investigation was completed into Mr Breckenridge’s complaints, the author of the report found there was no substance to any of Mr Breckenridge’s complaints against Mr Fitton? Why, then, was a new case manager required to be briefed on the audit case in question if none of Mr Breckenridge’s complaints were found to have any substance at all?

Senator KEMP—I plan to table after question time today a response to this issue, which has also been raised by Senator Sherry. Let me make a couple of observations. The advice I have received from the tax office is that there are very few instances in which the ATO has been requested to remove an officer from an audit. When such a request is made, a decision is made by the ATO based on the merits of the case. Let me make it clear—and this is the advice I have received—that the ATO would only consider removing an officer from an audit if the officer’s behaviour was considered inappropriate or if there was a conflict of interest. Unfortunately, personal attacks on ATO staff occur from time to time. I think we all understand that Australian Taxation Office staff have to face enormous pressures. The ATO will not remove any officer who is acting in a professional and appropriate manner.

There was a press article—which I think was referred to by Senator Cook previously—on this which appeared in the Australian Financial Review on 28 November. In regard to the eight occasions referred to in the article, the ATO has advised me that on no occasion did the ATO remove an officer from an audit. I think that probably deals with the matter that Senator Cook raised, but if there are other issues involved I will seek a response from the tax office.

Senator COOK—Madam President, I ask a supplementary question. If it is true that the ATO only removes officers from cases based on merit, what was the so-called merit when Mr Fitton was removed, at the request of Mr Breckenridge, from this particular audit?

Senator KEMP—I assume that Senator Cook is referring to the eight occasions which were referred to in the press article on 28 November. If that is the case, the advice that I have received from the ATO is that on no occasion did the ATO remove an officer from an audit. As Senator Cook has raised other matters, naturally I will look closely at them. I always try to assist you, Senator Cook, as you know. Indeed, some of my staff are amazed at the amount of time I spend working in trying to help you.

Senator Knowles—He needs all the help he can get!

Senator KEMP—Indeed he does! Senator Cook, I will look closely at the matters you have raised and I will get back to you.

Space Station Endeavour: Loss of Natural Night Sky

Senator BROWN (2.26 p.m.)—As it is close to Christmas, I want to ask a question of the Minister for the Environment and Heritage about stars. Is he aware that the space station Endeavour will be brighter than the brightest star in the sky, Sirius, when it is in full play, after sunset and before sunrise? I ask the minister: are we the last generation ever to see a natural night sky? Who has consulted the people, not least the poets and the lovers, about this loss of the starry commons? Does not the government regret that we will be the last generation ever to see the natural starry climes at night?

Honourable senators interjecting—

Senator HILL—I do not understand the mirth; this is obviously a very serious matter.
The best I could suggest is that we conduct some form of global plebiscite over the next 10 years, funded no doubt by AusAID. Perhaps the ALP would be prepared to make a contribution—trouble is, the ALP supplies in brown paper bags, as we know! The only stars I see in this chamber are on our side. I look at Senator Herron, Senator Minchin and Senator Vanstone—real stars within the Australian parliamentary process.

Honourable senators interjecting—

Senator HILL—I have to apologise to Senator Brown that they are not taking his question seriously. I take it seriously, but I regret to say that it is just the product of progress.

Senator BROWN—Madam President, I ask a supplementary question. I am sorry the answer was a bit short. I raised the question, and I ask the minister to respond to this: have we not lost something as a society when there has been no debate whatever about the fact that we will never see a natural night sky again and that no future generation will ever see a natural night sky?

Senator HILL—Our environment is modified by technological development which brings us other advantages, and therefore it becomes a matter of balancing the benefits. In this instance I am sure that, through telecommunications and other advances that will flow from this experiment in space, humankind will benefit and that, on balance, the consequences will therefore be beneficial. I thank the honourable senator for such an important question.

Australian Taxation Office: Company Audits

Senator CONROY (2.29 p.m.)—My question is to the Assistant Treasurer, Senator Kemp. Given the claims that Mr Breckenridge of KPMG has intervened in at least eight and possibly 10 audit cases to have ATO auditors pulled from auditing his big business clients, will the minister guarantee that Mr Chris Jordan, who sits on the Board of Taxation, has neither formally nor informally raised Mr Breckenridge’s complaints with Commissioner Carmody or with any other senior tax office personnel? If he has, would it not be just another example of Mr Jordan’s serious conflict of interest if he is representing Mr Breckenridge’s complaints to senior levels of the ATO while being a Board of Taxation committee member?

Senator KEMP—This is typical of the standard of questions from Senator Conroy. He makes an allegation about someone’s behaviour, quite freely, within the confines of the cowards’ castle. That is what you do normally, Senator Conroy. You do have a name for that. I would say at least once or twice a week Senator Conroy attempts to traduce the character of some distinguished Australian. That is his style. It demeans the parliament. Frankly, Senator Conroy, given your behaviour in the past—

The PRESIDENT—Senator, your remarks should be directed to the chair, not across the chamber.

Senator KEMP—Thank you, Madam President. Senator Conroy has a reputation of being a union thug. He comes into this parliament and imposes those standards. Mr Chris Jordan is a very distinguished Australian who has performed a great public service to the country. Rather than attempting to demean the character and libel the performance of a man like Mr Chris Jordan, it would be far more appropriate for the senator to praise his good work. Those who have dealt with him on a regular basis would clearly say that he has performed a very important duty to this country. Senator Conroy, you shake your head. There is not one bit of evidence that Senator Conroy is able to bring to the attention of this Senate to support the claims he has made. He has tried this stunt at Senate estimates and in this parliament. He has now asked me four or five times about Mr Chris Jordan but has not brought forward any evidence at all to show that Mr Jordan has acted in an improper manner. He has never been able to adduce that. Senator Conroy just stands up and libels a person as distinguished as Mr Chris Jordan. It is appalling, but it is typical of the standard of behaviour that we have come to expect from Senator Conroy.

Senator CONROY—Madam President, I ask a supplementary question. Will the minister also confirm that, at the same time as Mr Breckenridge sought to have Mr Bob Fitton pulled from the audit of his big busi-
ness client, the same client was ignoring re-
quests for information under a section 264
notice? What action was taken against the
big business taxpayer concerned? Were they
prosecuted? If not, why not?

Senator KEMP—Madam President, it
would have been appropriate if Senator Con-
roy had listened to the answer I gave to
Senator Cook. That is the problem when you
have prepared questions. I gave an answer to
Senator Cook on an issue in a newspaper
article, which was the substance of what
Senator Cook was talking about. There were
eight occasions that were alleged in this
press article and the ATO has advised that on
no occasion did the ATO remove an officer
from an audit. That is the advice that I have
received. Frankly, Senator Conroy, it would
do you and, indeed, this parliament some
good if over the Christmas break you could
review your behaviour and your constant
tendencies to attack people’s good name.

(Time expired)

Crime: Statistics

Senator COONAN (2.35 p.m.)—My
question is to the Minister for Justice and
Customs, Senator Vanstone. Will the minis-
ter inform the Senate of the different patterns
of crime across the states and territories and
whether such information is readily avail-
able?

Senator VANSTONE—I thank Senator
Coonan for a very astute question. She asks
about the different patterns of crime across
the states and whether that information is
readily available. It now is available but, up
until last week, had not been. If one wanted
to make that sort of comparison, one had to
go to a variety of sources—including the
Bureau of Statistics, material prepared for
the Council of Australian Governments and
to the Institute of Criminology—and wade
through miles and miles of statistics which,
to use today’s terminology, were hardly user
friendly. The crime prevention unit in the
Attorney-General’s Department has, how-
ever, produced a booklet which enables peo-
ple who are interested in the issues of crime
to make fair, appropriate and informed com-
parisons across the states. I would like to
give the Senate some examples.

I would like to go first to the incarceration
rate of indigenous and non-indigenous Aus-
tralians and the ratio of imprisonment of in-
digenous and non-indigenous Australians
around Australia. This is a particularly inter-
esting aspect to look at, as Senator Greig
might agree. He asked me this one day and I
did not have the information at hand. I gave
him what I could at the time, which was the
substance of the answer. At the time he asked
me, we were discussing mandatory sentenc-
ing. If you remember, Madam President, at
that time plenty of people wanted to portray
the Northern Territory as the worst place an
indigenous person could find themselves.
Somehow, the Northern Territory govern-
ment were a disaster. They had this manda-
tory sentencing and it was the worst place
you could be if you were an indigenous per-
son. But if you look at the percentage of in-
digenous to non-indigenous incarcerations,
you see that the Northern Territory is the
second safest place for an indigenous person
to be found. In other words, if this informa-
tion had been available at the time, we might
have had a more informed debate. Tasmania
is the safest state. Unfortunately, Western
Australia is the worst, followed by New
South Wales, my own state of South Austra-
lia, Queensland, Victoria and then the North-
ern Territory and Tasmania, in that order.

Equally, when you look at the age rate of
victims of crimes, too often we see in the
paper that the media are keen to highlight—
because it is news—when a teenager does
something dreadful, for example, to a
grandmother. So we get the impression that
young Australians are perpetrating crime all
the time, and it just is not true. Most young
Australians have nothing to do with the
criminal justice system. What they do have
to do with it is at a very low level of crime
perpetration. The plain facts are, if you want
to look at serious crime, that young Austra-
lians are far more likely to be victims of
crime perpetrated on them by an adult Aus-
tralian. That is all too often forgotten. To
encapsulate that, I highlight that a female is
most at risk of being murdered before she
gets to the age of 12 months—and that
should be a salutary statistic for everyone to
look at.
If we want to go looking at states, I just encourage people not to take one figure and ignore another in a particular state. It is just so easy to take one figure and dramatise it. For example, New South Wales does have an appalling armed robbery rate. It has the worst, and it has the worst rate of clearing up armed robberies within 30 days and a very significant increase over a reasonable period of time. But you should not take that to mean it is the crime state above all others, because it has a sexual assault rate that is below the national average. It does not have a very good clear-up of the sexual assault rate—that is below the national average—but nonetheless it has a much lower crime rate in that respect. This information has been prepared so that people who want to discuss crime issues and look at where they should focus their prevention do so looking at the whole picture. What is the rate this year? What is the increase over four or five years, and how does it compare with other states? 

Information Technology and Telecommunications: Statistics

Senator SCHACHT (2.39 p.m.)—My question is to Senator Alston, the Minister for Communications, Information Technology and the Arts. Is the minister aware of Australian Bureau of Statistics data released last week showing a serious decline in critical aspects of the Australian information technology and telecommunications industry? Doesn’t this very credible research show that Australia’s trade deficit in IT&T goods increased from $6.7 billion in 1995-96 to $9.1 billion last year, a rise of some 35 per cent? Don’t these figures also show that employment in IT&T manufacturing businesses fell by 39 per cent, the production of packaged software in Australia fell by 43 per cent and the production of manufactured IT&T goods in Australia fell by 24 per cent—all over the last three-year period? What action does the minister intend to take to reverse these serious declines in an increasingly important sector?

Senator ALSTON—I am glad that Senator Schacht acknowledges that this is an important sector and that there is a lot of action that can and should be taken to ensure that Australia remains at the forefront. It is probably very unfortunate that the Labor Party has not turned its attention to any of the possible ways in which we might do more in this regard. We have a skills shortage in this country, so we have established an IT&T skills institute or exchange. That is going very well; it got off the ground recently. I did not see Senator Lundy or Senator Schacht put out a press release congratulating the 18 leading companies that have each contributed significantly to the establishment of that exchange. That, of course, will make a very big difference over time. There are a number of things arising out of the innovation statement—

Senator Cook—Why did you do that?

Senator ALSTON—Why did we do what?

Senator Cook—That is Labor policy you are talking about.

The PRESIDENT—Order! Senator Cook, you are out of order.

Senator ALSTON—Living in the past, as always. I would have thought Senator Cook might have found it more beneficial to read some of those reports on innovation: commercialising university research, for example, looking at the report of the summit that was held in Melbourne in February this year. These are all major reports that deserve to be taken seriously, but unfortunately we just have a deathly silence.

Senator Cook—You abolished those programs.

Senator ALSTON—I know you have appointed a shadow minister for innovation, but that is about as far as it goes. In relation to the ABS statistics and the survey that was published on 28 November last, this survey distinguishes the operations of specialist information technology and telecommunications companies in the broader ICT sector. We certainly acknowledge that this sector is a critical one in modern economies and it is receiving unprecedented support from this government. Indeed, as we all know, up to $1 billion has been spent in ensuring that we have world’s best practice in terms of infrastructure in regional and rural areas.
What is the Labor Party’s attitude? Once again, they are opposed to all this. They will not have a bar of it. I suppose this is another boondoggle, is it? The message is there and we will make sure that, come election time, the voters are reminded of your attitude—your consistent negativism—to trying to help rural areas. You do not want to see them on the Internet; you want to score a few political points. The support that we have already introduced includes a dramatic restructuring of the capital gains tax regime, encouragement of the venture capital industry and support for incubators—again, absolute silence.

Senator Mackay—Oh, incubators! Senator ALSTON—Are you now in favour of incubators? Very impressive.

Senator Cook—You abolished our program.

Senator ALSTON—Why didn’t you support that $76 million out of the proceeds of the sale of Telstra? You have never for a moment acknowledged that these were valuable initiatives. The only initiative you ever took was during the last election campaign when Senator Schacht said he would close down Networking the Nation. That is about all you have ever done in this area. You have never acknowledged that there are any worthwhile projects, and people out there know it. That $158 million worth of Building on IT Strengths funding is a tremendously important initiative and, once again, there is not a word of support from the Labor Party. There is the recently enhanced role of the National Office for the Information Economy, and again Senator Lundy has been out there saying this is a mickey mouse outfit. Of course, we all know that it has been very successful in getting the message out there, building the brand image and making sure that Australia is up with the game. There has been significant growth in the number of ICT businesses over recent years—up 34 per cent in the last couple of years—with an income of $62 billion, up 28 per cent. It is a 34 per cent income boost with broadly similar employment indications. (Time expired)

Senator SCHACHT—Madam President, I ask a supplementary question. Minister, in view of the announcements you have just made of various investments, why is it that the sector continues to decline in the way in which it contributes to Australia’s trade balance? The deficit is getting bigger and bigger. What are you doing to turn it around and to at least break even?

Senator ALSTON—That is what our innovation action plan will be all about. Now I know that you are holding your breath, aren’t you? You would rather get into, presumably, the microprocessing fabrication plants, wouldn’t you? You would like to get into that. You would like a bidding war to basically come up with tax-free holidays to encourage high-volume, low-margin hardware production. In other words, you would like to see footloose capital in Australia for a few years. We are actually much more interested in the high value end of the market. We want knowledge based industries here and we want to capitalise on our skills. Apparently, none of this seems to appeal to the Labor Party in the slightest and I find that a very sad reflection on their capacity to come to grips with what the opportunities really are. We have not heard a word. I think all that Dr Lawrence has said is that she will wait and see. Do you remember what Kim Beazley said? He went to Ballarat to put the finishing touches on his policy. When he heard about the innovation statement, he said: ‘We’re back to the drawing board.’

The PRESIDENT—Senator Alston, your time has expired. You should not refer to the Leader of the Opposition in that fashion.

Aviation: Competition

Senator RIDGEWAY (2.45 p.m.)—My question is to the Minister representing the Minister for Transport and Regional Services, Senator Ian Macdonald. Minister, given that the government appears to support competition within the airline sector and appears to welcome the new airlines of Impulse and Virgin Blue, will the government take any steps to ensure this level of competition remains in the sector and prevent the takeover of Hazelton Airlines by Ansett or Qantas?

Senator IAN MACDONALD—The suggested takeover of Hazelton Airlines by Qantas or Ansett is a commercial decision for all three companies involved. Hazelton is
a commercial operation and it is free, I guess, to trade with its shares or with its property as it sees fit. We are very pleased, as the senator has said, with the competition that has come into the Australian market with Impulse and Virgin Blue and, of course, the benefits of competition are well known.

The government is very pleased to note that Airservices Australia are to implement a 12 per cent reduction in en route charges from 1 January next year. These reductions are a direct result of the implementation of TAAATS and the business transformation within Airservices. The reductions were announced yesterday by Mr Anderson and Airservices Australia. It is all part of this government’s approach to having the skies as safe as can possibly be achieved at a cost which keeps in mind what the travelling public can pay. Certainly, Airservices Australia have done a marvellous job in being able to be one of those government agencies that has actually reduced its charges, which will flow on to all of the airlines and should enable those airlines to reduce their charges and make it a better deal for the travelling public.

I do not know that I can say much more about the Hazelton matter. I am aware that Ansett has made a counter offer for Hazelton of $1.35 per share compared to Qantas’ takeover bid of $1.20. The takeover offers and Hazelton’s response are a commercial decision for all three airlines concerned. I have noted claims that Ansett and Qantas want Hazelton’s slots at Sydney airport. But under the Slot Management Scheme, the Hazelton regional slots are ‘ring fenced’, so to speak, for regional services; that is, they cannot be used for domestic or international services. Any move to use them for other than regional purposes would require a change in the Slot Management Scheme, and that requires the approval of parliament.

**Goods and Services Tax: Rural Fire Brigades**

**Senator WEST** (2.52 p.m.)—My question is to Senator Kemp, the Assistant Treasurer. Is the minister aware of an official Queensland state government report indicating that many rural fire brigades have already expended their financial year budgets, with a major reason for this overrun being that they had paid up to $1 a litre for fuel when they had budgeted for around 70c a litre? Is the minister also aware that this report has expressed concern about the effect of GST in-
spired fuel price rises on volunteer coast-guard and rescue organisations? What answer does the Howard government have to the findings of this rural fire brigade task force, which states, ‘Increases in fuel prices of up to 40 per cent cannot be absorbed indefinitely and, if not addressed, this may affect the operational capacity of volunteer emergency units. The task force found that the GST was having a major impact on rural fire brigades’?

Senator KEMP—First of all, I would like to see that report. I wonder whether in the supplementary you might clarify it. Did the report say that all the GST revenues go to the Queensland state government? This is an interesting argument. If the argument is that there are increased GST revenues as a result of the GST—if that is the argument they are trying to put—those revenues go to the Queensland government. This is a very important point, and this is why I would like to review this Queensland report very closely. If, as I was saying, the argument is that more GST revenue is flowing—and I assume that is the implication of the question—that revenue flows to the state governments. Therefore, it is entirely a matter for the state government to decide whether it wishes to offer subsidies, because that is where the money is going to. That is the first point I make.

The second point—and I am pleased that you have raised this question; I think I may have made this point on one or two occasions before, but I will make it again—is that the GST is now your policy, Senator West. There has been quite a bit of debate in relation to fuel prices. I am not aware that the Labor Party have made any significant steps to modify or to change the application of the GST to fuel.

Senator Abetz—Is it part of roll-back?

Senator KEMP—My colleague Senator Abetz—and he is a very wise man typically—raises an interesting question. Senator West would not want to be accused of hypocrisy. Therefore, we would have to assume that there may be roll-back in this area. If that is the case, that would have been a very important statement for Senator West to make and one that would attract a great deal of attention.

I conclude my answer. If the proposition that has been put in Senator West’s question is correct, the revenues flow to the state government. Therefore, I would be very surprised if a Queensland government report did not actually acknowledge that. Therefore, it is in their hands if they wish to take any particular steps. I urge bodies in the fire brigade and the coastguard to make their submissions to the Queensland government. The second point, as I said, is that the GST is in fact Labor Party policy.

The final point I make in conclusion—Senator West, I would welcome a supplementary if you have time—is that the rise in fuel prices is a matter of concern to this government. It is a matter of concern to the Queensland government. It is a matter of concern to consumers. The reason for the rise in fuel prices is quite simple and straightforward: it is due to the very high prices on world markets. That is the reason for it. I think you should not attempt in your supplementary to cloud that particular issue.

Senator WEST—Madam President, I ask a supplementary question. Is the minister aware that the same task force report also found:

... there is still a significant amount of concern from rural fire brigades regarding the GST. The recovery of tax credits under the new tax system has created an additional administrative burden on volunteer rural fire brigade secretaries and officers. There have been a number of resignations directly attributable to the increased paperwork ... since the introduction of the GST.

With a Prime Minister who extols the virtues of Australian volunteers helping the community, how does the Howard government respond to the GST paperwork burden leading directly to the resignation of rural fire brigade volunteers?

Senator KEMP—Let me make a couple of points in relation to that. As a result of our policy, the Diesel and Alternative Fuel Grants Scheme applies to emergency vehicles, including the fire brigade. So there is an important benefit there. The second point is an extension of what I have already indicated to Senator West. I think the trouble with the Labor Party is that they are trying to create an image that somehow they do not support
the GST. From 1 July, the GST became the ALP’s policy. Until they indicate what areas they are going to roll back, given the fact that they have been prevented from even using the ‘R’ word, I do not think we will hold our breath on that—(Time expired)

Information Technology: Internet

Senator CALVERT (2.59 p.m.)—My question is to the Minister for Communications, Information Technology and the Arts, Senator Alston. Will the minister confirm that Australia is amongst the world leaders in the take-up rate of the Internet? How do Australian cities connected to the World Wide Web compare to other cities in the United States? Is the minister aware of any alternative information technology policies?

Senator ALSTON—There has been a whole series of reports in recent months that demonstrate quite clearly that Australia is at the leading edge. One of the most significant, I think, was that of Merrill Lynch, which said that we were in a virtual tie for second in the world for fast-track economies. In terms of the key technology sector, they had us third behind Sweden and the United States. There are a number of other reports that confirm Australia’s growing reputation as a leading new economy. Indeed, Senator Calvert rightly points out that we are amongst the world leaders in the take-up rate of the Internet. We rank fourth in the world for adults accessing the Internet. In terms of the percentage of Australian households, they have gone up from 42 per cent two years ago to 54 per cent recently. So now more than one in three households have access to the Internet. That is an increase of 350,000 homes between February and May this year alone. All the signs are very propitious. It is quite clear that this leads you not only to being a very successful testbed in which new IT applications can be tested but to having a highly IT literate work force and segment of the population coming through the school system that will very much ensure that we are able to contribute not only—

Senator George Campbell—That is why you have a $10 billion deficit in trade.

Senator ALSTON—Your solution, no doubt, is more protection. They were the 10,000 dead men around your neck, weren’t they? Quite clearly, there are smarter solutions than that. Addressing the innovation reports is certainly one of them. The $250 million for Networking the Nation, which we topped up with another $171 million after the last election, is again a critical ingredient. Senator Calvert asked about the alternative policies. What I find, when I go around the business community, is that they are profoundly depressed about the fact that there is not a credible opposition in the country. They say to me, ‘How on earth can someone like Mr Beazley, who was a world champion privatiser when he was in government, have any credentials in terms of the new economy if he is opposed to the privatisation of Telstra?’ The basic answer, which one should not shrink from giving, is, ‘Look, he is basically a hypocrite. This mob would privatise Telstra as quick as a flash.’

The PRESIDENT—Senator Alston, withdraw that remark.

Senator ALSTON—I said ‘basically’, but I will withdraw it anyway, Madam President. I am simply explaining the view in the business community—a view which I share—that there is a very huge element of hypocrisy and opportunism in the Labor Party’s position on Telstra. But the important thing is that Labor are simply not taken seriously. No one for a moment thinks you can have new economy credentials if you cannot even bring yourself to do the sorts of things that Albania and Cuba did years ago.

Perhaps Senator Lundy, who seems to spend most of her life on the Internet these days, might be able to tell us whether she has actually been able to persuade her party to take Workforce 2010 off the web, because that is the document that says that there will be no growth in the communications sector and that there will be a decline of 50,000 jobs. The tragedy is, I suppose, that no-one
in the Labor Party actually reads the document. It came in from ACTU headquarters, which said, ‘Post it.’ Of course the Labor Party posted it, and there you have it—the classic demonstration. Labor have no policies in the innovation sector. They do not even have a shadow minister for IT. Of course people around the world just gasp in disbelief when you tell them that, but that is the fact. (Time expired)

Senator Hill—Madam President, I ask that further questions be placed on the Notice Paper. 3.04 p.m.

ANSWERS TO QUESTIONS WITHOUT NOTICE

Nursing Homes: Accreditation

Senator Herron (Queensland—Minister for Aboriginal and Torres Strait Islander Affairs) (3.04 p.m.)—Yesterday Senator Chris Evans asked me a question in my capacity as Minister representing the Minister for Aged Care. I undertook to get an answer from the minister. I seek leave to incorporate the additional response in Hansard.

Leave granted.

The document read as follows—

AGED CARE: EXCEPTIONAL CIRCUMSTANCES

Senator—My question is directed to Senator Herron in his capacity as Minister representing the Minister for Aged Care. Can the minister confirm that the government is drafting regulations for the Aged Care Act setting out the criteria by which the Minister will exempt nursing homes from the 1 January 2001 accreditation deadline? Will the Government commit to tabling those regulations before parliament rises? Given the deadline is now less than a month away, why hasn’t the government finalised those regulations earlier? Does the Minister think it appropriate that the rules be changed so close to the deadline?

Senator ... - Madam President, I ask a supplementary question? I thank the Minister for his answer. I would appreciate his response as soon as possible. Can he also provide information as to how many nursing homes are likely to be affected by the exemption process?

SENATOR HERRON - The Minister for Aged Care has provided the following answer to the honourable senator’s question:

From 1 January 2001, residential aged care services must be accredited by the Aged Care Standards and Accreditation Agency to continue to receive Commonwealth residential care subsidies (sections 42-1 and 42-4 of the Aged Care Act 1997).

Exceptional circumstances to be determined by the Secretary of the Department of Health and Aged Care (or his delegate) are provided for under the Aged Care Act 1997 but this should not be regarded by Approved Providers as an easy way out.

Facilities not accredited will be considered for exceptional circumstances. Facilities at risk of not being accredited are being case managed and contingency plans have been formulated on a case by case basis by the Department to ensure continuity of care for residents.

Decisions on exceptional circumstances will be made by the Secretary or his delegate.

Under the Aged Care Act, the Secretary is precluded from making such a determination in circumstances including where:

• there is an immediate or severe risk to the safety or well-being of residents; or
• the approved provider has not applied for accreditation;
• or the Secretary has already made a section 42-5 determination, and the service has not subsequently met its accreditation requirements.

The Minister has made the Principles which activate the relevant section of the Act being section 42-5. These Principles will be gazetted on 8 December 2000.

With regard to the supplementary question, the question as to whether a facility will receive a positive exceptional circumstance is a question for the Secretary or his delegate, weighing up each case on its merits.

Goods and Services Tax: Advertising Costs

Senator Kemp (Victoria—Assistant Treasurer) (3.04 p.m.)—On Wednesday last, Senator Bishop asked me a question. I seek leave to incorporate the additional answer in Hansard.

Leave granted.

The document read as follows—

Question Without Notice

On Wednesday 29 November 2000, (Hansard page: 20009) Senator Bishop asked me:

Can the Assistant Treasurer confirm that the GST advertising and promotional budget for the cur-
rent financial year has almost doubled from $30 million to $58 million? Can he also confirm that total costs for the introduction of the GST - that is, for advertising, promotion and education - have blown out from $433 million to $616 million?

I now seek leave to have this incorporated in Hansard.

This question is in two parts. Firstly, it asks about the increase in the GST advertising and promotional budget. The $58 million represents anticipated expenditure on all education and communication activities for the year including seminars, product development (booklets and CD ROMs), web development, advertising and PR activities. This increase is due to the higher than anticipated registration figures for the New Tax System.

Secondly, the question asks about total costs for the introduction of the Goods and Services Tax (GST). The total costs for the introduction of the GST are not confined to advertising, promotion and education, but also include administration. The New Tax System has seen a significantly higher number of GST registrants compared to the original estimates underlying initial administration costs. As a result of these higher registrations, there have been substantial increases in Business Activity Statement processing workloads, related telephone inquiries and technical advice.

The Government has therefore decided to provide the Australian Taxation Office with additional funding to cover the increased costs of administering the GST.

Under the Intergovernmental Agreement on the Reform of Commonwealth-State Financial Relations, the States and Territories pay to the Commonwealth agreed GST administration costs. Additional payments from the States and Territories will offset this measure, with the first of these payments expected to be made in 2000-01.

**Australian Taxation Office: Company Audits**

Senator KEMP (Victoria—Assistant Treasurer) (3.04 p.m.)—On Wednesday last, Senator Sherry asked me a question. I seek leave to incorporate the additional answer in Hansard.

Leave granted.

The document read as follows—

Question Without Notice

On Wednesday 29 November 2000, Senator Sherry asked me:

Is the Minister aware of the serious claims made in the Financial Review of 28 November that Mr. Stephen Breckenridge, a partner of KPMG, has heaved senior tax office management to have special officers removed from audits or review of his big business clients on no less than eight separate occasions? What action does the Minister propose to take to fully and properly investigate those claims?

How appropriate is it for Mr. Breckenridge, or indeed any other senior partner of an accounting firm, to pressure senior tax office management to remove ATO officers from their firm’s big business case audits? How appropriate is it for the tax office to accede to requests to have ATO auditors pulled from big business audits and then seek to have the officer concerned prosecuted over a supposed newspaper leak where no proof could be found?

I now seek leave to have this incorporated in Hansard.

The Australian Taxation Office has advised me that in the cases referred to, officers were not removed from audits because of approaches from taxpayers’ representatives, although in one case, the role of an officer did change.

Personal criticism of Australian Taxation Office staff is not unknown during audits, and the Taxation Office has occasionally been asked to remove an officer from an audit. The Taxation Office will only consider granting such a request if the behaviour of the officer is inappropriate or there is a conflict of interest.

**Defence Security: Mr Merv Jenkins**

Senator HILL (South Australia—Minister for the Environment and Heritage) (3.05 p.m.)—Senator West asked me a question yesterday in my capacity as Minister representing the Minister for Foreign Affairs in relation to the death of Mr Merv Jenkins. I seek leave to incorporate the additional answer from the minister in Hansard.

Leave granted.

The answer read as follows—

Defence Security: Mr Merv Jenkins

On 4 December 2000 Senator West asked me as Minister representing the Minister for Foreign Affairs:

In relation to the report by Mr Tony Blunn into the death of Mr Merv Jenkins, the DIO liaison officer? in Washington, what action is the Department of Foreign Affairs and Trade taking to investigate Mr Blunn’s finding that key evidence was missing, including letters, tapes and electronic copies of correspondence, from the Defence Intelligence Organisation?
The Minister for Foreign Affairs has provided the following answer:

The Department of Foreign Affairs and Trade can account for all the information it gathered as part of the investigation into the alleged security breaches by Mr Mervyn Jenkins.

Any questions regarding the missing documents from DIO should be directed to the Minister for Defence.

Also on 4 December 2000 Senator West asked me as Minister representing the Minister for Foreign Affairs:

Madam President, I ask a supplementary question. I am surprised that, considering this was in the media last Friday, the minister has not got an answer for at least some of this. I also ask: what action is the department taking or planning to take in response to the finding of the Blunn inquiry that the conduct of the Department of Foreign Affairs and Trade in the investigation into Mr Jenkins’s handling of intelligence material was counterproductive and contributed to Mr Jenkins’s suicide?

The Minister for Foreign Affairs has provided the following answer:

The key findings of the Blunn Report are that the allegations made against Mr Jenkins in May 1999 were serious and warranted investigation, that the decision to investigate the allegations was timely and appropriate, and that there was nothing improper or contrary to Commonwealth procedures in the processes used by the investigators.

The investigation was conducted in accordance with the requirements of the Commonwealth Fraud Investigation Standards Package. These standards have been adopted by the Government as the "best practice" model for conducting investigations into serious allegations. These procedures are routinely used in departmental investigations.

Centrelink: Employees with Disabilities

Senator CHRIS EVANS (Western Australia) (3.05 p.m.)—I move:

That the Senate take note of the answers given by the Minister for Family and Community Services (Senator Newman), to questions without notice asked by Senators Gibbs and Evans today, relating to the employment of people with disabilities.

First of all, I acknowledge that the Minister for Family and Community Services took on notice my question about particular circumstances in the treatment of Centrelink employees in Western Australia. I will come to that in some detail in a second. I appreciate the minister has taken that on notice, but I do want to put on the record some concerns I have about this case. In the first instance, in answer to a question by Senator Gibbs, the minister was unable to confirm figures which Ms Sue Vardon, the head of Centrelink, has provided which indicate effectively that under this government both the number and the percentage of people with disabilities employed in the Commonwealth Public Service have been declining quite dramatically. So we have the contrast between the rhetoric of this government about supporting people with disabilities and the reality: that is, the reality of their employment opportunities under this government. We know that, in terms of total numbers, more than 2,000 people with disabilities have lost positions in the public sector over the last four or five years of this government. We also know in percentage terms that the number of people with disabilities employed in the public sector has been reducing. That is also true of a range of other groups such as people of Aboriginal and Torres Strait Islander descent and some other categories. But the key here is the treatment of people with disabilities.

I want to raise the question that I raised with Senator Newman about these two Centrelink employees because it is the most distressing case that has been brought to my attention recently. Both these people are long-term employees. They have been employed respectively for eight and 15 years with Centrelink. Their positions were declared redundant late last year and they have been effectively sacked in recent months. Both these people have disabilities—one of them, whom I will call Ms J, has Turner’s syndrome; the other, whom I will call Ms I, has an intellectual disability. Both have been employed in basic clerical positions in Centrelink, as I say, for eight and 15 years respectively. They were declared redundant late last year and they have been effectively sacked in recent months. Both these people have disabilities—one of them, whom I will call Ms J, has Turner’s syndrome; the other, whom I will call Ms I, has an intellectual disability. Both have been employed in basic clerical positions in Centrelink, as I say, for eight and 15 years respectively. They have been affected by the demands on the organisation for multiskilling and reorganisation of those clerical tasks. The emphasis in Centrelink has been on making everyone available for customer service. It seems that these two women have been found, as a result of some assessments provided by Centrelink, to be unsuitable for customer service. As a result, they have been
declared redundant to Centrelink’s requirements and sacked. I think that is a very worrying development.

Ms Vardon, in a letter to one of the women, acknowledges that part of the problem is that Centrelink’s capacity to find places for people with disabilities has been affected by the government’s program of outsourcing, that that and the multiskilling developments in Centrelink have forced them to make changes which effectively mean they are no longer able to employ people with disabilities. They are giving up their leadership role in employing people with disabilities. They are giving up the commitments that have been made by successive Commonwealth governments to act as model employers and to have positive programs for employing people with disabilities. What we see instead is that these two long-term employees—eight and 15 years service respectively—have been declared redundant and then dismissed against their wishes. Both have offered to take alternative employment. Both have offered to retrain. Both have offered to change offices et cetera. Both have been desperate to keep their positions. They have been subjected to quite humiliating and intrusive psychological assessments. Some of the correspondence that they have been sent is very offensive and demeaning and I think reflects poorly on Centrelink and the Commonwealth government. I think their treatment is a very poor example of what has been happening to people with disabilities under this government.

I appreciate the minister has taken steps to inquire into the matter. I hope she does, and I look forward to her response. On the material I have seen, I am most concerned about what this means for people with disabilities and their future employment within the Commonwealth and more generally. In fact, one of the women has had suggested to her that she might pursue a position under the supportive wage system: that is, she has been a permanent employee for eight years, employed with good record of service, they have declared her redundant and then they have suggested she might like to come back under one of the Commonwealth’s own supported wage systems. I think it is a very insulting offer in the sense that that is an offer to come back as a temporary employee. (Time expired)

Senator PATTERSON (Victoria—Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs and Parliamentary Secretary to the Minister for Foreign Affairs) (3.10 p.m.)—It is very hypocritical of the Labor Party to come in here and make the sorts of comments they have. The Minister for Family and Community Services, Senator Newman, when she answered the question that Senator Evans asked her, said that she would find out the details. But he prefers to get up here and go through the individual cases point by point without having the good grace to wait until the minister has the information. You cannot expect a minister to have information about every single case and every single employee in the very large organisation for which she has responsibility.

It is amazing that the Labor Party come in here with this new-found interest in people with disabilities. When Labor were in government they had a policy of closing down what were then called sheltered workshops. They are now called business enterprises. They had a view that every single person who had a disability was capable of open employment. We know that people with disabilities who are now integrated into the mainstream schools and who have the opportunity now of different sorts of education may—and many more of them—be able to be in open employment. But many who were in sheltered workshops as they were then called, or business enterprises, who did not have the benefit of that sort of education were going to be jeopardised by this Labor Party’s policy.

I will never forget one day visiting what was then called a sheltered workshop in Brunswick when the then minister had visited some two weeks before and said, in a very loud voice as he was leaving, ‘We are going to close places like this down.’ That was overheard by a large number of people with disabilities, including one gentleman of about 45 who had had a massive hemiplegia from a stroke. He was in tears for two days. This is a party that is supposed to have a
heart. This is a party that is supposed to know about people with disabilities. This is a party that suddenly found a new interest in people with disabilities. Do you know what that person who was involved in what was then called a sheltered workshop, who was a supporter of the Labor Party, said to me? He said, 'I wish the minister had never come because he left this place in disarray.' I went around and talked to every single worker in the business enterprise to try to console them. I fought tooth and nail to ensure that the Labor Party did not close down sheltered workshops.

The Labor Party were saying that people who ran business enterprises were not to have any new people when somebody left for open employment. Backfilling they called it. They were not allowed to backfill—wonderful terminology! I remember—and I have said this before—that Senator Herron, former Senator Bjelke-Petersen and I, in a very moving debate in this chamber, convinced former Senator Tate to go back to the then minister and have him re-examine it. Pressure from parents of young people and in fact older people in business enterprises was brought to bear on the Labor Party, and finally they came to their senses. But do not come in here with some new-found interest in people with disabilities because you feign interest in people with disabilities.

The Labor Party let a contract to sell their disability reform package—a $5 million contract. The way that contract was let was highly suspect. The company’s balance sheet showed that the company was insolvent at the time the contract was let. The aim of the contract was never achieved. People were not informed about the disability reform package. People with a disability who had participated in it were left without their bills being paid. It was an absolute outrage. It was an absolute scandal—again, a scandal perpetrated on people with disabilities. They did not get the information they were supposed to get and some of them were left with debts. We had a Senate inquiry into that. It was outrageous. In fact, you could have written an opera or a small play called The Contract when you started poking around in the details of it. Again, the Labor Party lacked interest in people with disabilities. On our side of the chamber, since we have been in government, we have had a large number of reforms which my colleagues will speak about.

(Time expired)

Senator GIBBS (Queensland) (3.15 p.m.)—I find it totally amazing that Senator Patterson can come into this chamber and say how hypocritical we are because we were closing down the sheltered workshops. You are doing that now, Senator Patterson. Catch up with your government policy. Find out what your government is actually doing right now. Instead of slagging off at us at every opportunity you get, find out exactly what your government is doing. You are closing down the sheltered workshops right now.

The DEPUTY PRESIDENT—Address the chair, please, Senator Gibbs.

Senator GIBBS—Since coming to office this government has slashed the funding of key social and community services, including disability services. Employment services in this country for people with disabilities are an absolute disgrace. Despite spending approximately $221 million in 1999-2000, a mere 49,285 people with disabilities commenced a support or employment program with a specialist disability employment service provider. This represents just 6.5 per cent of the total number of disability support pension recipients—people the government has targeted for reform. Although the government has trialed six different disability employment models, it has failed to adopt any one of them.

This gets back to the question I asked Senator Newman today. Senator Newman could not answer, but she did say that she would come back to me with an answer, and I do appreciate that. It comes as little surprise that the number of people with a disability employed in the Australian Public Service, and particularly in key agencies such as Centrelink, has significantly declined. Sue Vardon, Centrelink’s chief executive officer, confirmed this year that the percentage of people with disabilities employed by Commonwealth departments fell from five per cent to 4.2 per cent. That is a reduction of around 2,200 people, which is a large per-
percentage of that particular sector. It is absolutely outrageous. With the cuts to Centrelink and the Australian Public Service, we have seen 3,300 staff from Centrelink offices around Australia given the flick by this government. In the past, people with disabilities could always be guaranteed a job within the Australian Public Service—indeed, with any public service in Australia—and that is how it should be. The government should be a shining example to every other employer in this country by leading the way when it comes to providing employment for people with disabilities. It is what people expect. It is common decency for a government to do this.

People with disabilities have been slapped in the face by this government because of the cuts to the services that have been provided to them. The capping of funding of disability employment programs has seen waiting lists grow to unacceptable levels. On the government’s own analysis the cuts have resulted in poorer services, with Centrelink’s own performance indicator, the customer service charter, going backwards. I think it is absolutely outrageous that the Australian Public Service and Centrelink can cut the jobs of people with disabilities—one of the most disadvantaged groups in Australian society. We should be providing jobs to people with disabilities. The government should be showing the way. The government should be an example to other employers in making jobs available to people with disabilities. People with disabilities have a right to work and to have a proper life. (Time expired)

Senator BRANDIS (Queensland) (3.20 p.m.)—I am sure all members of this chamber would share the aspiration that Senator Gibbs just expressed in relation to the community’s obligation to people with disabilities. However, Senator Gibbs and Senator Evans, who spoke earlier in the debate, have scarcely done justice to the achievements of the Howard government in the provision of disability services. When the Howard government took office in 1996, one thing it discovered was that the provision of disability services under the Commonwealth disability strategy was a shambles. That can clearly be seen from the fact that, of the reporting requirements that existed under the Human Rights and Equal Opportunity Act, only 30 Commonwealth agencies had lodged disability plans, which they were required to do under the legislation. So what did the Howard government do? In the 1996-97 budget it announced a comprehensive review of disability services, with a view to developing an improved and more equitable disability strategy. At the time of the budget, the budget papers articulated the objectives of that policy in these terms:

... to enhance job seeker access, choice and employment outcomes; to make funding arrangements more equitable; to provide employment assistance to as many people as possible within the existing funding; and to promote flexibility and innovation.

The government has acted in furtherance of that policy since it came to office almost five years ago. Let me record for the benefit of the Senate some of the achievements that the Howard government has reason to be proud of in this field of policy. Firstly, the Commonwealth disability strategy has been revised to ensure that it operates in a more equitable and a more accountable way—in particular, the reporting requirement of two years in respect of agencies has been reduced to an annual reporting requirement so that there can be parliamentary oversight of the development by Commonwealth and other agencies of a disability services plan within the agency. Secondly, we have legislated to maintain the disability service pension at 25 per cent of average weekly earnings. As well, the government has appropriated $510 million over two years as the Commonwealth’s contribution to Commonwealth-state funding arrangements for disability services. People with disabilities are only one part of the equation. There is also, of course, the carers for those people. Since 1998, this government has appropriated over $575 million in new funding for carers, including increased respite care support and the establishment of carer resource centres and carer respite centres. Contrary to what Senator Gibbs told the Senate a few moments ago, in the period between 1995 and 1998 we have seen a 20 per cent increase in the number of people with disabilities who have been placed in employment.
Let me turn for a moment to the Commonwealth-state funding arrangements. The Commonwealth took the lead in addressing the unmet need for disability services, offering to increase funding to the states by an additional $150 million over the final two years of the current Commonwealth-State Disability Agreement. All the states and territories have accepted the Commonwealth’s offer, providing new funding which matches or exceeds the Commonwealth’s. As a result of the Commonwealth and states working in partnership, $510 million will become available to fund new disability services—not existing services, but new, additional disability services—over the next two years. People with disabilities will have access to a range of new and additional services, including the increased availability of respite care, accommodation services and increased assistance for families and improvements in community infrastructure.

(EndPoint)

Senator CROWLEY (South Australia) (3.25 p.m.)—I think it is interesting to be the last speaker on this issue. Senator Brandis, it is very good to have that bit of paper with those glowing words but they do not cover the facts or the truth. So you should make sure that, next time you go through this story, you tell it like it really was and really is. Senator Patterson did her usual ‘going a bit spare’ about the previous government’s policies for people with disability. I have said in this place any number of times in answer to her that that does not do justice to her or to what the government was trying to do. There were a number of changes introduced under the previous Labor government by Minister Brian Howe, in particular recognising that some of the job opportunities in so-called sheltered workshops for people with disability meant that many of those people actually worked as sweated labour. They were expected to work in jobs that were very repetitive, very unsatisfactory and very unfulfilling, for very inadequate payment. It was the Labor government and Brian Howe who said that it would be much better to assist people with disability into much better opportunities in work. Yes, sometimes that meant that the sheltered workshops would close, because they were exactly the sorts of places that were perpetuating the fact that people with disability were in very insufficient and inadequate jobs.

It is interesting to note that Senator Patterson complains as though this was the worst thing we have ever done. If that is the case, why is it that the current government continue the policy and continue to close sheltered workshops? They know that the initiatives of the previous Labor government and Brian Howe were just the very best thing you could do to assist people with disability. You need a graded series of employment opportunities for people with disability, but to suggest that the Labor Party and the Labor government had no regard and did nothing is to totally misrepresent what they did do. First of all, Brian Howe was principally responsible for establishing a whole new policy area for people with disability, and that provided for the Commonwealth to take responsibility for employment for people with disability and for the states to be much more responsible for accommodation, housing and support services.

My colleagues have already said a fair amount on the current government’s and Senator Newman’s failure in support for people with disability. Senator Newman makes a lot of mutual obligation. I think mutual obligation actually means not only that people with disability have to improve their game, respond, look for more work, do more training and so on but also that the government, in their part of the obligation, have to deliver with the funding. They have failed to do that. Their funding has only seen 6.5 per cent of the total number of disability support pension recipients—people whom the government have targeted for reform—getting any access to that special employment. The government have also trialed six different disability employment models, and they have failed to adopt any one of them. So, yes, it is ‘tough stuff’ but, at the moment, the current government and the minister responsible, Minister Newman, are failing to deliver for people with disability. That is the point of our taking note today. It is well and good to put your hand over your heart and feel drippy-eyed about these services and what people want but, in fact, the government are failing to deliver in the
ment are failing to deliver in the area of employment for people with disability.

Since the coalition government has been in office it has cut the budget for the Commonwealth Rehabilitation Service by $16 million. That reduces its capacity to help clients wishing to re-enter the work force. It is called 'get 'em this way, get 'em that way, but make sure that people are being assisted less and less by the government end of mutual obligation'. The government has announced that, if you can live long enough, in 30 years time public transport in this country will be accessible to people with disability. Thirty years! Hang around, folks. But you would not hold your breath for this government's 30-year plan to make people with disability have easy access to public transport. For so many people with disability, public transport is the only mode of getting around that they have. A 30-year waiting period is extremely cruel. People who are trying to get to work and to contribute, as people with disability wish to do—we saw it at the Paralympics—want opportunities and assistance. They do not want a 30-year wait time to adapt public transport. They do want funding and they do want services from the Commonwealth to assist them into new employment opportunities. They want funding through Commonwealth agencies, like the Commonwealth Rehabilitation Service. They do not want the cutbacks, the penny-pinching and the blaming of the people themselves for the insufficiency of their provisions. (Time expired)

Question resolved in the affirmative.

Tax Reform: Trusts

Senator MURRAY (Western Australia) (3.31 p.m.)—I move:

That the Senate take note of the answer given today by the Assistant Treasurer (Senator Kemp), to a question without notice asked by the Leader of the Australian Democrats (Senator Lees) today, relating to the taxation of trusts.

I remind the Senate of a few comments by the Prime Minister on the very important issue of taxation of trusts. In March 1998, before the election, he said: I say to the people of Australia that one of the central elements of our tax reform package will be the elimination of tax avoidance practices, whether they occur in relation to family trusts or in relation to other aspects of the taxation system.

Again, releasing the tax package in August 1998 it was stated that the trusts measures 'strike a fine and correct balance between the need to prevent the abuses that are occurring through the use of trusts and ... the viability of many rural and other businesses.' The National Party have been conducting guerilla warfare against the provisions of those policies ever since. They do not appear as concerned as the Prime Minister and the Treasurer about the need to attack tax avoidance mechanisms within trusts. Indeed, whenever there is a queue to demand further concessions on that front, the National Party have been right up front in their role as representatives of the National Farmers Federation.

The Democrats do recognise that trusts have a place in business arrangements where there are perfectly valid reasons about asset protection and generational transfer. However, we also believe that where any entity is used for business purposes the nature of taxation should be similar. Too often in this country, in sharp contrast with other countries in the OECD, the main reason why trusts have been embraced by many businesses, including small businesses and farmers, has been to minimise tax. It has not been as an appropriate vehicle for their particular business arrangements. As much as the Democrats have regard for the views of the National Farmers Federation and the views of Australian farmers and small business in general, we do not believe that tax avoidance is just a rural sport. We believe it operates outside the farm gate in the urban areas as well as in the country. There is a bad minority of rorters with regard to trusts everywhere in the country.

Taxing trusts as companies, which is the colloquial way of expressing the principle that I outlined earlier of taxing all businesses on an equivalent basis, was one of Treasurer Costello's better tax reform ideas. It would establish neutrality across different business structures—whether they be trusts, companies or partnerships—allowing structuring decisions to be made on legitimate business grounds rather than illegitimate taxation grounds. It would remove the huge tax in-
centives that have made trusts the preferred way of running businesses, in a way which is much more common than in any other Western country. Sometimes the percentage rate of trusts as business agents in our economy is double that of other countries. Taxing trusts as companies was supported by the Democrats from day one. It was supported by the Labor Party from day one. Indeed, the Labor Party was prepared to ignore its own party policy on an effective capital gains tax and to vote to cut capital gains tax in November 1999 on the basis of a promise from the government that it would proceed with this legislation as well as other Ralph reform mechanisms.

Mr Crean was waving around his commitment from the government in question time earlier today. In our view, the Labor Party ignored the most obvious and elementary negotiating requirement in doing a deal with governments, and that is, you do need to bolt everything down. We told shadow Treasurer Crean at the time that taking matters on trust—and that is a pun—is fraught with danger. The trust legislation has already been watered down twice. We are quite prepared to accept an incremental approach and to have policy adjusted for good policy reasons. But watering down the legislation will be a boon for those who use trusts for tax avoidance. By all means tidy up the drafting, reduce compliance costs and be fair, but let us at least make sure the legislation is effective. There is majority support in this place. If the Nationals will not stand alongside the Liberals to pass trust legislation, the Democrats will and, I believe, so will the Labor Party. So there is a commitment that the government can work on. The Democrats urge the government to hold its nerve. (Time expired)

Question resolved in the affirmative.

PETITIONS

The Clerk—Petitions have been lodged for presentation as follows:

Commercial Television Industry Code of Practice

To the Honourable the President and Members of the Senate in Parliament assembled:

The petition of the undersigned shows:

The need for amendments to the Commercial Television Industry Code of Practice to better reflect the community’s standards.

We the petitioners therefore ask that the Senate urgently address the following issues:

1. that commercials and promotions are the same as or of a lower classification as the program being shown, regardless of the time of day or night that the program is being televised. (Refer Codes of Practice, Section 3 on Program Promotions);

2. that the Australian Broadcasting Authority be given the power to enforce penalties, i.e. ‘on the spot’ fines when the Codes of Practice are breached;

3. that a ‘Hotline’ be established as per Recommendation 3 made by the Senate inquiry of February 1997, as stated:
   (a) a telephone/fax Hotline be reintroduced by the ABA for the public to register complaints about television programs. The Hotline could work in a similar way to the one operated by the former Australian Broadcasting Tribunal; and
   (b) that the ABA report on the operation of the Hotline in its annual report; and

4. General (G) classification zones (refer Codes of Practice, Section 2.12) times be changed to:
   Weekdays 6.00 a.m. – 8.30 a.m. and 3.00 p.m. – 8.30 p.m.
   Weekends 6.00 a.m. – 8.30 p.m.
   Parental Guidance Recommended (PG) Section 2.14, to be changed to:
   Everyday 8.30 p.m. – 9.30 p.m.

by Senator Gibbs (from 8,178 citizens).

Aged Care Facilities

To the Honourable President and Members of the Senate assembled in Parliament:

This petition of certain residents of Australia draws to the attention of the Senate the increasing concerns about the quality of care for residents of nursing homes and hostels. Your petitioners believe that all residents in Aged Care Facilities deserve only excellence in care, and are concerned that current staffing levels seriously compromise the delivery of such care.

Your petitioners therefore ask the Senate to, as a matter of extreme urgency, immediately review staff/resident ratios in Aged Care Facilities.
by Senator Chris Evans (from 7,424 citizens).

Petitions received.

NOTICES

Withdrawal

Senator CALVERT (Tasmania) (3.37 p.m.)—On behalf of Senator Coonan, pursuant to notice given at the last day of sitting on behalf of the Regulations and Ordinances Committee, I now withdraw business of the Senate notices of motion Nos 1 to 5 standing in her name for seven sitting days after today.

Presentation

Mr Murphy to move, on the next day of sitting:

That the time for the presentation of the final report of the Economics References Committee on the provisions of the Fair Prices and Better Access for All (Petroleum) Bill 1999 and the practice of multi-site franchising by oil companies be extended to 8 February 2001.

Senator Ian Campbell to move, on the next day of sitting:

That the order of the Senate of 9 November 2000, relating to the times of meeting of the Senate in 2001, be modified so that the Senate does not meet on 14 and 15 November 2001.

Senator Ian Campbell to move, on the next day of sitting:


Senator Ian Campbell to move, on the next day of sitting:

That the following bill be introduced: A Bill for an Act relating to the application of the Criminal Code to certain offences, and for related purposes. Environment and Heritage Legislation Amendment (Application of Criminal Code) Bill 2000.

Senator Tierney to move, on the next day of sitting:

That the Senate—

(a) welcomes the Federal Government’s assistance to areas, particularly in New South Wales and southern Queensland, which have been devastated by recent floods, with a four-part assistance package estimated at $216 million over 2 years;

(b) notes:

(i) that the package includes $60 000 for replanting crops, interest subsidies for farmers, income support for farming families and grants of $10 000 for small and medium sized businesses to help them meet the cost of flood repairs, and

(ii) that funds are also available under the Natural Disaster Relief Arrangements, which are estimated at $71 million in total, to help repair roads, public facilities and emergency needs;

(c) calls on the state governments to renew their support for farmers affected by the floods, by providing assistance with interest subsidies and cropping grants; and

(d) urges the state governments, the agriculture industry and the banking industry to work with the Federal Government to ease the burden that has been placed on thousands of farmers through this flooding disaster, considering the enormous contribution that farmers make to the Australian economy.

Senator Brown to move, on the next day of sitting:

That the Senate condemns Australian Broadcasting Corporation management, in particular, the Managing Director, Mr Jonathan Shier, for:

(a) diverting taxpayers money from programming to management;

(b) reacting to criticism by gutting Media Watch;

(c) shafting the science unit;

(d) dismantling centres of excellence;
(e) creating an atmosphere of fear; and
(f) failing to present an alternative vision to justify this 'bull-in-a-china-shop' behaviour.

Senator Bartlett to move, on 7 December 2000:
That the Senate—
(a) notes that:
(i) 8 December 2000 is the 25th anniversary of the first official broadcast of community radio station 4ZZZ-FM, from studios at the University of Queensland,
(ii) 4ZZZ was the first FM stereo radio station in Queensland, the first public broadcaster in Australia with journalists accredited by the (then) Australian Journalists Association, and the first mass-audience format public broadcaster in Australia, and
(iii) 4ZZZ has provided and continues to provide an important means of exposure for many Brisbane musicians, and an important independent outlet for information and news;
(b) congratulates all those involved in establishing and maintaining this pioneering community-based radio station; and
(c) expresses support for the ongoing development of public broadcasting in Australia as an important component in ensuring the community has access to a diverse and adequate range of information and entertainment.

COMMITTEES
Electoral Matters Committee
Meeting
Senator CALVERT (Tasmania) (3.39 p.m.)—On behalf of Senator Mason, on behalf of the Joint Standing Committee on Electoral Matters, I seek leave to move a motion relating to the committee meeting during the sitting of the Senate today.

The DEPUTY PRESIDENT—Is leave granted?
Senator O’Brien—No, not yet. I have not been consulted.

Senator CALVERT—There must have been a lack of communication. I presumed it had been organised.

The DEPUTY PRESIDENT—Leave is not granted at this stage.

NOTICES
Postponement
Items of business were postponed as follows:
General business notice of motion no. 489 standing in the name of Senator Murray for today, proposing an order for the production of documents relating to lists of departmental and agency contracts, postponed till 8 February 2001.
General business notice of motion no. 785 standing in the name of Senator Allison for today, relating to mobile phones, postponed till 7 December 2000.
General business notice of motion no. 786 standing in the names of Senators Bourne and Allison for today, relating to nuclear weapons, postponed till 6 December 2000.

COMMITTEES
Economics References Committee
Reference
Motion (by Senator O’Brien, at the request of Senator Conroy)—by leave—agreed to:
That the following matter be referred to the Economics References Committee for inquiry and report by 30 April 2001:

The framework for the market supervision of Australia’s stock exchanges, with particular reference to:
(a) the advantages and disadvantages (if any) of the current framework;
(b) the implications (if any) of the demutualisation and listing of an exchange and any proposed alliance between Australian exchanges and other exchanges;
(c) other frameworks or structures for market supervision, including frameworks or structures of, or examined by, overseas exchanges; and
(d) whether trade practices law is deficient in ensuring a competitive stock exchange market.
PRIVILEGE

Senator IAN CAMPBELL (Western Australia—Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts) (3.40 p.m.)—I ask that government business notice of motion No. 1 relating to the matter of Crane v. Gething be taken as formal.

The DEPUTY PRESIDENT—There is no objection.

Senator HILL (South Australia—Minister for the Environment and Heritage) (3.41 p.m.)—I move—

The DEPUTY PRESIDENT—I had called Senator Campbell.

Senator HILL—He asked that it be formal. I am seeking to move the motion. It is in my name.

The DEPUTY PRESIDENT—The mover is technically supposed to ask that it be taken as formal.

Senator HILL—He is so efficient that he did it first. I take it that it has been taken as formal.

The DEPUTY PRESIDENT—It has been taken as formal.

Senator HILL—I move:

(1) The disposition of the documents delivered to the Clerk of the Senate on 29 September 2000 pursuant to the order of the Federal Court of 18 February 2000 in Crane v Gething shall be determined in accordance with this resolution.

(2) The Senate appoints Mr Stephen Skehill, SC to examine the documents.

(3) The Clerk of the Senate shall provide to the person appointed under paragraph (2) the documents delivered by the Federal Court, sealed as received from the Court.

(4) The person appointed under paragraph (2) shall examine the documents and determine whether any of the documents are immune from seizure under search warrant by virtue of parliamentary privilege, having regard to the Parliamentary Privileges Act 1987, relevant court judgments relating to the interpretation and application of the Act, relevant sections of Privileges Committee reports dealing with protection of documents of senators and such other matters as that person considers relevant.

(5) The person appointed under paragraph (2) shall divide the documents into two categories, those immune from seizure and those not immune from seizure, and seal them into two packages identified accordingly. Those documents that are immune from seizure are to be returned to Senator Crane and those not immune from seizure are to be forwarded to the Australian Federal Police.

(6) Before sealing the package of documents not immune from seizure the person appointed under paragraph (2) shall cause such documents to be copied and the copies of the documents shall be placed in the package of documents not immune from seizure, and the disks or tapes shall be placed in the package identified as documents immune from seizure.

(7) For the purposes of paragraph (5), where documents are included with other documents in electronic form on a disk or tape, the documents shall be printed out, only printed copies of such documents shall be placed in the package of documents not immune from seizure, and the disks or tapes shall be placed in the package identified as documents immune from seizure.

(8) The person appointed under paragraph (2), on completion of this task, shall provide the President of the Senate with a brief statement that the task has been completed and the President shall table that statement in the Senate.

(9) The person appointed under paragraph (2) shall be paid such fee as is approved by the President after consultation with senators.

I acknowledge that this is a cooperative motion. It is a motion that has been worked up in cooperation with the leadership of other parties and Independents.

The DEPUTY PRESIDENT—You are seeking leave to make a brief statement? There being no objection, leave is granted.

Senator HILL—This is a motion in my name but it is really a joint motion that has been worked up in cooperation with leaders of other parties, with Independents and with Senator Ray as Chairman of the Standing Committee of Privileges. I thank all of those
people for their cooperation. I also thank Senator Crane for his cooperation in relation to this matter.

Question resolved in the affirmative.

Senator CRANE (Western Australia) (3.42 p.m.)—I seek leave to make a short statement of no more than five minutes and have incorporated in Hansard a statement prepared by my solicitor, Jon Davies, and barrister, Mr Paul Nichols. Senator Hill has circulated this to all parties and the Independents in the chamber.

Leave granted.

The document read as follows—
Statement prepared by Senator Crane’s solicitor, Mr Jon Davies, and barrister, Mr Paul Nichols, for incorporation in Hansard

1. Since 1962 Senator Arthur Winston Crane’s home, has been and remains, located at the family farming property at Jerdacuttup approximately 65 kilometres to the south-east of the town of Ravensthorpe in Western Australia. The homestead is 800 kilometres from Perth; an 8 - 9 hour drive. It is about 150 kilometres – or a 2-hour drive – from the closest commercial airport, at Esperance. The scheduled air services are minimal. There has never been any connecting services with interstate flights.

2. During his years in Parliament when suitable commercial flights were not available Senator Crane has occasionally made use of the parliamentary charter travel allowance to fund flights between his Jerdacuttup home and Perth and return between parliamentary sittings, whilst on parliamentary business and for the services of his electorate. On many occasions he has made the long drive to and from Perth.

3. Senator Crane’s entitlement to claim a charter travel allowance arises under section 4 of the Parliamentary Allowances Act 1952. This provides for payment of expenses prescribed in section 48 of the Commonwealth Constitution determined from time to time by the Remuneration Tribunal pursuant to subsections 7 (1) and (4) of Remuneration Tribunal Act 1973.

4. “Charter Transport” has been defined in the determinations of the Remuneration Tribunal as follows:

“Charter Transport” includes charter aircraft and such other modes of transport as may be reasonable in the circumstances within and for the service of the electorate. This entitlement does not extend to the use of taxis or hire cars in the metropolitan areas of capital cities or to the use by any other person other than the senator or member except when another senator or member or the spouse or member of staff of the senator or member is accompanying the senator or member.

5. Senator Crane’s entitlement to make use of the Charter Transport Allowance when travelling to or from his home when on parliamentary business was authorised by the then responsible minister, Senator the Hon Bob McMullan. A letter signed by the Minister on 31 August 1993, pursuant to the ministerial discretion allowed under section 6.5 of the Remuneration Tribunal Guidelines communicated the authorisation. Following the election of the Howard Government and change of ministry in 1996, this arrangement was again confirmed with the new Minister, the Hon David Jull.

6. On 18 December 1998, following an anonymous allegation of impropriety to the Federal Police, four search warrants were by a magistrate in the Court of Petty Sessions at Perth. These warrants authorised Federal Police to search the premises of Senator Crane’s Canberra and Perth offices, his family home in Jerdacuttup and the presumed premises he supposedly stayed at when in Perth for any material which might afford evidence of fraudulent use for Charter flights taken by the Senator between 28 December 1994 and 14 July 1996, and between 4 July 1996 and 3 October 1998.

7. The warrants were extremely broad in scope and the Senator was distressed that it sought to justify the seizure of all documents in his offices and other areas under search warrant, apparently regardless of whether they were relevant to an investigation or not. The documents sought to be seized included confidential communications with constituents and with members of his Party and Government, Senate and Policy committees. The warrants resulted in searches of the Senator’s Perth Electoral office, his Canberra parliamentary office, the farm, including the residential home, the shearing shed, the machinery shed and the rubbish tip. A further warrant authorised a search of premises where the AFP believed the Senator stayed while in Perth. The address stated on that warrant was of a property where Senator Crane had not resided at for more than twelve months. When Senator Crane told them of this the AFP did not execute the warrant. Senator Crane invited the AFP to search the house he was staying at while in Perth. The AFP declined the offer.

8. At his Perth office he was asked if discussions could be taped. He readily agreed. Senator Crane was informed that within 7 days he would be forwarded a copy of the transcript of the tape or
the tape itself. Despite several requests, this has never been provided. Following discussion with the AFP as to his rights regarding these search warrants, he was advised by the Australian Federal Police that:

(i) he could have his lawyer present; or,
(ii) he could claim parliamentary privilege and determine later which documents the AFP required.

9. As it was impractical to arrange separate legal representation in all three places at once without notice, the Senator, on the advice of the AFP officers, claimed the privilege of parliament with respect to the documents seized at all three places.

10. Senator Crane wanted to achieve a compromise and his legal counsel sought to do so whereby the competing interests of the Parliamentary Privilege and proper investigation could be reconciled. However, this opportunity was denied him by the precipitous action of the DPP in informing Senator Crane’s legal representatives that unless the Senator took action to enforce the claim of privilege in the appropriate forum by the 18th January 1999, the seized documents would be recovered by the AFP and treated as if a claim for Parliamentary Privilege had not been made. This action had allowed only 18 working days during the Christmas & New Year holiday period for the Senator to take advice and left him no practical alternative to making application to the Federal Court. On the 14 January 1999 this date was later extended until 25th January 1999 as the DPP representative was on leave.

11. Therefore, Senator Crane had no alternative than to issue an application in the Federal Court of Australia in WAG 5 of 1999 seeking to have the Warrants ruled invalid by reason of their indeterminately broad scope. The application proceeded through the usual steps of litigation. As the case developed the application was amended to include a claim for the determination of the privilege question and, a claim for a court declaration establishing the Senator’s right to the allowances under the relevant legislative framework.

12. In the meantime, by agreement, the seized documents were impounded at the Federal Court in Perth.

13. As the matter proceeded towards a hearing, counsel formed the view and advised Senator Crane that there was little point in continuing with the challenge to the validity of the warrants since, notwithstanding the claim’s obvious merits, success would merely result in the Police issuing a fresh warrant or series of warrants. Instead, Counsel advised that the more important question of the propriety of the Senator’s use of his Charter Allowance should be litigated.

14. By further amending the application the Senator’s legal team sought to have the court examine each of the flights that he took during the time period under investigation and determine that each was validly claimed by means of a Court Declaration of Right. It was thought that once such a declaration had been obtained the allegation of dishonest conduct on the Senator’s part would be seen to have no substance. It was the view of counsel that, should a claim for declaration succeed, it would rapidly end adverse publicity and bring proceedings to a conclusion.

15. From the outset, the Senator was always willing to allow inspection of documents covering travel, and offered to allow this, but the AFP were not content with anything less than complete inspection of all documents seized.

16. Affidavits sworn by the Senator in the Federal Court proceedings were filed setting out the detail of each of the charter flights taken and the basis of the Senator’s claim for entitlement.

17. The case came on for hearing before Justice French at Perth on 6 October 1999. The Police representatives indicated that the investigation had not proceeded sufficiently for them to make any answer to the application. They argued further that the court should not interfere by determining the Senator’s application for a Declaration of Right.

18. Counsel for the Senator sought to have the court examine each of the documents seized to determine the question of privilege. It was also argued that the circumstances of the case required the court to examine each of the flights and make a declaration that each was within the Senator’s entitlement.

19. The representatives of the AFP chose not to call upon the Senator to cross-examine him at trial in the Federal Court proceedings, which would have afforded them an opportunity to examine him under oath as to all matters of alleged impropriety. This would also have afforded the AFP the right to cross-examine the Senator on the affidavits and documents his counsel had laid in the Court. The inference to be drawn is that the AFP accepted the validity of the documents.

20. Following examination of all the evidence and documents, most of which were released, the court reserved its decision that was handed down on 18 February 2000.

21. Unfortunately for the Senator the court ruled that it would not in the circumstances entertain the application to finally determine either the
question of entitlement, the question of privilege or the question of the Senator’s entitlement. In effect the court made no findings of fact on the issues in the application, but limited its judgement to the legal point of whether it should entertain the issues at all.

22. At paragraph 22 of his judgement Justice French held:

“Senator Crane’s desire to obtain a declaration from this Court of his entitlement to receive the charter allowances under investigation is understandable. It is a fact of public life today that the making of an accusation or the initiation of an investigation is enough in the minds of some to seal the fate and reputation of the person under investigation. The general question which must be answered in the circumstances of this particular case is whether this Court can and should accede to an application for declaratory relief on an issue of fact where there are no pending proceedings but an investigative process into those issues has been initiated.”

23. At paragraph 45, His Honour held that:

“Whether privilege is to be asserted by the Senate must therefore be resolved between the investigating authorities and the parliament.”

24. Accordingly His Honour ordered the transmission of the seized documents to the custody of the Senate for determination of the issue of parliamentary privilege.

25. It now falls upon the Senate to determine which of the documents in its possession relate to travel to be transmitted to the police for their examination. In doing so the Senate will need to find a solution which balances the public interest of a proper investigation with the privileges of the Senate. It must take into account the rights of constituents and parliamentarians to have their communications with and within the legislature maintained in proper confidence from the scrutiny of the executive.

Senator CRANE—I thank the Senate. The first matter I raise is that this issue is a result of an anonymous allegation of impropriety against me that resulted in the Federal Police issuing four search warrants against me, one for my Perth office, a second for my Canberra office, a third for my residential home at Jerdacuttup—this included the shearing shed, the machinery shed and the tip—and the fourth for the home that it was alleged I stayed in in Perth. The fourth warrant was not executed as I informed the AFP that I had not stayed at that address for over 12 months. I offered to allow the AFP to search the premises that I was then staying at in Perth. They declined the offer.

I support the motion that is before us today. I make the point that twice, within a relatively short period of time in early 1999, I made a similar offer to the Federal Police—that is, to have an independent person determine what was privileged and what was not privileged. Since that time, virtually all the documents have been released to the AFP following the Federal Court action which is outlined in the statement which I have sought leave to incorporate. Whilst I accept that the Australian Federal Police have a responsibility to investigate allegations, I have been concerned that most of the documents seized are not relevant or are subject to parliamentary privilege. I emphasise that privilege is a cornerstone of democracy. The resolution resulting from this motion will allow Mr Skehill to assist the Senate to determine which of the documents seized are subject to privilege.

On the merits, as you will see in the incorporated document, I want to reiterate that my charter use has always been within guidelines and ministerial authorisation. My decision with regard to charter flights, as is outlined in the incorporated document, was made after discussion with the then minister, the Hon. Bob McMullan. That is why I sought permission through a section of the Parliamentary Allowances Act 1952 to do what I did. The then minister, the Hon. Bob McMullan, signed a letter on 31 August 1993 approving this use under section 6.5 of the Remuneration Tribunal guidelines. In other words, I sought, and was granted, authorisation by the responsible minister. This letter and the detailed documentation of my identified charter flights that are allegedly under scrutiny were presented to the Federal Court and the Australian Federal Police prior to 6 October 1999. That is over 12 months ago. I thought that would have been the end of the matter.

I will summarise, particularly for the benefit of a number of journalists who have distorted the facts as to the fundamental principles and the details from this unfounded anonymous complaint. My residential home is on my family property, which is
normal for farmers, and has been for the last 38 years. I was advised by the Federal Police to claim parliamentary privilege. I want to emphasise that: I was advised by the Federal Police, in my office, to claim parliamentary privilege, and you will see that in the document that I seek to incorporate. I have never been interviewed by the AFP. The AFP declined to cross-examine me on my evidence, material and affidavits in the Federal Court even though their legal counsel was invited to do so. The AFP declined to have an independent person go through material and take every document relating to charter travel. I put down full details of my charter travel in the Federal Court and I put down the letter from the then Minister McMullan authorising that travel.

As I said, I support this resolution and just hope it brings this matter to a speedy end. Two years to resolve this issue is far too long both for my family and for me. It is my strongly held view that it should have been dealt with as an administrative matter, not a criminal matter. A prima facie case should have been established before it went to the issuing of warrants, and before it caused the subsequent damage and enormous cost, both personal and financial, it created for me. This is the only formal statement I have made on the matter in the last two years, and I hope I do not have to make any more. I have worked very hard in not allowing this matter to affect my performance as a senator, and I trust I have succeeded. In conclusion, I am standing here having to defend myself against allegations of which I have no detailed knowledge, made by people who will not disclose their identity—they have no guts—relating to matters which I specifically sought to identify and to have addressed by the minister and which were authorised by the minister, the Hon. Bob McMullan. In light of what has happened to me—which I must point out could happen to any other senator in this place—I feel it is beholden on the Senate to address the issue of anonymous allegations and how they are to be handled in the future. I thank the Senate.

**AUDITOR OF PARLIAMENTARY ALLOWANCES AND ENTITLEMENTS BILL 2000**

**GOVERNMENT ADVERTISING (OBJECTIVITY, FAIRNESS AND ACCOUNTABILITY) BILL 2000**

Referral to Committee

Motion (by Senator Bartlett, at the request of Senator Murray) agreed to:

That the following bills (or provisions of bills) be referred to the Finance and Public Administration Legislation Committee for inquiry and report by 24 May 2001 in conjunction with the committee’s inquiry into the Charter of Political Honesty Bill 2000 and the Electoral Amendment (Political Honesty) Bill 2000:

- Auditor of Parliamentary Allowances and Entitlements Bill 2000 [No. 2]

**NETHERLANDS EUTHANASIA BILL**

Motion (by Senator Brown) not agreed to:

That the Senate congratulates the Parliament of the Netherlands on passing its historic euthanasia bill.

Senator Brown—Could it be recorded that I was the one voice calling for a division?

The DEPUTY PRESIDENT—I think that is understood.

**BUSINESS**

Consideration of Legislation

Motion (by Senator Ian Campbell, at the request of Senator Patterson) agreed to:

That the provisions of paragraphs (5) to (7) of standing order 111 not apply to the Roads to Recovery Bill 2000, allowing it to be considered during this period of sittings.

**COMMITTEES**

Finance and Public Administration References Committee Meeting

Motion (by Senator O’Brien, at the request of Senator George Campbell) agreed to:

That the Finance and Public Administration References Committee be authorised to hold a
public meeting during the sitting of the Senate on 5 December 2000, from 7.30 pm to 10.30 pm, to take evidence for the committee’s inquiry into the Government’s information technology outsourcing initiative.

Legal and Constitutional Legislation Committee

Report: Government Response

Senator IAN CAMPBELL (Western Australia—Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts) (3.51 p.m.)—I present the government response to the following committee report: the report of the Legal and Constitutional Legislation Committee on the Classification (Publications, Films and Computer Games) Amendment Bill (No. 2) 1999. I seek leave to incorporate the document in Hansard.

Leave granted.

The document read as follows—

Senator Marise Payne
Chair
Senate Legal and Constitutional Legislation Committee
Parliament House
Canberra ACT 2600

Dear Senator Payne

I refer to the report of the Senate Legal and Constitutional Legislation Committee (the Committee) into the provisions of the Classification (Publications, Films and Computer Games) Amendment Bill (No. 2) 1999 (the Bill).

Set out below is the Government’s response to the recommendations contained in the Committee’s report.

Recommendation 1:
The Committee recommends that prominent warnings be added to NVE video covers about the contents of the video and the possible effects of such material on children. The definition of ‘child’ should be included on any such warning.

Recommendation 2:
The Committee further recommends that a prominent label on the video cover clearly state the penalties for contravention of the legislation.

The Government supports the strengthening of the current warnings on the covers of sexually explicit videos and is considering possible wording in consultation with the States and Territories.

As far as penalties are concerned, while the showing of X-rated videos both in public and in private is an offence in all States and Territories the range of penalties and defences differ markedly. As it is not practical to require different markings for different jurisdictions some compromise wording may be required in this respect.

Recommendation 3:
The Committee recommends that the Bill proceed without amendment.

As the Committee is aware, the provisions in the Bill for the creation of a new NVE classification to replace the X classification were the subject of further consideration by the Government in the light of consultations with the States and Territories and the recommendation in the Committee’s report. In view of concerns that had been expressed that the title of the new category may not adequately reflect the nature of the material contained in it, the Government has decided to retain the current X classification but with a more restricted content. The Government has moved amendments to the Bill to give effect to the decision not to proceed with the proposed new NVE category and these have been agreed to by the House of Representatives.

Following the agreement of Commonwealth, State and Territory Censorship Ministers, amendments to the National Classification Code and the classification guidelines to further restrict the content of the X classification came into effect on 18 September 2000.

Yours sincerely

DARYL WILLIAMS
(signed)

Treaties Committee

Report: Government Response

Senator IAN CAMPBELL (Western Australia—Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts) (3.51 p.m.)—I present the government response to the following committee report: the 30th report of the Joint Standing Committee on Treaties, in relation to treaties tabled on 8 and 9 December 1999 and 15 February 2000. I seek leave to incorporate the document in Hansard.

Leave granted.

The document read as follows—

Government Response to the 30th Report of the Joint Standing Committee of Treaties

The Government thanks the Joint Standing Committee on Treaties for the comprehensive consid-
eration given to the wide range of treaty actions considered in the 30th Report. The Report makes recommendations relating to two treaty actions. The Government response to such recommendations is provided below.

United Nations Convention to Combat Desertification

The Government is pleased that the Committee supported ratification of the UN Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa, done at Paris on 17 June 1994 (UNCCD) and recommended that binding treaty action be taken as soon as practicable (2.75).

On 12 May 2000, the Minister for Foreign Affairs announced that he had authorised the Australia Ambassador to the United Nations in New York to deposit Australia’s instrument of ratification to the UNCCD. The instrument was formally deposited on 15 May 2000.

The Government’s Response to the Committee’s recommendation in relation to the UNCCD is provided below:

2.76 The Joint Standing Committee on Treaties recommends that:

at the time of ratification, the Commonwealth Government provides to the United Nations, and to the Australian State and Territory Governments, a statement on land management responsibilities within the Australian Federal system.

The Government has acted upon the recommendation as follows:

In a media release announcing authorisation to deposit the instrument of ratification, the Minister for Foreign Affairs also issued a statement on land management responsibilities within the Australian federal system. The statement affirms that ratification of the UNCCD will not entail any changes to Commonwealth and State land management regimes and that the Commonwealth acknowledges that primary responsibility for land management rests with the State and Territory Governments.

The statement was also conveyed to senior officials of the State and Territory Governments at the meeting of the Standing Committee on Treaties (SCOT) on 26 May 2000. The statement also accompanied deposit of Australia’s instrument of ratification at the United Nations through the UN Office of Legal Affairs. As part of the process of deposit, our Ambassador was instructed to require the UN Office of Legal Affairs to circulate the statement within the UN system as an official document.

International Development Law Institute

The Government is pleased to note that the Committee recommended that binding treaty action be taken in respect of the Agreement for the Establishment of the International Development Law Institute, done in Rome on 5 February 1998. Binding treaty action was taken on 10 July 2000 with the deposit of Australia’s instrument of accession.

The Government offers the following response to the recommendation put forward by the Committee in relation to this Agreement.

4.44 The Joint Standing Committee on Treaties recommends that:

the Minister for Foreign Affairs actively pursue the suggestion made by the International Development Law Institute that a regional office of the Institute be established in Australia.

The Government has taken note of the Committee’s recommendation and negotiations for the establishment of a regional office of the International Development Law Institute in Australia are underway.

Rural and Regional Affairs and Transport Legislation Committee

Report: Government Response

Senator IAN CAMPBELL (Western Australia—Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts) (3.51 p.m.)—I present the government response to the following committee report: the report of the Rural and Regional Affairs and Transport Legislation Committee on the Northern Prawn Fishery Amendment Management Plan 1999. I seek leave to incorporate the document in Hansard.

Leave granted.

The document read as follows—

**The Northern Prawn Fishery Amendment Management Plan 1999**

**Recommendation 1**

The Committee recommends that the Northern Prawn Fishery Amendment Management Plan 1999 be adopted without further amendment.

Government Response:

The Government supports this recommendation. The Australian Fisheries Management Authority
(AFMA) implemented the new arrangements for the fishing period that commenced on 4 August 2000.

**Recommendation 2**
The Committee recommends that AFMA monitor the impact of the amendment management plan on shore based activity as well as offshore based activities, noting that if the impact is sufficiently severe, it may be necessary for the Commonwealth to provide strategic adjustment assistance.

**Government Response:**
This recommendation falls outside the specific objectives and functions of AFMA. However, Agriculture, Fisheries and Forestry Australia (AFFA) is pursuing funding through the Fisheries Resources Research Fund (FRRF) to allow the Australian Bureau of Agriculture and Resource Economics (ABARE) to undertake research to determine the impact on both shore based and offshore based activities.

The Government supports the intent of the recommendation but has not seen any specific need for adjustment assistance at this stage.

**Recommendation 3**
The Committee recommends that the proposal for an industry-funded research vessel for the CSIRO be adopted to assist in further research into the level of overfishing and effort creep in the northern prawn fishery.

**Government Response:**
AFMA has discussed this proposal, involving the purchase of a current NPF trawler, with the Northern Prawn Fishery Management Advisory Committee (NORMAC) and with the Northern Prawn Fishery Assessment Group (NPFAG). Both NORMAC and NPFAG welcome increased research in the fishery, particularly the potential for more at-sea data collection.

However, both NORMAC and the NPFAG also recognise that it is unlikely that one research vessel could meet all of the research needs for a fishery, both in terms of the vessel design and in terms of data collection. It is also important that whatever resources are provided they are not reserved exclusively for the CSIRO but should be available for all research agencies to use.

NORMAC and CSIRO have suggested that a more suitable approach may be to establish an industry-funded “Vessel Research Fund” which would allow the chartering of a suitable vessel/s on an as-needed basis for NPF research.

An independent evaluation and preliminary costing of the various options for the provision of a research vessel was commissioned from Professor Russell Reichelt. Professor Reichelt is Chairman of the Fisheries Research and Development Corporation and former Director of the Australian Institute of Marine Science which operates two research vessels.

Professor Reichelt’s paper was presented at the NPF Strategic Planning Workshop in Cairns on 19-20 June 2000. The workshop was attended by about 70% of all Statutory Fishing Rights (SFRs) owners in the fishery. The workshop gave strong support for more at-sea research but rejected the specific approach of purchasing an industry vessel.

Following the detailed consideration and rejection of the proposal by the broader industry, NORMAC and CSIRO, the Government does not support this recommendation. AFMA will continue to examine other methods of industry funding of increased at-sea research.

**Recommendation 4**
The Committee recommends that the AFMA/NORMAC consider including factors that remove effort in the fishery in the calculation of effort creep.

**Government Response:**
In February 2000, the Northern Prawn Fishery Assessment Group (NPFAG) initiated work on this matter.

AFMA and NORMAC have funded further work on this issue by DJ Sterling Trawl Gear Services. A first draft report was presented to NPFAG at its meeting on 17-18 May 2000. The proposed framework includes factors that both increase and decrease effective effort in the fishery. Initial calculations show that effort creep is averaging between 4.2 and 4.3 percent annually.

A paper prepared by Mr DJ Stirling on behalf of NPFAG was presented to participants at the NPF Strategic Planning Workshop held in Cairns in June 2000. The workshop viewed the alternative approach as an improvement but identified some other factors that may affect effort creep. Workshop participants while acknowledging effort creep does occur in the fishery queried the assumptions used in its calculation. To allow for a wider understanding of the calculation of effort creep further opportunities for discussion between researchers and industry participants are to be provided. NORMAC has agreed to discuss the matter of effort creep further at the next workshop (February 2001) as part of a broader discussion on stock assessment prior to the 2000 tiger prawn assessment.

The Government supports this recommendation and it has been implemented.
Recommendation 5
The Committee recommends that further research be undertaken by CSIRO, in conjunction with DJ Sterling Trawl Gear Services and the Australian Maritime College, into the prawn trawling performance prediction model developed by Mr Sterling, and its implications for gear SFR management.

Government response:
In November 1999, AFMA agreed to jointly fund this project being undertaken by CSIRO, Australian Maritime College (AMC) and Curtin University entitled “A new approach to fishing power analysis for the NPF”. This funding has come from the AFMA Research Fund (ARF) and the Fisheries Resources Research Fund (FRRF) administered by AFFA. This project will bring together newly acquired data and the strengths of statistical and engineering modelling to build a composite model of fishing power. Mr Sterling is part of the project team. Work on the project has recently commenced and this two-year project is due for completion in December 2001.

The Government supports and has implemented this recommendation.

Recommendation 6
The Committee recommends that an industry poll be conducted, possibly by AFMA, to ascertain the level of support for a continuation of the 1993 levy to raise funds for voluntary buy-outs.

Government Response:
This is primarily a matter for the fishing industry. Statutory Fishing Right holders considered a paper prepared by Mr Frank Meany on the issues and costs of a buy-out at the NPF Strategic Planning workshop held in June 2000. After considering various options, there was very little support from industry members for an industry funded buy-back of Gear SFRs and there was only marginal support for a buy-back of Class B SFRs.

Following the detailed consideration and rejection of the proposal by the broader industry, the Government does not support this recommendation.

Recommendation 7
The Committee also recommends that AFMA investigate the use of time units as an alternative to season closures.

Government Response:
NORMAC has considered the use of time units (defined as transferable boat days) and concluded that it is not an appropriate replacement for seasonal closures. For the main, NPF seasonal closures were put in place on either biological and/or economic grounds to protect small prawns and pre-spawning stocks. It would therefore not be desirable to allow fishers to fish all year around.

AFMA requested one of the proponents of the proposal, Mr Steve Eayrs, to prepare and present a discussion paper on time units at the NPF Strategic Planning Workshop in June 2000. The general opinion of the workshop was with gear based management now in place time units were not worth pursuing for the management of the NPF.

Recommendation 8
The Committee recommends the endorsement of the proposed one-to-one translation from Class A SFRs to gear SFRs as the only legally defensible means of translation.

Government Response:
The Government supports this recommendation.

Recommendation 9
The Committee recommends that, during the next two years, AFMA:

(a) Undertake thorough research to calculate the ability of the Northern Prawn Fishery Amendment Management Plan to deliver the long term sustainability of the fishery;

Government Response:
Pursuing ecologically sustainable development is an ongoing legislative objective of AFMA for all fisheries it manages. AFMA will, as a matter of priority, develop targets, standards and indicators for target species and will work towards establishing similar measures for assessing marine community and ecosystem level impacts. AFMA will continue to monitor, through established processes, the long-term sustainability of the fishery. The process will include wide industry consultation through both NORMAC and NPFAG with input from relevant experts.

The Government supports this recommendation and will continue to monitor the status of the fishery.

(b) Undertake an assessment of the proposed effort units management proposal to ascertain the ability of the proposal to deliver sustainable management of the fishery; and
Government Response:
The proponents of this proposal, the Northern Prawn Fishery (Queensland) Trawl Association and Mr David Sterling, were asked to prepare and present a discussion paper on effort unit management for the NPF Strategic Planning Workshop in June 2000 to allow consideration by the broader industry. The workshop noted that effort units were being introduced in the Queensland East Coast Trawl fishery. The widely held view though, of workshop participants, was with gear based management now in place effort units were not worth pursuing for management of the NPF.
The Government supports this recommendation, which AFMA has implemented by requesting the preparation of a report on effort units to be considered at the Strategic Planning Workshop. However, following the detailed consideration and rejection of the proposal by the broader industry, effort units will not be pursued at this time for the management of the NPF.

(c) Commission research to ascertain the future economic impact of the Northern Prawn Fishery Amendment Management Plan on the operators in the fishery.

Government Response:
ABARE periodically conducts economic surveys of Commonwealth managed fisheries for the purposes of monitoring the economic performance of the fisheries. Surveys are usually conducted every two years and annually when a major change has occurred in the fishery management.
The NPF was last surveyed in 1999 with respect to the 97-98 year. It is proposed to conduct a survey in early 2001 covering 98/99 99/2000. Additional questions are to be included in this survey to get estimates of the future impact of the change in management. Gear based management will have been in place for one season (half a year) which will provide some basis for providing estimates. This survey report would become available later in 2001.

AFFA is pursuing funding through the FRRF to allow ABARE to develop an economic model to predict the future economic impact of gear based management. This model would utilise survey data and would necessarily need to include outputs from the CSIRO, AMC and Curtin University project, “A new approach to fishing power analysis for the NPF”, various harvest strategies and stock rebuilding scenarios. The output from this research would be sought during 2001.
The Government supports this recommendation.

Motion (by Senator Crane)—by leave—proposed:
That the Senate take note of the document.

Senator McLUCAS (Queensland) (3.52 p.m.)—I briefly want to make some comments on the government’s response to the Northern Prawn Fishery Amendment Management Plan 1999. Fisheries management, like any natural resource management, is a very difficult process of balancing existing rights in the fishery with issues of sustainability. The Northern Prawn Fishery is no different. The process that we went through in the Senate inquiry was difficult and caused some anxiety in the fishing community. Today we have received the government’s response to the report on the fishery which was tabled in March this year. Hearings were held in February, and some 80 people provided written submissions to the Senate. I look forward to reading the government’s response to the report that was presented. The Senate should be aware, though, that Labor senators have continued to monitor the implementation of the recommendations of the committee both through the estimates process and directly with the industry and AFMA. I am aware that there has been some progress in the implementation of most of the recommendations in consultation with industry.

In taking note of the response, however, I wish to bring to the attention of the Senate the fact that question No. 2255, which I asked Minister Warren Truss on 20 June this year, has still not been answered. The question related to the Northern Prawn Fishery management plan process, and the answer is still outstanding. For the information of the Senate, I raised a series of questions with Senator Truss relating to comments made by the member for Leichhardt, Warren Entsch, on commercial radio in Cairns about the process of the inquiry. In his comments, he made the statement that there were ‘corrupt and dishonest’ elements in AFMA. I found that statement to be in the same vein as the way the member operates with the media: typically sensationalist and typically supporting his particular community of interest, with no broader respect for what is essentially the truth. He was not prepared to sup-
port those comments. Given that he was alleging that there was corruption and dishonesty within an instrumentality of the government, I thought it appropriate that the minister take those allegations seriously. So I asked the minister a series of questions on notice on 20 June this year, and to this day they have not been answered. They ask whether the minister is going to investigate that allegation of corruption and dishonesty. I understand that Mr Entsch has advised that he:

... was prepared to back up all the evidence that I have, and I will continue to challenge them. I have written recently again to the minister and argued on, that I believe it was, that the decision was wrong.

I am quoting from the transcript of Mr Entsch on radio. I asked: ‘When did Mr Entsch write to the minister? May I have a copy of that letter? Did the minister write back to Mr Entsch, and may I have a copy of that letter?’ I have received no answers to those questions, and I think that is inappropriate. When an allegation of corruption and dishonesty is made by a member of a government about a government instrumentality, it is the responsibility of the relevant minister, in my view, to investigate those allegations and to clear the air so that the slur against individuals will not be maintained. However, the minister has (a) not responded to my question or (b) not responded to the allegation. I actually think it is both.

But the more substantive question that I asked the minister—to which he has not responded—is: has the matter been referred to the Federal Police? Mr Entsch is talking about corruption in an organisation that manages the largest fishery in this nation—why haven’t the Federal Police been asked to investigate allegations of corruption or dishonesty? The minister has not answered my question. I think he is weaving; he is moving away from the issue. He does not want to answer the question because he knows that the member for Leichhardt was grandstanding. He was grandstanding to his audience in Cairns in the hope that it would not be heard in Canberra. This is typical behaviour of the member for Leichhardt, because he thinks that way up there in the Deep North we do not listen. Well, we do; we follow him up and we monitor his public commentary on every occasion.

In conclusion, I wonder whether it would be appropriate for the minister to be provided with the comments that I have made today, in the hope that he will respond to question No. 2255—a response which is already some six months late. I look forward to a response. As I said, I wrote to the minister on 20 June. On 29 June, I phoned the office of the Hon. Warren Truss and asked the relevant staff member when the answers might be coming. I also phoned the relevant staff member on 14 August, and that person did not return my call. On 17 August, I also phoned and requested advice, and the staff member did not return my call. That clearly tells me that the minister is shunning the issue. He thought that I would forget about it, but I have a call-up system. I seek leave to continue my remarks

Leave granted; debate adjourned.

Electoral Matters Committee
Membership
The DEPUTY PRESIDENT (4.00 p.m.)—A message has been received from the House of Representatives notifying the Senate of the appointment of Mr McClelland to the Joint Standing Committee on Electoral Matters in place of Mr Danby.

ROADS TO RECOVERY BILL 2000
First Reading
Bill received from the House of Representatives.
Motion (by Senator Ian Campbell) agreed to:
That this bill may proceed without formalities and be now read a first time.
Bill read a first time.

Second Reading
Senator IAN CAMPBELL (Western Australia—Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts) (4.00 p.m.)—I move:
That this bill be now read a second time.
I seek leave to have the second reading speech incorporated in Hansard.
Leave granted.

The speech read as follows—

I have great pleasure in introducing the Roads to Recovery Bill 2000. This bill appropriates a total of $1.2 billion over five financial years for grants to local government for the purpose of construction, upgrading and maintenance of local roads. It is fitting that on the eve of Australia celebrating its Centenary of Federation we have placed firmly on the agenda the task of rebuilding the transport network that is so essential to our economic and social wellbeing. The Roads to Recovery Programme will greatly strengthen the grassroots of our road system and in doing so create job opportunities for a great many Australians.

For too long local roads have been Australia’s forgotten roads - the Government’s Roads to Recovery Programme changes this. This bill demonstrates that the Government is serious about the renewal of local roads, and recognises they are an essential element of the economic and social infrastructure of Australia’s communities - rural, regional and metropolitan.

The Government is aware that councils, particularly those in rural and regional Australia, are faced with significant problems of maintaining local roads from within existing funding. The condition of local roads was a key issue discussed at the Regional Australia Summit, and was also a problem frequently raised with the Prime Minister during his fact-finding tour of regional Australia earlier this year. It is an issue raised with me on a daily basis. The Moree Rural Roads Congress in March 2000 also highlighted the need for additional funding for road and bridge infrastructure in rural and regional areas.

Approximately $850 million of the funding will be allocated to councils in rural and regional Australia, and around $350 million to councils in greater metropolitan areas, including urban fringe local government areas, that have extensive rural road networks.

The funds appropriated by this bill are, in their entirety, additional to the local roads funding already provided by the Commonwealth and represent a 75% increase in the current level of those grants.

The programme will commence immediately.

The Government is concerned that this substantial injection of funds is not dissipated. The bill ensures that funding is tied to ensure every dollar is spent on local roads. The bill also requires local government bodies to maintain their own spending on local roads. Local government bodies must also provide the Minister with a proposal for the expenditure of their grant and there will be a requirement for appropriate audit arrangements. Additionally, the Prime Minister has written to all Premiers and Chief Ministers seeking their assurance that they will not reduce their own expenditure on local roads. Today I indicate that the Government strongly believes the States and Territories must go further. They must commit to matching the Commonwealth’s historic local road funding programme. They must not just pay lip service to the needs of local government authorities across the nation. The Government urges the Opposition to support it in this call.

I urge the Parliament to pass this bill without delay so the funds can be paid directly and quickly to local councils, as soon as administrative arrangements are in place. This will mean road works can start as soon as possible in the New Year, and on priorities nominated by councils.

This is good news for local communities and local industry.

The Government has been listening to regional and rural Australia - to local communities - and to local industry. They have made a cogent case for improved funding for local roads as a long-term investment in the future of this country.

The economic and social importance of local roads is increasing with the expansion and emergence of new rural industries - with higher transport demands, including higher mass limits - and with frequent lack of transport alternatives. Local roads are an essential feeder to other parts of the transport system and between rural, regional and urban areas. They are vital to the sustainability and recovery of rural and regional Australia.

Access to education, health care, shops, amenities, as well as markets, overwhelmingly depends on local roads. Like capillaries that carry blood throughout a healthy body, our local roads are the essential network that must be sustained if we are to ensure the health and vitality of our local communities and industries.

A substantial proportion of the local road network was constructed in the 1950s and 1960s and has reached the end of its economic life, resulting in deteriorating levels of service, in the face of increasing demand and need for higher road standards. The capacity of many rural and regional local councils to meet increasing road needs is also limited, and often compounded by declining population and a falling rating base.

The local roads funding of the Roads to Recovery Programme will help address these needs and concerns. Councils will now have the capacity to ensure the health and vitality of our local communities and industries.
impediments impacting on industry development, such as upgrading substandard roads and bridges. In keeping with the Coalition’s social policy of empowerment and partnering, it will be directed at devising local solutions to a national challenge. The three spheres of Government represent the same electors and should serve them not on the basis of some assumed hierarchy of importance, but rather who is capable of best delivering services for people. Local Government will be a key player in developing priorities and service delivery under this programme. We are tackling a national challenge with a local solution. And we acknowledge the intimacy of interaction citizens have with their local councils when it comes to local service delivery.

It is estimated the Programme will create directly up to 5000 new jobs in rural and regional Australia as well as many other jobs from industry expansion, as a result of improved road access. The Federal Government is signalling its intent to end the tyranny of distance in Australia and to develop an integrated transport system. This involves greater connectivity between places of manufacture and agribusiness to markets, inland ports, railheads and the sea highways so vital to our export income. Roads to Recovery also supports broad Commonwealth policy objectives such as the Supermarket to Asia strategy, and its Regional Solutions Programme.

The underlying principles of the Roads to Recovery Programme is development of a redefined network of rural roads that will spearhead a regional economic growth recovery and create better transport synergies. We must do this if Australia is to make a quantum leap in planning, building and maintaining roads that will serve the nation beyond 2020, and not just rely on an existing network that might not be adequate to future requirements. Given their life-span of 20 to 30 years, the roads we plan and build now must take account of the infrastructure needs of industries that may themselves only be in their infancy.

In the Roads to Recovery Programme the Government has recognized that the historical methodology for allocating funding between State and Territories contains inherent anomalies. Therefore we have rectified this by establishing a fairer allocation based on historical precedents, length of local roads and population. Allocations between councils within each State are strictly in accordance with formulae adopted by State Grants Commissions, established and applied under the previous government.

Any claims that suggest allocations to councils have been manipulated to favour the electorates of Government Members, are therefore, completely scurrilous. I suppose it is inevitable, however, that when confronted with a sound, economically and socially responsible Programme of benefit to local communities, the only avenue of criticism left will be to make petty jibes about allocations.

The Explanatory Memorandum includes the full listing of local councils and their allocation under the Programme. The Minister will only have the power to vary allocations within a State, where there are variations to council boundaries.

The Roads to Recovery Programme has been made possible by the Federal Government’s sound economic management. Our stronger budgetary position allows the Government to return a dividend to the whole community through this substantial investment in local roads infrastructure. This Programme is good news for local communities, for local councils, for motorists, for local industries. It is good news for Australia. Farmer organizations, local government authorities, representative organizations, rural communities, industry groups, and road transport operators have welcomed the Government’s far sighted initiative.

Debate (on motion by Senator O’Brien) adjourned.

ASSENT TO LAWS

A message from His Excellency the Governor-General was reported informing the Senate that he had assented to the following laws:

Telecommunications (Consumer Protection and Service Standards) Amendment Bill (No. 2) 2000


CRIMES AMENDMENT (FORENSIC PROCEDURES) BILL 2000

Report of Legal and Constitutional Legislation Committee

Senator McGAURAN (Victoria) (4.01 p.m.)—On behalf of Senator Payne, I present the report of the Legal and Constitutional Legislation Committee on the Crimes Amendment (Forensic Procedures) Bill 2000, together with the Hansard record of the committee’s proceedings and submissions received by the committee.

Ordered that the report be printed.
BUSINESS

Government Business

Senator IAN CAMPBELL (Western Australia—Manager of Government Business in the Senate) (4.02 p.m.)—I move:

That government business order of the day no. 1 (Gene Technology Bill 2000 and 2 related bills) be postponed till a later hour.

There have been very useful discussions between the parties on how to handle the Gene Technology Bill 2000, which has certainly consumed an enormous amount of time. Without a doubt, it is a complicated bill and there are a lot of issues involved. It has taken over 20 hours to date. The Senate sat to a very early hour this morning.

Senator Faulkner—A very late hour this morning.

Senator IAN CAMPBELL—Yes. It depends on your benchmark, where you take it from. To attend breakfast with the WA Municipal Association at a quarter to seven, as I did, was—

Senator Faulkner interjecting—

Senator IAN CAMPBELL—You are probably right. It was potentially a mutual feeling, Senator Faulkner. I was hoping for bacon and eggs and we only got pancakes, which was a bit sad. It certainly was a struggle to get out of bed. Having said that, we have had constructive talks with members of the various parties and the Independents at the other end of the chamber. We are seeking to find a consensual way of handling the remaining stages of the debate. I can indicate that it is unlikely we will proceed with any further consideration of it today. We expect that the Senate will adjourn on schedule at 10.30 tonight, which I know will be a relief for a number of Senate staff, parliamentary staff, clerks and other people. I do not want people to be confused by the way it says ‘a later hour of the day’: it is actually more likely to be a later hour of another day.

Senator BROWN (Tasmania) (4.04 p.m.)—That is a pity. I think we should be moving on with it now. I have carriage of the Greens amendments to the Gene Technology Bill 2000 and I am committed to dealing with them expeditiously. I realise the debate has been a long one, but it is an extraordinarily important bill. I think we should be continuing that debate while it is fresh in our minds. If we take it over until Thursday night, we will be debating other major issues in the meantime and much of the substance of the debate will have to be canvassed again. It would have been my advice to have it brought on now and I believe it could have been finished today.

Senator STOTT DESPOJA (South Australia—Deputy Leader of the Australian Democrats) (4.05 p.m.)—I echo the comments of Senator Brown. If we had gone into the Gene Technology Bill 2000 as the first listed item of business, as originally appeared on the red, I believe all parties would have made a solid attempt to expedite proceedings so as to finish that bill. We are of a mind to deal with the bill. We are already knee-deep in it, at the halfway mark. It is disappointing that we are not proceeding. I understand Senator Ian Campbell’s concerns and some of the rationale behind this decision, but I want to place on record the disappointment that this is being moved, potentially, to Thursday evening. My understanding is that that is designed to accommodate a minister’s overseas trip and I think, for that purpose, it is an unsatisfactory arrangement.

Senator Ian Campbell—You wanted to report progress on two occasions last night.

Senator STOTT DESPOJA—The reason for seeking to report progress last night was that we were dealing with the bill until a quarter to four in the morning. As much as I would love to hear Senator Campbell’s definition of reproductive cloning or what is an oncogene, it is a complex bill and I do not think people should underestimate the fact that it is a nine-page running sheet with which we are dealing. People are trying to make an attempt to get through it but it becomes a bit odd at 3 o’clock in the morning to debate some of those complex matters, of which I am sure the Senate has no understanding or idea. I am disappointed that we are possibly relegating that to Thursday. We will obviously talk with Senator Campbell about bringing it on sooner. I think we could have dealt with it tonight. I am sorry that we are not moving to do so.

Question resolved in the affirmative.
INTERACTIVE GAMBLING (MORATORIUM) BILL 2000
Recommittal

Senator ALSTON (Victoria—Minister for Communications, Information Technology and the Arts) (4.07 p.m.)—I move:

(1) That so much of the standing orders be suspended as would prevent the succeeding provision of this resolution having effect.

(2) That the Interactive Gambling (Moratorium) Bill 2000 be recommitted, and that consideration of the bill in committee of the whole be an order of the day for a later hour.

Following the defeat of the Interactive Gambling (Moratorium) Bill 2000 in the Senate on 9 October, the government has been considering the consequences that have flowed since that time. The government remains very much of the view that it is highly desirable that there should be a breathing space in order to properly assess both the technical feasibility and the economic and social consequences of a possible permanent ban. The purpose of the moratorium, as expressed in the original bill, was to halt the development of the interactive gaming and gambling industries in Australia from going online while the government investigated those matters. Given the defeat of the bill, we have considered the other alternatives and one of those is amendments which we would seek to move to exempt wagering from the scope of the moratorium, those being wagering services equivalent to those offered online on 19 May 2000 and in traditional wagering formats. In other words, new forms of interactive gambling based on new forms of offline gambling such as spread betting—in other words, betting on outcomes after the beginning of an event—would not be exempt from the scope of the moratorium. We take the view that it is desirable that this moratorium be in place, if necessary with that exemption, and we therefore want to give the Senate an opportunity to consider those amendments.

Senator STOTT DESPOJA (South Australia—Deputy Leader of the Australian Democrats) (4.09 p.m.)—It is ironic that we deal with this matter of recommittal immediately after Senator Ian Campbell’s motion. Senator Ian Campbell is quite rightly concerned, as I am sure everyone in the chamber is, about expediting the business before us and ensuring that we deal with potentially important and pressing pieces of legislation. This is not one of those pieces of legislation; this is a bill that was defeated because it was poorly thought out and because of some of its more questionable provisions, including whether or not it was constitutional and whether the retrospective nature of the bill was appropriate. It was defeated and if the government want to go back to the drawing board then they should do so, as opposed to a piece of legislation being defeated, thus sending a message not only to the community generally but also to the sector and the industry specifically.

I had an adviser from Senator Alston’s office on the phone to my office suggesting that the government was given a commitment by the Democrats that we were going to agree to this recommittal. As the portfolio holder, I have given no such assurance and nor was I asked for it. I have just spoken to the office of our whip, Senator Vicki Bourne, and they were not asked to give a commitment. Her office maintains that she certainly did not give that assurance. We need to get on the record, to begin with, that at no time was there an official position sought from the Democrats—nor was one given—that would support the recommittal of this particular piece of legislation.

I would like something clarified. My understanding is that we are dealing with this matter today because Senator Alston has to leave Australia, thus it is his intention to debate the bill tonight instead of giving us the opportunity to continue on the government order of business and deal with a bill that we are halfway through, the Gene Technology Bill 2000. Even if people do not want to proceed with the Gene Technology Bill 2000, there are many other more pressing pieces of legislation that we could be getting on with as opposed to a piece of legislation that was, firstly, defeated and, secondly, needs a substantial rewrite before it is going to come to this place in a way that deserves debate or analysis. I would appreciate clarification from the government. Is it the case that we
are expediting this matter today in an attempt to ensure that Senator Alston can go overseas? If he is so concerned about this piece of legislation, then he should stay here like the rest of us until not Thursday night but Friday morning. I suspect that is not going to happen.

On behalf of the Democrats I say that this legislation should not be proceeded with. It is a controversial piece of legislation. It is one that the parliament has already closely divided on and yet it was still defeated as a consequence of some of the worst provisions in the bill. I mentioned the questionable use of the telecommunications power under the Constitution. I also mentioned the retrospective nature of this legislation and that it was legislation by press release, announced by the government on 19 May 2000. That was bad enough, but to have a piece of legislation defeated—and thus send a message to the industry and to the community that they can actually make some plans and have some certainty because of the defeat of that legislation—and to then reintroduce it in this hurried last week of the Senate session is quite scandalous.

Many of us were here last night, whether we were here debating the legislation or whether we were here for divisions and voting on the Gene Technology Bill 2000. There are some of us who probably have a higher legislative load than others. We expect to be here; we are going to be here till Thursday night or Friday morning. The minister should join us in that happy time together! If he is committed to this legislation, then he should stay here to debate it. If we have time to get through the parliamentary and the legislative agenda, then we can move on to this piece of legislation. I am quite happy to restate my views for the record in the context of a debate on this bill. I am quite happy for my party to vote on this legislation, as they have in the past. We will emulate the vote that we have had in the past. But it certainly does not constitute an urgent piece of legislation. It is not required in particular because of recent developments at the Darwin summit looking at the work and the progress that has been made in relation to formulating a consistent set of standards on a national level when it comes to interactive gambling in Australia.

We know that the states and territories have made progress in that respect. Perhaps the message that the bill sent last time was a good one: the states and territories had to get organised and the online gambling providers and the Internet industry had to do something about ensuring protections—both player protection mechanisms and harm minimisation strategies. This bill does none of that, of course. It does not seek to enforce the recommendation of the Netbets inquiry—that is, the Senate select committee on IT inquiry—that examined these issues. Instead, it is a poorly thought-out piece of legislation that seeks to grab some headlines for the government and, in doing so, ensure that at the end of the year Senator Alston does not have to rack this up as a defeat.

This is not something that we should be dealing with in this pressing final week of the legislative agenda. I think most Australians, given the opportunity, would rather have a bill that dealt with the real social and other issues associated with gambling. Let us not be fooled: this is a bill that attacks technology and the Internet; it does not actually do anything for gambling or to resolve some of those problem issues associated with gambling.

The community would rather have that or get on with the legislative agenda, including the single largest debate on science and technology regulation in this nation’s history. That is why we were here until 3.45 a.m., because we have a nine-page running sheet. I know that the government and the opposition at times dismiss us as the pesky crossbenchers. What we are doing is merely putting through the recommendations contained in a majority Senate committee report into that legislation. So let us get on with that legislation. This is not a necessary debate. The Democrat party room have discussed this this morning, so I am not sure where Senator Alston or his advisers were coming from when they tried to suggest that we support it. On the contrary—we will vote according to our principled positions last time. We seek to have this legislation deferred so that we can get on with the real business of the Senate.
Senator Lundy (Australian Capital Territory) (4.16 p.m.)—I also stand to indicate Labor’s opposition to the recommittal of this particular piece of legislation. It is very clear that the government is using an opportunity to revisit a debate that was fought and lost by the government in this chamber some time ago on the question of the Interactive Gambling (Moratorium) Bill 2000. It is no secret, because there have been many reports in the press, that the government has persisted with negotiations with some members of the crossbench and is using this evening’s opportunity in the chamber to recommit this bill in the committee stage in an attempt to amend the bill to a point of satisfaction for the required number of senators in this place to get it passed.

I would like to reiterate Labor’s opposition to this bill per se. We may well get the opportunity later this day to debate those issues more fully. I would like to lodge my disappointment with a government that is obviously not prepared to listen to reason on an issue of great importance—that is, the reputation that Australia has in the operation of the information economy and the role of the Internet in society. The government, instead, has chosen to identify the Internet as an effective scapegoat for the evils and social problems, rhetorically and very much in a real sense, for many people associated with the social harm from gambling. Despite all of the positive efforts made on behalf of the state jurisdictions, who are rightly charged with the responsibility of regulating gambling content on the Internet, and, indeed, the goodwill and efforts of many in the community to create a proactive environment of support and initiative to help those with gambling problems, it is persisting with this legislation.

A bit of background is that the National Office for the Information Economy has done a study on interactive gambling and the ability to actually regulate its banning on the Internet. My understanding is that the government has somehow rendering illegal in the Australian jurisdiction the presence of gambling content will somehow protect Australian citizens, particularly problem gamblers, from Internet gambling is, in fact, a complete fallacy. Everyone who uses the Internet, particularly experienced users—and I certainly know that Senator Alston knows this—knows that, if you have access to the Internet, you have access to the plethora of unregulated gambling sites around the world. Making potentially regulated gambling sites illegal here in Australia is not going to protect the Australian community from the social harm that the government claims will be derived from online gambling.

The other thing to remember in consideration of this debate is that the purposes of bringing it back are, in fact, to tamper with the edges of the government’s intent. My understanding, based only on media reports, is that the government’s efforts tonight will revolve around actually splitting the definition of gambling into ‘gaming’ and ‘wagering’ for the purposes of, I suppose, not disenfranchising sections of that particular industry. I think this defies the principle that the government claims to have based its original arguments on. I suspect that I will get an opportunity—I hope I do not—later this evening to debate this further, but I would like to state now that Labor oppose this recommittal on the basis that the government was defeated in this place, the legislation remains flawed, as we described in our previous debates, and tonight’s efforts to tamper with the legislation as it was presented previously just represent manoeuvring and dealing with various vested interests along the way.

Senator Brown (Tasmania) (4.20 p.m.)—I hate speaking after both Senator Lundy and Senator Stott Despoja, who I think are two of the most valuable members of this Senate with a different point of view, but here I am. The estimates for this year are that the business of online gambling will be worth about $2.3 billion globally. It is in its infancy in Australia, but it is one of those options for entertainment and loss of money that is going to figure pretty largely in the Australian economy and social fabric in the coming decades until something even more
instant replaces the Internet in the coming century. There are indications that interactive gambling online is going to be particularly attractive to young people and is certainly going to give people who would otherwise not go out in search of betting facilities the opportunity to do it covertly at home and, potentially, to use their money and property, and that of those around them, and get themselves into a great deal of trouble.

I will not trespass further into the debate except to say I made a commitment in this place when this legislation was first before it to support the government in a moratorium on interactive online gambling if the government made the playing field level as far as the TABs were concerned. I understand that the government is going to do that in the amendment so that Tasmania, Victoria and Western Australia will no longer be left out. People who want to bet will have the same facilities available in each state and territory during the moratorium period. Under those circumstances, I am prepared to support the legislation. I was then, and I remain now, of the same persuasion. That said, it is a very complex and difficult area but, if the moratorium is going to mean anything—and I have said I will support it—leaving it until after Christmas is not a sensible option. We are halfway through a 12-month moratorium period now, so logic says I would have to support this. Finally, I agree with Senator Stott Despoja that the Gene Technology Bill 2000 ought to be the priority in debate. We ought to be dealing with that now and with the interactive gambling legislation later on.

Senator HARRIS (Queensland) (4.23 p.m.)—I rise to indicate that I will support the government’s motion to bring on the Interactive Gambling (Moratorium) Bill 2000 for the second time for several reasons, one of them being that there has been substantial input into this sector by the industry. In some cases, companies have invested sums of between $14 million and $16 million in the development of their interactive gambling sites. I believe that it is unfair to the industry as a whole to leave it in this state of uncertainty if we rise from this sitting period without addressing this issue. Having said that, I clearly indicate to the chamber that I also believe that the principal piece of legislation we should be addressing at this point in time is that relating to the Gene Technology Regulator.

As the previous speakers have said, the issue of interactive gambling is very complex. One of the issues that has been raised with me is the $10 billion that has been referred to as the drop-out—in other words, the money that is not returned to the person who is punting or playing within the gambling industry. Only $1.7 billion of that relates to wagering. The government’s bill in its original form would have penalised the TAB and wagering areas around Australia with the exception of New South Wales. Pauline Hanson’s One Nation’s approach to this bill has always been that the bill should treat those within the industry equally. I indicate to the chamber that One Nation will be moving one amendment to this bill, which relates to those businesses that were granted licences prior to the 18th.

The problem with gambling in this country is that it impacts extremely adversely, both socially and economically, on the people of this nation. But we need to target the areas of greatest exposure to problem gambling, and that is very fairly levelled at the sector of the industry relating to poker machines. For example, if a small country town or a moderately sized country town has 400 poker machines, and each one of those machines has somewhere around $10,000 per month going through it, that is not returned as winnings. In a single hotel, $200,000 can go out of the economy of that area because of poker machines. I believe that is the area we need to address in relation to gambling.

The government’s bill, when it was originally brought into this chamber, would have still allowed one entity to continue to operate within Australia during the moratorium. So when the government speaks of a moratorium, it is not a moratorium that would stop all interactive gambling for the period of the moratorium. There is the difficulty, as Senator Lundy raised, that it would allow the Australian people to access overseas sites. If One Nation had a preference with this bill and there were to be a moratorium, it would be that all sites be excluded so there would
be no access to any interactive gambling for a person residing within Australia. Those companies that have invested considerable amounts of capital into the industry should be allowed to operate overseas. One of the major companies that does operate in this area at this present time already derives 80 per cent of its turnover— its income— off-shore. That would have two effects: it would continue to employ the people within the industry and it would also continue to benefit Australia in that a large amount of income would be coming into Australia from overseas. I indicate that I will support the government’s motion to bring on the bill and will look to the government’s support to also allow the other four or five entities that had licences prior to the cut-off date to be allowed to operate. I commend the government for recognising that the gaming sector, included in the original bill, should be excluded.

Question put:
That the motion (Senator Alston’s) be agreed to.

The Senate divided. [4.35 p.m.]
(The President—Senator the Hon. Margaret Reid)

Ayes............. 36
Noes............... 32
Majority.......... 4

AYES

* denotes teller

Question so resolved in the affirmative.

WOOL SERVICES PRIVATISATION BILL 2000
Second Reading
Debate resumed from 2 November, on motion by Senator Ian Campbell:

That this bill be now read a second time.

Senator FORSHAW (New South Wales)
(4.39 p.m.)—I rise to speak on the Wool Services Privatisation Bill 2000. I am sure honourable senators will be relieved to know that, given the discussion about whether the Gene Technology Bill should be dealt with at this time, I will not be talking about Dolly, the cloned sheep. Rather, I will be talking about the privatisation of the Australian Wool Research and Promotion Organisation.

The purpose of the Wool Services Privatisation Bill 2000 has been canvassed in the report of the Senate Rural and Regional Affairs and Transport Legislation Committee, which was tabled and debated in this chamber on 30 October this year. I will not go through all of the details of the bill because they are familiar to honourable senators. There has been a long history of discussion within the wool industry and in the parliament about the various changes that have been occurring in the wool industry over the last few years. I want to make a couple of brief comments. Firstly, this legislation will lead to the privatisation of the Australian Wool Research and Promotion Organisation. It follows on from earlier legislation—the Wool International Privatisation Bill 1999 and the Australian
Wool Research and Promotion Organisation Amendment (Funding and Wool Tax) Bill 2000, which was passed earlier this year.

The history of the wool industry, particularly in more recent years, is well known to honourable senators. It has been canvassed in the report on this legislation and on other legislation. It is a history of some upheaval in more recent years. This was brought to a head in November of 1998 when a motion of no confidence in the board of the Australian Wool Research and Promotion Organisation—I will refer to it as AWRAP for short—was carried by a large meeting of wool growers. That led the then minister, Mr Vaile, to call for the resignation of all of the board members and the subsequent establishment of the Wool Industry Future Directions Task Force, chaired by former minister Ian McLachlan. The meeting at which that no confidence motion took place also carried resolutions requesting the minister to prepare a plan for the complete commercialisation of the Woolmark Company and further a reduction in the statutory wool levy from four per cent to one per cent.

By way of explanation, the Woolmark Company was established effectively as the successor company or organisation to the International Wool Secretariat. The International Wool Secretariat, IWS, was set up some years ago. It was established with the involvement of the major wool producing nations of the world, namely, Australia, New Zealand and South Africa. The role of the IWS was to promote the use and production of wool throughout the world, particularly having regard to competition from other fibres and products. The Woolmark Company was the successor body to the IWS and, indeed, we are all aware of the development of the Woolmark brand and label. That is an important piece of history because I want to come back to one of the key issues involved in this legislation to privatise AWRAP.

I spoke earlier about the establishment of the Wool Industry Future Directions Task Force, which was chaired by Ian McLachlan. That task force presented a report and recommendations. Those recommendations and that report have been the subject of a lot of discussion in this chamber and in the committee. There is no need to go into that in detail, but two key recommendations of that report were, firstly, that there was a need for wool growers to take control of their industry and the promotion and marketing of it and that that should come about by virtue of the privatisation of AWRAP with new company structures and, secondly, that there should be a new levy struck following a vote of wool grower members. Wool growers throughout the nation ultimately voted for a levy of two per cent, which was half what they had previously been paying.

As I said, the legislation we are dealing with privatises AWRAP, and it does so by establishing a new company called Australian Wool Services, or AWS. That company in turn will have two subsidiary companies. The first one will be called CommercialCo. Effectively, it will take over the areas that were previously dealt with by the Woolmark Company. The second subsidiary company will be called R&D FundCo. It will be established to manage the funds raised by the new two per cent wool levy, which will also be topped up with contributions from government. Shares in Australian Wool Services, AWS, will be allocated according to wool growers’ tax payments over the last three years up to 30 June this year. There will be two types of shares: A class shares, where votes will be allocated proportionate to wool tax payments over three years; and B class shares, where the allocation of shares will be frozen and based upon historical payments.

As I said earlier, the issues surrounding this legislation were canvassed widely and in detail in the report of the Senate Rural and Regional Affairs and Transport Legislation Committee, which was debated on 30 October. At that time we in the opposition and also Senator Woodley raised some concerns about the passage of this legislation. We made it very clear that we supported the principle of the legislation—that is, to move to a privatised company with greater grower ownership and control—but that we were concerned to ensure that that took place in an orderly fashion and with no issues still unresolved. Therefore, in our minority report, we indicated that we had concerns about issues surrounding the outstanding liability to the
South African company, Cape Wools Ltd, which was the successor company in South Africa to the South African Wool Board. Senators will recall that, earlier in my remarks, I referred to the fact that the South Africans were a partner with Australia and New Zealand in Woolmark. In our report we indicated that we believed that this issue needed further examination and, in our view, should be resolved before this legislation was passed by the Senate. It was clearly not our intention to delay this legislation unnecessarily. We were conscious that the industry and the government wanted the legislation introduced as soon as possible to allow the new companies to start operation from 1 January next year. But, having recognised that, we were also very concerned about this outstanding issue, which was still unresolved at the time of the report being tabled. There were other issues that we raised concerns about, including the fact that we had not been provided with a range of documents such as constitutions and other agreements that would sit side by side with the legislation.

I will now deal with the issues surrounding the outstanding liability to the South African company, Cape Wools. This issue was covered in our report, but at that time we were constrained because evidence presented to us by AWRAP, Cape Wools and industry representatives had been taken in camera and we were not able to release that evidence or comment upon it. We were also concerned, of course, that there were negotiations going on between AWRAP and the South African company, Cape Wools, to try to resolve this outstanding liability. I understand—and this is something that we will be asking the parliamentary secretary to report on in the committee stage or when she makes her closing remarks—that this issue is essentially resolved. That is the information I have been provided with, but I would like some confirmation on that in due course. But it is important to put some things on the record.

As a result of concerns expressed in our minority report, Senator O’Brien and I, and Senator Woodley from the Democrats, were attacked quite strongly by some representatives of the wool industry. Indeed, in a media release issued on 19 October 2000 entitled ‘Woolgrower anger if legislation delayed’, representatives of the Wool Growers Advisory Group made a number of quite strong and strident attacks upon us. The article said: Federal politicians would be ignoring the wishes and the interests of woolgrowers if the legislation to privatise the Australian Wool Research and Promotion Organisation (AWRAP) and The Woolmark Company was blocked by the Senate, according to the Woolgrowers Advisory Group (WAG).

The article further stated:
The three spokesmen said that any suggestion that the passage of the legislation should be delayed until the Cape Wools matter is resolved would be contrary to woolgrowers’ interests. “Nobody knows how long it will take to resolve the remaining contractual issues with Cape Wools. There have been discussions for three years and who knows how long the negotiations will continue.”

I interpose there to say that, whilst having made that statement that there had been discussions going on for three years, we were told during the hearings—and I will come to the evidence later—that the industry were really kept in the dark about this issue for quite some time. It had come to their notice only in recent months. It was also noted in the report of the committee that members of the committee, indeed the Senate, were unaware of this outstanding issue, and certainly we were not aware of it at the time we had debated the earlier legislation that I referred to. The article goes on to say:

“As far as woolgrowers are concerned, it is ‘all systems go’ for the privatisation to proceed.”

“The very suggestion that the privatisation be delayed until the government appointed AWRAP Board resolves the Cape Wools matter is exactly the sort of political interference and paternalism we’re trying to put behind us.”

“Woolgrowers’ message to Parliament is clear: pass the legislation. And let us get on with the job,” Mr Nicholls, Mr Gooch and Mr Wollenden said.

Those gentlemen represent the Woolgrowers Advisory Group. Their in camera evidence to the committee has now been made public by decision of this Senate. I think it is important to put on the record what those same gentlemen said to our committee in camera, be-
cause it tells the true story and it refutes the attack made upon us in that media release. In evidence on 2 October, Mr Wolfenden, the President of the Wool Council of Australia, said:

As most of the senators explored the issues with us, we found ourselves in a very unenviable position of having a public position and a private position. Obviously, our position publicly stands and that is what we endorse and we are not in any way stepping away from that. However, as you have all correctly identified, there are basically only four sources of money or ways to fund the South Africans: there is equity; there are assets with the company—selling them off; there is the levy; and then there is a contribution by others. What we are quite clearly putting on the table is that wool growers will explore what is a fair or reasonable contribution as to their liability of having to buy out a partner in IWS. Obviously, to buy out that partner or to give them equity, that is a benefit to Australian wool growers; therefore we are prepared to look at what is a fair price. I would have to say at this point that I have not had time to read the chronology of the AWRAP Cape Wools, to see whether that sheds any light on it. But we also believe that the parties to the agreement and the position of the government in that agreement, in that setting forward of a process, does make them party to this agreement and they therefore have a liability to this process.

I suppose that, within our own groups, we have talked about limiting the liability of wool growers to what is, let us say, fair. We believe that there is a liability on the government to examine the outcome of the settlement, accept that liability and look at how they can ensure that the privatised CommercialCo does have a future, because obviously there is some speculation that the size of the liability to South Africa is big enough to put at considerable risk the privatisation and the floating of CommercialCo.

Here are some further comments from Mr Gooch in evidence:

I do not think that the support will be totally unqualified ... I do not think that there will be unqualified support should the ongoing levy payers—

that is the industry or wool growers—

be involved in the process of repaying this liability. I think we have to find some mechanism where the liability should be quarantined to the participants in the original agreement. The participants in the original agreement were AWRAP, the Woolmark Company and, by virtue of their representation, the government ... If the ongoing levy payers were to be involved in the settlement, I do not think that the unqualified support would be there.

There are further parts of this *Hansard* that I could read, but time does not permit. But the position that was being put to us by the industry representatives, these industry leaders, in the in camera committee hearings was that, whilst they supported privatisation and whilst they wanted us to pass that legislation, at the same time they wanted us or the government—they could not really identify who it was—to give them a guarantee that any liability owing to the South African company should not have to be picked up by levy payers and, further, that it should be picked up by the government. They were concerned because at that stage nobody knew what the liability would be, whether it would be $1 million, $10 million, $40 million or $100 million—figures that we had been told—and that, if this went through and the new companies were established, they could end with a settlement or, if by this stage litigation had commenced, some determination that visited a huge liability upon wool growers to have to pay, and that threatened the viability of the company. It is for that reason—that uncertainty—that we said we believe this needed to be pursued further and this legislation needed to be delayed. In our view, there is clear evidence also, which I know Senator O'Brien will go to, about the lack of management by the minister on this issue which allowed it to run on. Our position is that we will be supporting this legislation, but we do so because we understand that this issue has now essentially been resolved—there has been agreement between AWRAP and the South African company; I hope that has been confirmed—but there are still other matters that we will take up through the committee stages.

**Senator WOODLEY** (Queensland) (5.00 p.m.)—There is no doubt that the Wool Services Privatisation Bill 2000 is a piece of legislation for which many people have been waiting for a long time. There is also no doubt that there is general support in this place for the legislation. That is certainly the Australian Democrats' position. When we received the report of the Senate Rural and Regional Affairs and Transport Committee
on this matter, I put on the record a number of things that I will perhaps repeat today. I do seek a couple of assurances from the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry. At that point I will indicate those and look for an answer from her. I indicate that the Democrats are in support of the bill and of its passage as soon as possible. It is not always the case that we get to vote on a bill that has had such scrutiny. We compliment the committee—which I suppose is complimenting myself—and the committee secretariat on the amount of work which the committee has done in teasing out the various implications of this legislation, but we have now reached a point that allows us to agree with the legislation both in principle and in the detail. However, I will still be seeking some explanations, comments and assurances from the parliamentary secretary.

The Democrats remain committed to having the bill passed and to having the changes in place by 1 January 2001. I could probably make much the same speech that Senator Forshaw has made. I will not repeat what he said, except to say briefly that one of the main reasons why we had some hesitation in agreeing to debate the bill and also to pass it concerned the issue of Cape Wools and the possibility of a debt being passed on to either the new company, which would affect the equity of wool growers, or wool growers directly through some increase for a period in the wool levy. I have been given assurances that the agreement between AWRAP and Cape Wools, if it has not been finalised now, is as close as possible to being finalised. For that reason, we are prepared to go ahead with debating the legislation.

I am also given assurances that the issue which I raised, and which others raised in the committee hearings, about who would pay for any remaining debt, which was not answered at the time, has now been answered in the sense that there are sufficient assets of the old AWRAP company to cover any contingent liability. That does not answer the question of what that does to the assets of the new company, and there is a concern there, but a debt does exist. Quite clearly, it is a debt against the assets of AWRAP and, therefore, it is appropriate that the debt be paid out of those assets. I still would want to argue—although I know that the government would not accept this—that I believe there is a moral, if not a legal, responsibility on the government to also make some contribution to that debt. I know I am not going to win that argument. I believe the government was very much involved in signing off on the agreement which established the framework for the payment of the equity to Cape Wools. Because of that I believe there is a moral responsibility on the government to make a contribution. However, I expect that that argument will be hard to win.

There is no doubt that all of us who have been involved in this debate for many years are committed to the establishment of the privatised companies. We are certainly committed to seeing the wool industry get back on its feet, as it is beginning to do. I need to put it on the record that this is one point on which I parted company with the Labor Party in our minority report, because I do believe that the freezing of the stockpile and the subsequent legislation did lift off the wool industry something which was forcing down the price of the fresh wool market. At least Senator Crane and I agree on that. We can probably never prove that absolutely, but we welcome the rise in wool prices since that time. At that point I did have to disagree with the Labor Party’s dissenting report, although I agreed with the bulk of it. I believe that subsequent events since the freezing of the stockpile and then freeing it up again and selling it under a different regime has meant that the wool industry in general has been able to enjoy higher prices at auction.

One of the things that I think are critical in this legislation is that, while it is called a privatisation bill, it is not privatisation in the sense that the company is being bought by stockholders who just have a financial interest. Rather, what it does is transfer equity from AWRAP into growers’ hands. They will have direct control of their own industry and of the levy which they will be paying. That is very appropriate. Members in this place will know that the Democrats have not supported many of the privatisation moves made by this and previous governments but, in this
sense of privatisation, we support very strongly the fact that growers will have control of their industry through these new bodies.

I very much thank people who have endeavoured to provide information, including industry peak bodies, AFFA, the minister’s office and others. I also thank the people who I have had most association with over the years, and that includes the Australian Wool Growers Association, who have played a very constructive role, along with other bodies and other people, in bringing us to this point.

As I said before, it is very important that we have reassurance. I will listen if the parliamentary secretary is able to give us any more up-to-date information than I received this afternoon about the agreement between Cape Wools and AWRAP, but in any case we are reassured that growers will not be burdened with an unknown amount of debt and that that debt is now covered.

There would be no security for wool growers if the rate of the levy was in any way problematical. It is quite clear that growers knew what they were doing when they voted for a two per cent levy. They were committing themselves to further research and development in their industry, and they were very strong about that. They were very clear that the levy should be at the rate of two per cent.

One of the other questions I wanted to ask the parliamentary secretary—and I am sure the departmental officers will hear this—concerns the whole problem of the wool producers who have been infected with ovine Johne’s disease, particularly where they have had to de-stock. If we operated on the basis of the legislation in establishing their equity, they would be severely disadvantaged or end up having no equity at all. I was going to move an amendment to try to correct this, but I have had some assurances along the way that this is covered in the bill or the regulations. It would be very helpful if the parliamentary secretary would confirm that those wool producers who have had to de-stock because of ovine Johne’s disease will not be disadvantaged in the allocation of equity.

I still have some concerns which I know Senator Ferris raised very strongly in debate and in questioning staff. They concern the problem of the transfer of staff from AWRAP to the new companies. I am not going to be critical of any individual—clearly there are many very highly qualified staff who would make a good contribution to the new companies—but there is the question of the transfer of the culture with which AWRAP was burdened. Probably that answer has been given, but it may be helpful if the minister addresses that question.

I note that in the legislation there is a requirement that no secondary representative bodies be formed under the auspices of this new company. The Democrats continue to support producers’ groups which are funded by voluntary levies. Sometimes statutory bodies which are assured of funding through compulsory levies can become complacent and not responsive to the concerns of their membership. I believe that is what prompted the reaction which resulted in the Goulburn event some time ago. Those bodies which are unresponsive to the reality of producers’ needs and operate in this environment of complacency, with no direct link to an individual producer’s problems, will find themselves under increasing scrutiny. I am pleased that there is in the act the requirement that the levy not be used to fund those bodies.

I have supported very strongly the rise of voluntarily funded bodies in the wool industry, the sugar industry and, more recently, the dairy industry, because I believe that those bodies can be much more representative of people at ground level. I commend the legislation to the Senate, having raised a couple of issues, and look forward to the parliamentary secretary’s assurances a little later in this debate.

Senator SANDY MACDONALD (New South Wales) (5.12 p.m.)—Mr Acting Deputy President Murphy, I think it is appropriate that the Wool Services Privatisation Bill 2000 is being discussed with you, as a former gun shearer, in the chair. I do not think it is likely to happen again, and it is very appropriate. The legislation comes before the Senate on a day when the government has
announced a very commendable and well received package for those thousands of grain growers affected by the flood and also comes three days before the annual general meeting of AWRAP—I expect the last AWRAP meeting—in Melbourne on Thursday.

This is important legislation for Australia's 45,000 wool growers. As we all know, it is a vital industry for regional Australia. It has always been so and will be so for the foreseeable future. It completes the decision of the government to get out of the industry as far as possible by handing AWRAP back to growers. Firstly, the government privatised the stockpile and its debt. That happened two years ago, and wool growers have already benefited from the return of the capital, the better management of the sales and the upward movement of prices. We now have before us the privatisation of the Australian Wool Research and Promotion Organisation, which comprises the assets of the Woolmark Company, some real estate, intellectual property and some financial reserves. It flows from the growers' decision in 1998 to sack the board of AWRAP and also the recommendations of the McLachlan inquiry and the interested groups mentioned by Senator Woodley, including the Woolgrower Advisory Group, the Australian Wool Growers Association and the interim advisory board of the new Wool Services Company.

The details of the benefits are well known. There is universal support for these changes. The second reading speech sets the scene well; however, I wish to raise a couple of matters in the very short time allocated to me in this debate.

The first is the status of the eight per cent interest of the South African Cape Wools company, their share of ownership of Woolmark. The value of this has been negotiated and I understand is in the process of being settled to the satisfaction of both Cape Wools and AWRAP. I have a message from the legal advisers of Cape Wools who say that they expect that the negotiations will be concluded tonight. As an interested observer, I have no problem with Cape Wools keeping an equity in the new company. It was, however, the value they placed on a cash settlement in terms of their interest in Woolmark which was inappropriate. I want to put on the record that the South African negotiators I met were very decent people, like most people in the wool industry, and I think that they would bring an extra momentum and value to the new company if they chose to stay in.

The other matter that I wish to raise is a matter of some urgency. We did expect this legislation to be debated last week, before the 30 November cut-off date for the registration of shares in the new Wool Services company. This opportunity to apply for shares in the new commercial company is obviously something which will have to be extended because I understand only half the growers have registered for their shares. Those with an interest in CommercialCo will have permanent shares and the R&D company will have a rolling register, but existing levy payers—those people who have paid up to 30 June 2000—will have shares in the R&D company as well, and, of course, they will have shares in the commercial company. As I said, only half of those entitled to register have done so; at the end of November about 22,000 remained to be registered. There was a problem with flood affected growers, and the Australian Wool Research and Promotion Organisation said that they would make allowance for those people to register late, and I expect that they will. Just one final point on the registration of votes: I think that, having paid tax, wool growers found it very annoying that they had to register for votes in this organisation. If that was an indication of the level of competency of AWRAP, then I think the decision taken by growers to sack the board a couple of years ago was entirely appropriate. I am sure that the new privatised body will be a much classier show than the previous body. I have every expectation it will be. I commend the government on this legislation and I thank the main participants, the Woolgrower Advisory Group and the Interim Advisory Board, including Tony Sherlock and Rod Price, for doing the things that needed to be done to help get this important industry back on track.

Senator O'BRIEN (Tasmania) (5.18 p.m.)—Firstly, can I say we have now had an
opportunity to consider the proposed regulations referred to in this Wool Services Privatisation Bill 2000, together with constitutions for the new corporate entities and the statutory funding agreement between the Commonwealth and the new company. I thank the government—or, more accurately, the officers of the department, Mr Sutton and Mr Roseby—for getting us the material.

Since 1998, the Rural and Regional Affairs and Transport Legislation Committee has undertaken a number of inquiries into the reorganisation of the Australian wool industry. We consider it a key rural industry. There is no doubt that the wool industry has gone through a difficult period, but wool growers are a resilient lot and I am confident that this industry has a positive long-term future. As part of these inquiries, the committee has sought to clearly identify all the costs of the proposed changes in industry structures to be met by growers. The reason is simple: it was the government who was spending the money on lawyers and financial experts and on behalf of the industry we wanted to make sure that the money was spent wisely.

In December 1998 the committee undertook an inquiry into the provisions of the Wool International Amendment Bill. The primary purpose of that bill was to freeze the sale of wool from the stockpile of Wool International. The vast majority of growers and grower organisations were opposed to the freeze. The cost to wool growers of that government decision was estimated to be in the order of $20 million. That was clearly an unwise use of growers’ money. In May 1999, the committee inquired into the provisions of the Wool International Privatisation Bill. The cost of the conversion of Wool International was approximately $5 million. In April 2000, the committee inquired into the Australian Wool Research and Promotional Organisation Amendment (Funding and Wool Tax) Bill 2000. The committee was advised that the cost to wool growers of the privatisation of AWRAP would be approximately $23 million. This is a considerable amount of money for growers to have to meet. It has been an expensive process.

The decision to privatise AWRAP followed a successful motion of no confidence in the AWRAP board passed at a meeting of growers on 30 November 1998. That meeting also passed a motion requiring AWRAP to prepare a plan to enable complete commercialisation of the Woolmark Company, and it recommended to the minister that the wool levy be reduced from four per cent to one per cent and be directed solely to research and development. The then minister Mr Vaile asked for the resignation of all AWRAP board members and established the Wool Industry Future Directions Task Force chaired by Mr Ian McLachlan to review the structures for wool marketing and promotion and research and development. That task force reported on 30 June 1999.

The task force report identified two key issues: firstly, the need to obtain value for money in expenditure in research and development and promotion; and, secondly, the need to put wool growers in charge of their industry. In September 1999 the minister, Mr Truss, announced an eight-point plan for implementing the task force report. The plan included the establishment of a wool working party to conduct and report on a vote of wool growers regarding their preferred wool levy funding options and associated service models. The opposition supports the general thrust of the reform of the Australian wool industry. In fact, it has to be said that, when in government, the opposition initiated a number of these changes.

The Rural and Regional Affairs and Transport Legislation Committee inquired into the provisions of the Wool Research and Promotion Organisation Amendment (Funding and Wool Tax) Bill 2000 on 6 April. As we have done on other occasions, the committee questioned witnesses about the cost of the privatisation process. We considered it essential that both the parliament and wool growers knew both the nature and the quantum of the cost to be incurred by the process that they were being asked to endorse. Despite questioning officers from the Department of Agriculture, Fisheries and Forestry and the Office of Asset Sales and Information Technology on the matter of costs, the committee were not advised of an
unquantified liability to Cape Wools South Africa through its interest in the Woolmark Company. Cape Wools South Africa was formerly the South African Wool Board.

At a hearing on 8 September this year, the committee further pursued the matter of costs to the industry incurred by this process. We were provided with a schedule of costs, but at no point during these hearings was the extent of liability to Cape Wools South Africa specified to the committee. It has also become clear from later evidence to the committee that the vast majority of wool growers did not know about the agreement between AWRAP and Cape Wools. Mr Nicholls, a member of the Woolgrowers Advisory Group, told the committee:

With the South African issue, I do not believe that any wool grower—not every wool grower but effectively any wool grower—was aware of the extent of the possible residual interest by South African wools in the Woolmark Company and I do not believe that wool growers were aware that it could impinge upon the privatisation and restructuring process. I think its materiality was not put in front of wool growers, and I am disappointed that it was not put in front of wool growers as and when it was developed.

Senator Crane also expressed concern that the agreement between AWRAP and Cape Wools was not brought to the attention of the industry. He said:

I think one of the amazing things about this Cape Wools issue, because it did appear last year for the first time, is that nobody in the industry, including those of us who do read annual reports, picked it up and questioned it.

Mr Nicholls stated:

I believe the wording was designed to ensure that the sensitivity was not detected.

Senator Ferris described it as a ‘snow job’. Senator Crane said the schedule of unquantifiable liabilities amounted to an ‘open cheque book’. This situation was entirely unacceptable to both the industry and the Senate, and somebody should be held accountable for, firstly, creating the problem and, secondly, attempting to cover up the problem.

It is of considerable concern that AWRAP, while meeting its obligation to keep the responsible minister informed of significant matters to do with its operation, failed to properly inform Australian wool growers about its arrangement with Cape Wools. It must be noted that the circumstances surrounding the arrangements entered into by AWRAP with Cape Wools, and the financial implications of these arrangements for growers, only became public when details were leaked to the opposition. In particular, the failure of AWRAP to properly disclose the terms of an agreement with Cape Wools South Africa in its annual report is of considerable concern. Successive ministers also failed to meet their responsibilities to the parliament by not properly informing members and senators of the true state of the authority, as they were obliged to do.

The government was formally represented on the AWRAP board when the new membership agreement with the then South African Wool Board was signed in 1997. Mr Alan Smart, Acting Executive Director of the Agriculture and Forestry Group in the Department of Primary Industries and Energy, was the minister’s representative on the board until 20 July 1997. Mr Paul Sutton, who headed the Wool and Dairy Branch of the department, replaced him. Mr Sutton was also responsible for providing the minister with policy advice on the wool industry and the statutory authorities that served it. Mr Sutton was therefore both a member of the AWRAP board and also the minister’s key policy adviser on matters relating to the operations of AWRAP.

On 16 June 1997, the then chairman of AWRAP, Mr Alec Morrison, wrote to the then minister, Mr Anderson—the current Deputy Prime Minister—seeking approval for IWS International, now the Woolmark Company, to assume the assets, liabilities and operations of IWS. The nature of the agreement with Cape Wools South Africa was specifically drawn to the attention of the then minister. Under the heading ‘SAWB put option’, the AWRAP letter drew Mr Anderson’s attention to the clause in the members’ agreement that gave Cape Wools South Africa the right to require AWRAP to buy all of Cape Wools’s shares in the AWRAP subsidiary. Mr Sutton told the committee:
What I can say is that there was a very comprehensive submission prepared by the AWRAP board for the government’s approval of the whole incorporation process.

Mr Sutton said the department had advised the minister to approve the arrangement and he had done so. So the former minister for primary industry—now the Deputy Prime Minister—had the detail of this obligation on AWRAP to pay out Cape Wools specifically brought to his attention. He was asked to formally approve the arrangement, and he did. But, as if that was not bad enough, Mr Anderson was given another chance to save Australian wool growers many millions of dollars, and that is a matter that I intend to raise in the committee stage of this debate.

The next minister, Mr Vaile, then left AWRAP without an effective board from 3 December 1998 through to the appointment of Mr John Priest and Associate Professor Andrew Vizard on 28 April 1999. According to the 1998-99 annual report, the board did not meet until 21 May 1999. So this organisation, caught up in a dispute with Cape Wools involving a great deal of wool growers’ money, was left by Mr Vaile without a board. The problems caused by Mr Vaile’s failure to appoint a new board are clear from the chronology of events provided to the committee by Cape Wools South Africa. This is simply inexcusable, and I intend to pursue this matter also in the committee stage.

Despite the efforts of Mr Anderson and Mr Vaile to distance themselves and the government from a direct role in this mess, it is clear that the government has had a direct role all along. In fact, Mr Rodney Price, the Chairman of the Interim Advisory Board and the man brought in by the government to fix the Cape Wool problem, told the committee that he was an employee of the Commonwealth and he confirmed that the Commonwealth was a party to the agreement, because he told the committee, ‘They actually own AWRAP.’ Successive ministers have had a personal knowledge of, and on at least one occasion a direct role in, both the terms of the agreement between Cape Wools South Africa and AWRAP and the processes followed in an attempt to settle this matter since 1997.

The committee was also provided with an opinion prepared by Marcus S. Jacobs QC, who stated in part:

There are serious commercial issues—relating to the conversion of AWRAP—one of which may possibly involve Commonwealth liability notwithstanding the provisions of section 61 of the Australian Wool Research and Promotion Organisation Act 1993 and of which Mr Yarra—who was the Director of the Office of Asset Sales and IT Outsourcing—may not have been aware when he gave evidence before the Committee on 2 October, and when he, at p. 65 of the transcript of that evidence, said that he expected that there would be no residual liabilities of the Commonwealth, when the new legislation was in place.

So on the face of it, it appears that, despite claims to the contrary, the Commonwealth might also have an ongoing legal liability in relation to this matter. As has occurred on a number of earlier occasions, the Rural and Regional Affairs and Transport Legislation Committee was asked to recommend to the Senate that a bill be passed without having access to related material such as regulations. Senator Crane referred to the problems faced by the committee because it did not have all the information it required to make an informed judgment about the merits of legislation before it. He said that he hoped all the information could be made available to the committee prior to the legislation passing through the Senate.

Senator Crane—It has been.

Senator O’BRIEN—Senator Crane says it has been, but it hasn’t. Nearly all that material has now been provided, some of it reluctantly. However, some of the material sought by the committee remains outstanding.

During the debate in the committee stage, I will seek an explanation from the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry, Senator Troeth, as to why the government has chosen to withhold some information from the Senate. A number of industry representatives told the
committee that it should recommend that the Senate pass the bill. Senator Forshaw has touched on this matter. Their support to progress the bill was not unqualified. I asked the President of the Wool Council, Mr David Wolfenden, whether the industry wanted the bill passed regardless of the liability that might flow from the dispute with Cape Wools. Mr Wolfenden said:

Hopefully, you would like to knock it off if you thought the liability to wool growers was totally open ended or what ever it might be.

And we are supposed to draw a conclusion from that as to at what point we should draw the line and say that it should not be passed on.

While representatives of the industry told the committee in the public hearings that the bill should be passed, the view put by the industry in the in camera hearings was far less clear. The Senate has taken the very rare step of requiring the publication of the in camera evidence given by industry representatives. In that evidence, Mr Wolfenden told the committee:

But we also believe that the parties to the agreement, and the position of the government in that agreement, in that setting forward of a process, does make them a party to this agreement and they therefore have a liability to this process.

I interpret that to mean that he thinks they should pay some of the bill. Mr Gooch, a member of the Woolgrowers Advisory Group, told the committee:

I don't think there will be unqualified support should the ongoing levy payers be involved in the process of repaying this liability.

I think we have to find some mechanism where the liability should be quarantined to the participants in the original agreement—

that is, Mr Gooch asked the committee to impose an obligation on the government regarding the Cape Wools liability. It is interesting to see the contribution on page 28 of the in camera Hansard of the committee proceedings of Monday, 2 October, where Mr Nicholls said:

The dilemma I have is that the Cape Wools issue has to be resolved. It is going to be resolved whether it is a statutory authority or a privatised company—in other words, whether or not we pass the bill. So the issue is: who is going to pay?

With respect to that decision, quite rightly, wool growers are saying that it should not be future levy payers because it is not consistent with the purposes for which the levy will be raised, so you cannot use that money. David Wolfenden has correctly identified that there are some reserves, there are some assets that can be sold, but until this issue was put in the public arena, wool growers believed that the Woolmark Company was a viable business. They had questions about its robustness. If it were put in private hands and given a commercial focus, they believe there was a possibility of it being a viable business. Decisions by past board members and management have resulted in that being severely compromised. Are you going to pass the poisoned chalice over to class B shareholders? That is the issue. If you do, you will wear the acrimony of those wool growers, those voters, when they find that the boards that governments appointed destroyed their asset and they received no compensation.

These comments are hardly unqualified support for the passage of the bill. This is hardly surprising, given the comments that were made on the public record suggesting that opposition senators who had trouble making such a recommendation should change their position and agree to pass the bill. In other words, these gentlemen were not prepared to say on the record what they really wanted to tell the committee, but the committee felt there was no other option but to publish that for the industry.

As I said at the beginning of my contribution on this second reading debate, we on this side of the chamber have sought details of all costs to growers of the reform—and, as I pointed out, those costs have been substantial—but we have taken the view, in line with the attitude of the government, that they are costs that should be met by the industry. That continues to be our view in relation to the costs flowing from this bill. But it appears to me—and this clearly is the view of the industry—that, in part at least, the costs flowing from the Cape Wools settlement are not legitimate costs associated with the reform process but costs incurred through incompetence: the incompetence of the former AWRAP board and the two senior ministers, Mr Anderson and Mr Vaile. The industry is arguing that the government should be brought to account on this matter, and I am inclined to agree with them.
Senator FERRIS (South Australia) (5.38 p.m.)—It is with a great deal of optimism that I speak on the Wool Services Privatisation Bill 2000. Surely, this legislation will bring to an end the industry uncertainty of the past 10 years and the enormous and unquantifiable damage that has been inflicted on wool growers around Australia and their families. Importantly, this legislation will hand back to growers direct ownership of a new company—Australian Wool Services. This will allow wool growers at last to have ownership of their own organisation delivering services to the wool industry. A strong, market driven and commercially based structure with growers themselves as the shareholders will enable them to at last determine the direction for the industry.

The lack of accountability and transparency that had existed within AWRAP and previous wool grower organisations will at last come to an end. I shall never forget the look of amazement on the faces of the growers that I spoke to in South Australia when I first talked to them about the newly disclosed Cape Wools debt, nor for that matter the look of embarrassment on the faces of the industry leaders and departmental advisers as they tried to justify—quite disgracefully, in my view—a single line in the annual report, which was the first public indication of the financial liability that growers had incurred without their knowledge. In my opinion, that was an absolutely irresponsible position. Perhaps within a day or two this acrimonious situation involving Cape Wools and the previous wool grower organisations, beginning with IWS, will be publicly aired and resolved to the satisfaction of growers.

I remain cautiously optimistic that the new wool promotion body can rid itself of the perception that AWRAP spent far too much time promoting itself and paying executives rather than fulfilling its basic and most important purpose: to promote wool and increase returns to growers. I would also hope that the legislation before us will ease the frustration felt by many growers who are conscious of the fact that, while more than $8 billion has been spent on wool promotion over the last 20-odd years, demand and prices for wool have declined.

During our committee inquiry into this legislation, I argued very strongly that the key to making this privatisation process successful was to ensure that a fundamental cultural change was made within the AWS, the new company. I firmly believe that all positions in AWS should be contestable within the first 12 months of the company’s operation. In doing this, the company will more effectively demonstrate accountability and the discipline necessary to bring about long overdue cultural changes in both management and staff, allowing the AWS to become an industry representative body in the most basic sense. I am aware of the likely redundancy costs that may arise from this process. There is no doubt that too many wool growers have had to pay far too much money and endure a great deal of personal hardship over the years. It does seem a great irony to me that still more dollars may be required, but this company simply has to make a fresh start.

The historic wool grower meeting in Goulburn almost two years ago now—when the no-confidence vote in the AWRAP board took place—was a very clear indication of growers’ anger. I am not sure that that anger does not still exist out in the paddock, but I often wonder to what extent it is understood by the peak wool grower body. That Goulburn meeting was a very important milestone in the process of corporate democracy within the wool grower organisations and the industry itself. I now believe that the passing of this legislation will be yet another significant step in the long and painful process of reforming and strengthening this truly great Australian industry. The pastoral area of South Australia, along with all producers of high micron wools, not only have had to contend with poor management of their industry, which has been quite eloquently discussed in this chamber today, but also have had a series of very poor seasons and now, for many them, a disastrous locust plague. I fervently hope that this legislation will finally remove much of the government interference that has plagued this great industry for so long and that it will be welcomed by growers everywhere as a significant first step in the rebuilding of this great industry.
Senator HARRIS (Queensland) (5.43 p.m.)—I rise this afternoon to indicate, on behalf of Pauline Hanson’s One Nation, that I will be supporting the Wool Services Privatisation Bill 2000. The general intent of the Wool Services Privatisation Bill appears to be directed to the general benefit of the wool growing industry by giving control of the industry back to the growers themselves. While I will not be moving any amendments to the bill, I have some concerns regarding the management of the proposed new organisation. Here again we have the control of another agricultural industry being handed over initially to an unelected board. We are presently hearing many complaints of a similar nature in the meat industry regarding the MLA, hence my concern that this same quango situation not be permitted to be perpetrated on the wool growing industry in this country. The problems arising from the undemocratic situation of ‘taxation without representation’ must not be permitted to be implemented in the wool industry.

All the issues that I raise here today could be very simply discarded purely by vesting the control of Australian Wool Services Ltd directly into the hands of the growers themselves, thus passing full responsibility for the management into the hands of a board directly elected by growers. This, however, does not appear to be the current situation regarding the bill, and I feel that this erroneous decision is neither in the best interests of the growers themselves nor in the true spirit of democracy in this country.

Taking into consideration that the funds being used to finance the new structure for wool growers will be primarily funded by the growers themselves, I question the right of the government to impose such restrictive practices upon the industry. The claim will no doubt be made that the growers themselves indicated in Wool Poll 2000 how they wanted the industry to proceed. While, simplistically, this is correct, when I spoke to individual farmers and asked them more specific questions relating to the implementation of the bill, they showed a lack of knowledge of the finer detail and the consequences that would befall them with the introduction of this new piece of legislation. None were aware of the total lack of control and lack of accountability they, as growers, would have over this board. None were aware of the fact that they, the growers, would not be given the right to directly elect the board; that they, the growers, would not have the right to direct the board in the direction that they, the growers, wanted to go; and that they, the growers, would not be given the right to direct their funds in the areas they wanted them invested in. And so the situation goes on.

Again and again we see this happening in agricultural industries within Australia and the consequential disastrous results of this line of thinking regarding industry within the country. The bill in its present form will perpetuate the economic rationalist destruction presently running rampant over all levels of public and private industry in the country. It is now becoming obvious to all what the end result will be.

I will be requesting further details from the Minister for Agriculture, Fisheries and Forestry on many aspects of the bill about which I have concerns. Some of those are related to the actual conducting of Wool Poll 2000. I will also have some questions regarding the actual structure of the board—the numbers that are envisaged to be on the board of Australian Wool Services Ltd, how many positions the growers themselves will actually hold on the board and what level of scrutiny the growers will have over the awarding of contracts arising from their industry. So, as I have indicated earlier, Pauline Hanson’s One Nation will support the implementation of the Wool Services Privatisation Bill 2000 but will be seeking clarification from the minister on many aspects of the actual function of the board.

Senator CRANE (Western Australia) (5.49 p.m.)—As I only have seven minutes, I am going to have to deal with a lot of these things in one-liners, unfortunately. The first point I will make is that it is a great day for the wool industry, because, at long last—and it is something that I have worked for assiduously since I got into this place in 1990—the day has come when the wool industry will take control of itself and will run its own affairs.
In terms of the Cape Wool decision, all I can say in shorthand to that is that it was a dumb decision, and the decision of the board of AWRA to keep it secret was even dumber. I think that is the best way of putting it and keeping growers in the light. I reject totally the claims made by the Labor Party with regard to Minister Anderson. Minister Anderson did what was required of him under the legislation—legislation which was the brainchild of the Labor Party and brought in, I think, in 1993. They are the facts of the matter.

I just want to deal now with the cost that was talked about by Senator O'Brien. If you want to look for a culprit who nearly drove this industry into oblivion, just look at the Labor Party and what they did to this industry between 1985 and 1990. What did they do? They jacked up the reserve price, taxed wool growers almost into oblivion and then collapsed the price—that is what they did. Remember, Mr Kerin went overseas; what did he say? 'This reserve price is rock solid.' What did he do when he got back to this country? He collapsed it. What did that cost wool growers? You people talk about $20 million; what did that cost wool growers? Two billion dollars of equity was written off, $2 billion of debt—if I remember my figures correctly—and four million bales falsely bought into a stockpile under a price regime that was not sustainable. Who was responsible for that? The Labor Party were responsible for that, and they sent a lot of my best friends broke. So do not come in here and lecture us about price and what occurred, because you got it so badly wrong.

The committee that I have been involved in has worked assiduously since 1990 through a number of things—the Garnaut report, the McLachlan report—to correct this. We are now at a day of reckoning when some of these things will be corrected. So I say through you, Mr Acting Deputy President, when people in glass houses start throwing stones, they want to have a very careful look at their own record. Because it ain’t very smart; it ain’t very good. A lot of people were hurt—hurt to the point of not being able to recover.

I want a say a little more about the freeze of the stockpile. If there was an architect for the freeze of the stockpile, it was me. It was done for a particular purpose. It was done so that the wool industry could have some breathing space to get their house in order. What was a direct result of that first freeze of the stockpile? The price of wool went up very smartly. The election came, the freeze on the stockpile was taken away and the price went down. I do not have the graph here, but I can get it. The day after the freeze was put back in place, the price went up again. Nobody can measure the importance of that in terms of that extra money that went into growers’ pockets because of it. I regret there was a gap in the middle, because some people missed out. But that was unfortunate; that was one of those things that happened in the process of an election. Keeping that freeze in place could not be done during the election. You have to look at these things in a sensible and constructive manner. I reject absolutely and totally that it was not the beginning of the restructure of our great wool industry, and I must declare an interest in the industry—I have been in it for 50 years now. The freezing of the stockpile was the beginning of the commercialisation. Where is the stockpile today? We have had a significant payout. It is a non-issue. It never gets mentioned because the little games that were being played by the people who were running it then on non-commercial lines were costing growers many dollars.

I have had access to information—and I think I tabled some of it in this place previously—that they were not always selling to the highest bidder. That was what was happening. That is why we had to freeze the stockpile. That is why we had to reform this industry. This is part of the process. It was begun by the growers. It was begun by the growers with the sacking of the AWRA board because of faulty legislation introduced by the previous government. Some of them drove 1,500 miles across the country to sack that board. Why did they have to do that? Because the process of getting rid of the board did not allow for a proper proxy structure so they could do it in the way you could with a corporations company. I am sorry that I am a bit emotional here today,
but I have heard some of the nonsense coming from the other side about their performance in the wool industry. They throw these accusations around the place, but they have done nothing to hold their heads up high about; in fact, they should hang their heads a little.

We are still paying the price for the fact that that stockpile was allowed to run out of control by the previous administration in this country. It is something I believe we can now recover from. We are in the process of recovering from it. I only have to look at my own returns this year now we are getting some stability back into the industry. My heart bleeds for so many of those wool growers who should never have been forced out of the business by the bad policy—the terrible policy—that existed at that time.

I want to acknowledge the reporting process and the work that the committee has done. There is nobody on that side, on this side or on the Democrat benches who can claim the credit in isolation from anyone else. You only have to read the Hansard. You only have to read the questions that I have asked about the secret and disgraceful evidence, if you can call it that, that was put to us when a group of industry people gave two positions to the committee. I said you cannot have your cake and eat it. Do you remember that? In the last paragraph I said:

It is useful having the information as long as you people understand that and do not come out and belt us tomorrow for not taking action yesterday.

They gave us information we could not use in our report. The moment has passed for the use of that evidence. In due course, what Cape Wools and what AWAP—or, more correctly, Mr Price and Mr Sherlock—put on the record will be released, if I can read the views of the committee. I am absolutely certain that will be done. We decided the other day in our discussions that we would not release it at this time because it may jeopardise the finalisation of the deal between Cape Wools and AWAP.

Finally, government senators voted in our committee structure for the process to go ahead. Time will tell but, if the wool services legislation had been passed quicker and had been dealt with before the deal was made, we could have had a situation whereby the valuation of the new AWAP, the wool services company under corporations legislation, would have been lower than it was under the existing AWAP. Therefore, between seven per cent and eight per cent of a lower figure is a smaller slice of the cake. I suspect at the end of the day that, because that legislation was not passed earlier, it could well cost the wool growers another couple of million dollars. Having said that, I think on balance that what has been done over the last two years or thereabouts will put the wool industry on a much firmer footing. I do not want to hear any more nonsense—I will be disappointed to hear any more—comparing the cost of this government to the wool industry with that of the previous administration and the billions of dollars that went down the drain between 1985 and 1990.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (5.58 p.m.)—The purpose and the operation of this Wool Services Privatisation Bill 2000 have been thoroughly canvassed in the House and here in the Senate. I do not intend to go into detail on these matters other than to say that the conversion of the Australian Wool Research and Promotion Organisation—known as AWAP—and its subsidiary, the Woolmark Company, to Corporations Law arrangements does give wool growers ownership over the organisation which delivers their industry’s services. The government’s role will be significantly reduced to overseeing the statutory funding mechanism and ensuring accountability for the funds provided to the new companies. That is what wool growers have been calling for. Passage of the bill will allow it to proceed. I propose to deal briefly with some matters and then move to those questions that have been asked, which I will endeavour to deal with in my speech during the second reading stage and in the committee stage. If I have not got up to dealing with any of those matters or there are further questions, I will endeavour to deal with them then. The minister has already responded to the issues raised in the Senate Rural and Regional Af-
fairs and Transport Committee’s report during the debate in the House of Representatives. I think the minister has made it very clear that none of the proposed amendments to the bill are necessary. The statutory funding agreement prohibits the new company from funding agripolitical activity. The shareholder eligibility regulations make it clear that no-one can be forced to receive shares against their will, and the government has instituted a review into the coverage of the wool levy to include non-shorn wool. I do not intend to go over that ground again, but I am happy to answer specific questions on the report’s findings.

The opposition have made it clear that they will not support the bill until flesh has been put on what they describe as its bones. This flesh has now been provided to the Senate committee in draft form by way of the constitutions for Australian Wool Services Ltd and its subsidiaries, Australian Wool Innovation Ltd and the Woolmark Company. The statutory funding agreement, referred to as the contract in the bill, provides the details of accountability and reporting requirements to be placed on the new company for it to receive the wool levy. The Senate committee has been provided with the key regulations flowing from the bill, which set out the eligibility requirements for shareholding under the new arrangements. They provide for the new levy to replace the existing wool tax. They set the rules for polls to determine the future rate of wool levy, and they determine the formula for calculating the Commonwealth’s matching contribution for eligible research and development projects.

As the Minister for Agriculture, Fisheries and Forestry advised on 1 November, the legal position of the Commonwealth in relation to the Cape Wolfs liability is clear. The Commonwealth will transfer the liability to the new company so as to ensure that the interests of all parties are not altered as a result. Importantly, under the AWRAP Act, Cape Wolfs would not be able to access AWRAP assets within the Wool Research and Development Fund. The conversion arrangements continue to take this into account. The Cape Wolfs liability exists now as a liability of AWRAP. If it is privatised, it continues as a liability of Australian Wool Services. The liability is manageable and the industry is quite clear that it should not delay the privatisation. The liability is no greater than 8.3 per cent of the value of some intellectual property that AWRAP fully owns, and it is the value of this intellectual property that is in dispute.

The management of AWRAP’s liabilities will ultimately be a commercial matter for the new company structure to address. I understand that negotiations are proceeding well with Cape Wolfs, and the government has every confidence that Mr Tony Sherlock, the AWRAP chairman, and Mr Rodney Price, the chairman designate of the new company, will conclude the negotiations with the South Africans on a reasonable and satisfactory basis. I would simply say that the parliament should respect the wool growers’ publicly stated wish that this matter be left in the capable hands of Mr Price and Mr Sherlock. Progress continues on the establishment of the dual-class shareholder register. As of this week, around 35,000 wool growers have applied for shares in the new company. That is a very encouraging result, and it sends a clear message that wool growers are strongly supportive of these arrangements.

In relation to the boards of the new companies, Mr Rodney Price has been appointed chairman of the inaugural board, and the minister expects to have discussions shortly with the IAB on the final nomination of board members. Appointments to the inaugural boards will be made in consultation with the Wool Growers Advisory Group. After the establishment of the new companies, board appointments will of course be made under Corporations Law procedures and accountable to the companies’ shareholders. The IAB and the Wool Growers Advisory Group continue to work tirelessly in developing the new arrangements. Once again, I pass on the government’s thanks for their efforts to date. The spirit in which this whole process has been undertaken is a testimony to how industry and government, as well as public and private sectors, can work.
The momentum to meet the 1 January 2001 target for the establishment of the new arrangements continues to build. Passage of this legislation now will make that objective all the more achievable. Further delays will put pressure on the range of activities which are currently running parallel but are ultimately subject to passage of this bill as they approach resolution in the lead-up to the first day of private sector provision of wool industry services. Over three-quarters of Australian wool growers have now registered interest in the new company. If we delay passage of the bill, it has the effect of preventing wool growers from receiving shares in their new company—something that they have been calling for for some time now.

I will now deal with some of the questions that have been raised in speeches during the second reading debate and, as I said, if there is anything I do not have time to cover or if there are further questions, I am sure we will be able to deal with those in committee. Firstly, Senator Harris remarked on what he considered the undemocratic nature of the appointment of the board. As with other agricultural industries, that board will be elected after the first annual general meeting of the new company. But I must say to you that, in my experience of dealing with this and other agricultural industries, you may find that growers do not necessarily want what you would call a representative board. They want a board that has a wide base of skills, and that is something that any truly competitive private sector commercial board needs in this day and age. We need another much wider aspect of business experience, commercial dealing, intellectual property aspects and other aspects of board experience brought into this. I imagine that that is what wool growers will be looking at when they move to elect a board.

Senator Woodley also had some questions, firstly, regarding the provision for those growers who feel that they have been disadvantaged because of their experience with ovine Johne’s disease. This matter, Senator Woodley, has been raised with the Interim Advisory Board, and it has already undergone to consider this matter compassionately. The constitution of the new company enables the board to consider such exceptional circumstances and, with that particular aspect of the sheep industry at the moment, I imagine that it would move to do so.

Senator O’Brien also made a couple of comments which I would like to deal with. For instance, he referred to the fact that the Cape Wools business was a cost of conversion. The Cape Wools liability existed irrespective of the conversion. As I think even you pointed out, it was a line item in an annual report, regardless whether anybody actually took it up. So it was a matter that existed whether or not we then moved to conversion. Therefore, it cannot be considered a cost of conversion. I should also tell you that Mr Sutton was not appointed to the board of AWRA— you referred to Mr Paul Sutton—until after the minister agreed to the conversion of the IWS to AWRA, at which time he was the departmental adviser. Therefore, he had no conflict of interest, as was implied by you. I would like to point that out.

I will now deal with some of the other questions. I think Senator Sandy Macdonald made a point regarding the wool grower response to wool share. I have already indicated the number of applications that have been made. In relation to the supply of documents identified in the Senate committee inquiry, regarding the offer by Mr Price to forward a statement of accounts ending September 2000 to the committee, I am not aware of this matter but I can ask the department to follow it up. Again, if Mr Sherlock has promised a summary of matters relating to AWRA and Cape Wools, then we will also follow that up through the department. Some other questions may come up in committee as well. I might leave it there for the moment. I am sure that, as you suggested in your earlier remarks, we will be dealing with some of these other matters at a later stage. I commend the bill to the Senate and I thank honourable senators for their comments.

Question resolved in the affirmative.

Bill read a second time.
In Committee

The bill.

Senator O'BRIEN (Tasmania) (6.11 p.m.)—In relation to the last comment of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry in her second reading debate contribution that if there were any matters outstanding that were promised by Cape Wools the department would follow them up, I am advised that the secretariat of the Senate committee has been pursuing a range of documents for some time without response. I am not sure where the problem is, but I intend to go to those documents and deal with them individually. Indeed, there is a schedule of questions on notice—some of which have been answered but, as I understand it, a great many of which have not. One issue I think we should get to straightaway is that of the chronology initially provided to the committee by AWRAP and the request after its supply that part of it be made confidential. That deals with the early period of 1998. In that period, there were matters that, in my view, should be on the public record and which have a relationship to the existence of obligations to Cape Wools.

I know the department are very well aware of the passage I am referring to. I can assist, if they need assistance, with the page references from the original document. From the bottom of page 4 to two-thirds of the way down page 5, as I understand it, was excised from the original document. However, in my view, those matters ought be on the public record and are only concealed from public view because, as I understand it from Mr Sherlock, the government wishes it be so. There is no commercial reason for the restriction of that information at this stage. I take issue with the way the parliamentary secretary categorised the reporting of the Cape Wools liability. I did point to the evidence the committee took about how no-one was aware of the issue because of the way it was reported. In this case, the document supplied with regard to the AWREP and Cape Wools chronology has a passage excised from it that is not excised for any other reason than, I suspect, that the government finds it embarrassing. I want to hear from the parliamentary secretary as to why that passage should remain hidden from public view or, indeed, if there is some technical reason why the passage cannot be revealed, why the information contained within it cannot be dealt with separately. So I pose that question to the parliamentary secretary at this stage.

Another question I would pose to the parliamentary secretary is: can the committee be advised of the up-to-date legal and financial costs of the attempts to resolve—but perhaps it is resolved at this stage; we are not aware of this—the AWREP-Cape Wools issue? I know that there has been an extensive series of advice sought, valuations sought, legal advice taken, travel costs incurred and other associated costs. I am sure—consultancies and the like. I would expect that, at this stage, the government would be aware of how much that problem has cost from the point when Cape Wools said that they wanted to negotiate a deed of agreement and subsequently entered into negotiations to obtain a settlement to reflect their value in the company following their withdrawal. I would ask the parliamentary secretary to advise the committee what that cost has been to date.

A number of other documents have been sought. For example, the committee asked for a letter from PricewaterhouseCoopers Legal, which PricewaterhouseCoopers Legal advised the committee that their client consented to the Senate committee viewing. My understanding is that the government advised AWREP not to supply that to the committee. I seek the supply of that document and its tabling in the Senate at this time. There is also a letter dated 16 June to the minister from the chairman seeking approval for IWS International to assume the assets, liabilities and operations of IWS. As I understand it, that has not been supplied. I ask that a copy be supplied to the committee. There was a reference made to the chairman receiving in January 1999 a paper entitled ‘South Africa exit arrangements: trademark evaluation dispute’ and another paper dated February 1999 entitled ‘South Africa exit arrangements: evaluation of trademarks notice dispute’. I ask the government to supply those to the
The parliamentary secretary may wish to deal with those questions initially.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (6.19 p.m.)—The passage Senator O’Brien referred to was actually excised at the request of AWRAP because of commercial considerations. The minister certainly had nothing to do with that; that was done at their request. The cost of the Cape Wool deliberations is not available at this time. Obviously, negotiations are still going on as we speak, and it is not possible to provide the cost of those at the moment. With regard to the exit arrangements, if Mr Sherlock and Mr Price have offered to provide those items I can offer to follow this up. But, as I said, we understand that those negotiations are proceeding well, and we are assuming that Mr Sherlock and Mr Price will reach a satisfactory and reasonable conclusion.

Senator O’BRIEN (Tasmania) (6.20 p.m.)—The parliamentary secretary ended with a reference to the negotiations proceeding well, and we all hope that is the case. One of the difficulties we have in dealing with this legislation now is that some people might say that everything we say in the committee stage may have a bearing on those negotiations. That is one of the reasons we thought, having been given certain understandings about the way negotiations were proceeding, that it was better to deal with this matter as late as possible. Whether we have been misled as to the possibilities of a resolution of the matter, time will tell. Whether we have been misled as to the nature of the negotiations and the possibility of an outcome in a financial range we have been advised of by Mr Sherlock, time will tell.

The parliamentary secretary did not address the question of the supply of certain documents. Mr Sherlock has told me that they are being withheld because the government wants them withheld, not because AWRAP wants them withheld. So, while I am on my feet, I will ask a specific question: is the parliamentary secretary prepared to supply to the committee correspondence to Minister Anderson from the AWRAP chair-

man or other officers of AWRAP between 1 January 1998 and 1 April 1998?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (6.22 p.m.)—Senator O’Brien earlier referred to a 16 June 1997 letter, which was correspondence between Minister Anderson and AWRAP. We have already advised that that ministerial correspondence will not be released. Minister Truss has already tabled the advice from the Australian Government Solicitor. That advice makes it clear that the minister’s approval was valid and the fact that the quantum of what has become the contingent liability was unknown at the time was irrelevant.

Senator O’BRIEN (Tasmania) (6.23 p.m.)—This process goes on and on. We come from a situation where the wool industry were denied information—or perhaps it is best put that they were given information which was designed to lead them to a view that there was no problem with the Cape Wools issue. In fact, we now know there was a significant problem, and we have material on the record which shows the involvement of Minister Anderson and Minister Vaile in the matter. The questions that I just asked and the response that I have just received from the parliamentary secretary indicate that the government are intent on maintaining this cover-up and on preventing Australian wool growers from knowing just what Minister Anderson and Minister Vaile knew and what their actions were in the context of that knowledge. It just is not good enough. The fact is that people will be drawing the conclusion from the answers that the parliamentary secretary is supplying that the government are intent on maintaining this cover-up because they have got something to hide. I ask the question: did Mr Anderson at any stage become aware of information which would have allowed him to obviate the problem with Cape Wools in any way?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (6.25 p.m.)—I can understand the willingness of the opposition to go down every single rabbit hole on this, but the fact is that the liability has ex-
isted. As I have indicated in my second reading speech remarks, if the privatisation goes ahead it will cease being a liability for AWRAP and it will then become a liability for Australian Wool Services. As much as I appreciate the desire of the opposition to know the dotting of the i’s and the crossing of the t’s, the fact is that this debate has now moved on. While I appreciate your desire to know more of the background, the fact is that some of this must remain commercial-in-confidence, as has happened in the past. What we need to do now is just get on with it, accept that negotiations are proceeding in good faith on a reasonable and satisfactory basis and that we would have every reason to expect a satisfactory conclusion. The liability will move on to become part of the new company, if that is what goes ahead, and that is the reason why we must then move on to incorporate the rest of the arrangements in the much bigger picture of setting up the new wool company.

Senator HARRIS (Queensland) (6.27 p.m.)—I seek some clarification from Senator Troeth in regard to the Wool Poll 2000. Can the parliamentary secretary advise the committee of the number of ballot papers sent out to the growers, the number of ballot papers returned and the actual result of those returned ballot papers?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (6.27 p.m.)—I can inform Senator Harris that over 22,000 voting papers were received back for Wool Poll 2000, representing a majority of the Australian wool clip; and 85 per cent of voters supported a compulsory wool levy. The result was very clear, showing that on the basis of the optional preferential votes more than 61 per cent of votes supported the two per cent service model. The next most preferred model was the three per cent service model.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (6.27 p.m.)—I seek some clarification from Senator Harris in regard to the Wool Poll 2000. Can the parliamentary secretary advise the committee of the number of ballot papers sent out to the growers, the number of ballot papers returned and the actual result of those returned ballot papers?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (6.29 p.m.)—I will clarify my question to Senator Troeth. I was not questioning whether the representatives from MLA were supportive of it. The point that I was making was that the meat industry represents 20 per cent of the producers in the wool industry.

Sitting suspended from 6.30 p.m. to 7.30 p.m.

Senator HARRIS—Prior to the suspension of the sitting for dinner I was seeking, through the chair, clarification from Senator Troeth on the likely structure of the proposed board. I indicated my understanding that the current board of the meat industry—that is, the MLA—comprises approximately 20 per cent of the growers that are involved in the industry and, at present, they hold a substantial representation on the board; whereas the wool growers, who make up 80 per cent of the industry, have a far lower representation on their board. My question to Senator Troeth prior to the dinner break was: how is the government going to ensure that there will be a more equitable representation of those who are represented in the industry through the entities the government intends to bring into place? It is the government’s intention that AWRAP will be replaced by a company known as HoldCo and that company will trade as Australian Wool Services Ltd. Sitting underneath that structure of a holding company it is proposed that there will be two subsidiaries—one entity being CommercialCo and the second entity being R&D FundingCo. My question to Senator Troeth is this: in the government’s proposal to set up these entities, how does it see the actual members who make up the industry having a
more equitable representation on the boards of those companies?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (7.33 p.m.)—My reply to Senator Harris is that the board of Australian Wool Services will be the same as any other board. There will be some representation of wool growers on it. On any commercial board we also need, as I remarked earlier, a range of skills which may or may not come from wool growers but which would certainly come from business, marketing and other aspects of the business that AWS will carry on. Ultimately it will be left to the shareholders to decide what should be the mix on that board. If they want a greater or a lesser representation of wool growers, that is what they will do. That is how it will work out in the long run. Any board these days—and I think I gave the example of the new horticulture board, which I will be announcing shortly—has a mixture of business skills designed to enhance the business profitability of the new company. Australian Wool Services will be no different.

Senator O'BRIEN (Tasmania) (7.35 p.m.)—The parliamentary secretary indicated that the ongoing costs of the legal and financial advice necessary for the progressing of the Cape Wools issue have not been totalled. Is there a running total to date, or a recent total that the committee can be advised of? Have any estimates been made as to what the total costs of the exercise are likely to be, given the costs that are already known and, as I understand it, the hope that the matter will be resolved shortly?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (7.35 p.m.)—No, there is no ongoing estimation of costs that have been accrued—or not that the government is aware of. This is a matter for AWRAP. There will be a total in due course and that will be taken into account, presumably, when the authority for the new company passes to AWS.

Senator O'BRIEN (Tasmania) (7.36 p.m.)—The issue is that these form part of the costs which will have to be borne by the new company. Given some of the concerns expressed by the opposition—and I understand by Senator Woodley—about the financial state of the new company following privatisation, it would be useful if the minister would at least undertake to obtain from AWRAP the details of the costs and advise the committee. I noted that the parliamentary secretary did not answer a question I asked before the dinner break. I asked whether the then minister, Mr Anderson, was provided with any information in the first three months of 1998 which would have enabled him to make decisions or give directions which could have obviated the Cape Wools problem.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (7.37 p.m.)—The answer to the last part of the question is no, because it was part of the ongoing business of the board. That probably applies to the first part of the question as well—that all of that was part of the ongoing business of the board.

Senator O'BRIEN (Tasmania) (7.37 p.m.)—Isn't it the case that under the act Mr Anderson had the power to direct the board in relation to its activities. My question goes to the issue of whether he was aware of anything—any decision making process by the board—on which he could give them a direction where his direction could have avoided the Cape Wools problem. I think you should be very careful in answering this, Parliamentary Secretary.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (7.38 p.m.)—I advise Senator O'Brien that those powers of a minister to direct a board are reserve powers, and they are used only in the most exceptional circumstances, such as in the national interest, which we spent some time defining last week. Because this was a commercial matter and in the province of matters to be dealt with by the AWRAP board, no, the minister did not use his power to direct the board.

Senator O'BRIEN (Tasmania) (7.39 p.m.)—I take it then that the minister was aware of information which was critical at that time to the problem which has arisen
and the exercise by Cape Wools to seek to recover moneys for its interest in AWRAP. Is that correct?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (7.40 p.m.)—I think Senator O'Brien attaches undue importance to the Cape Wools issue in the sense that that was the only matter that the board was dealing with. It was a matter that was part of a range of issues which the AWRAP board was dealing with, and that is the context in which the minister would have regarded it. As I said in my earlier answer, it was a matter for the board to deal with.

Senator O'BRIEN (Tasmania) (7.40 p.m.)—Whilst it is no doubt correct that it was a matter for the board, did the minister receive any advice in relation to activities pertaining to Cape Wools—given that we are talking about an issue which has become a problem of some potential financial magnitude for the new privatised company. I suspect, given the answers given earlier, that we are talking about the history of a problem which will cause part of this company's assets to have to be liquidated to meet claims for Cape Wools's equity in the old company.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (7.41 p.m.)—At the risk of repeating myself, I think Senator O'Brien is perhaps imagining that this is the pre-eminent or the only issue which the AWRAP board dealt with. It was one of a range of issues. It is an ongoing matter which is in the process of resolution as we speak. As I said in my opening remarks, it is no greater than 8.3 per cent of the value of some intellectual property that AWRAP fully owns. It is no more than that; it is no less than that. That is the issue with which Mr Sherlock and Mr Price are dealing at the moment in their negotiations, and it is part of the business of handing over management of that part of the wool industry from AWRAP to AWS.

Senator O'BRIEN (Tasmania) (7.42 p.m.)—It makes one wonder why these questions cannot be answered, given the notoriety of the Cape Wools issue and the fact that there has been a great deal of criticism of the fact that this liability was not known to wool growers and was not known to members of the Senate committee, including government members of the Senate committee, until this matter was raised by the opposition. I am reluctant to start throwing numbers around in this chamber. The parliamentary secretary is suggesting that it is only 8.3 per cent of the value of the company or something of that nature.

Senator Troeth—It's the value of some intellectual property.

Senator O'BRIEN—I think you probably need to check that out, Parliamentary Secretary. We are talking about numbers which have been bandied around which we all know are not insignificant. One should not mislead wool growers or the Australian public as to the magnitude of this problem and suggest that it is not significant. It is. I do not think that any of the evidence that the committee received from Mr Price or Mr Sherlock indicated that the problem was insignificant. We have received evidence in camera that the parliamentary secretary is aware of but that I cannot mention, but one wonders why, when I have couched the questions in the way that I have, the parliamentary secretary persists in this cover-up of the role of the minister.

I have asked questions about what advice Minister Anderson received, what information he had. We have had some of the most convoluted answers, which, frankly, can only be read as being designed to obscure the facts of this matter. If that is the intent, you are doing very well, Parliamentary Secretary, and I suppose I can compliment you in that regard, but you are not doing very well in the sense of giving some certainty, some assurance to wool growers that in fact these proceedings are not covering up something that they should be aware of—and, frankly, that I believe they are entitled to be aware of—as to what information the minister had at a critical time in the Cape Wools saga, and what advice he had—indeed, whether he had any advice.

Senator FORSHAW (New South Wales) (7.45 p.m.)—I will just add a comment for the benefit of the parliamentary secretary, and I am sure Senator Woodley will recall
this, as Senator O’Brien does as well. The point that Senator O’Brien has just made is well made, because during the hearing we started off in the position where essentially this matter was really not known to members of the committee. It sort of came to light by virtue of the fact that evidence was given to us but also by virtue of the fact that it was drawn to our attention that there was only one line, one single line, in the annual report of AWRAP about this issue. That was certainly not a line that, when you read it, elucidated the issue. If anything, it was written in a way which probably led you to ignore it.

Further, during the proceedings of the committee I requested from the department and from AWRAP a chronology of events surrounding this issue, and we were provided with a chronology. That chronology is an appendix in the report of the Senate committee. It was interesting, firstly, to see what was not included in the chronology and, secondly—without going into the detail because this occurred during the in camera proceedings, when we took evidence from Cape Wools—because we were updated by virtue of an amended chronology being presented. It was quite interesting to members of the committee to find that gaps—extensive gaps—in that chronology had been filled in, covering what had happened. It was of concern to me and I think to all members of the committee—government, opposition and Democrat—that we were not being provided with the full information that we requested and that should have been given to us from the outset. It seems to me that that approach is still being followed now.

Our position is that we want to see this go through; we want to see these new companies operate, and operate successfully, for the benefit of the wool industry. This is a process that the Labor Party have supported for some time in terms of restructuring agricultural industries, particularly the wool industry. But we are also very conscious of the concerns raised with us by industry representatives, both on the record in the proceedings and privately, that they do not want to start off with new companies that have problems from the outset arising out of this. We hope that does not occur. But the process would be assisted greatly if the government could answer the questions that have been raised by Senator O’Brien particularly, because not answering those questions, not providing the information, only leads people to think that there is a cover-up or that the government is engaging in trying to starve the opposition, and therefore ultimately the industry, of relevant information about the industry’s future.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (7.49 p.m.)—I think that both Senator O’Brien and Senator Forshaw are trying to have it both ways. They have said to me, and Senator Crane indicated earlier in his speech, that the Cape Wools’ liability was a one-line entry in the annual report. Judging by the assiduity with which opposition senators usually read annual reports, I would have thought that that is something that would have been picked up at an earlier stage.

Senator Forshaw—A 300-page report!

Senator TROETH—I have been in opposition, too, Senator Forshaw. The annual report is one of the primary reporting vehicles—even more so these days—on which opposition senators can base information seeking activities. In addition, on your own admission you have been provided with more of the chronology. It is you who are giving this issue notoriety, as you so aptly term it. I have endeavoured, through my remarks in the chamber, to set this issue in context. It is something that has been operational in the past and that the minister judged, I presume, would be dealt with by the AWRAP board because it was part of their normal range of activities. They are dealing with it now, as we speak, and when it is resolved it will be passed over to the board of the new company to deal with.

I do not know why you have this fixation on this single issue. I am not trying to portray it as insignificant. Obviously, if the country and our wool industry stood to lose from having part of a trademark owned by wool operators in another country, we would want to get that back under our own umbrella, and that is what we are trying to do. We are trying to look at the assets and operations of one company and transfer them to
another company to give wool growers ownership over their own industry and let them run their affairs from now on. We should look at this in context rather than inflate this single issue to a degree where it overshadows the rest of the debate we should be having here tonight.

Senator O’BRIEN (Tasmania) (7.52 p.m.)—I thank the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry for that comment. I really cannot call it an answer, because we have not had one yet to a number of questions which have been asked. Frankly, I say to the parliamentary secretary that I do not have a fixation about the issue; I have a fixation about getting some answers. Then, quite happily, we will move on. The problem that we have is that I have asked a number of questions but we have been taken around the mulberry bush in terms of avoiding the answers to those questions. Let me pick up on a comment that you made: “This is a matter for the board.” I am interested to receive the parliamentary secretary’s comments on the period when there was not a board, when Minister Vaile took over and left the company without a board for a period of months. Whose responsibility was it then? Was it Minister Vaile’s or was it the responsibility of a board that did not exist? Perhaps the parliamentary secretary can let us know whose responsibility it was then.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (7.53 p.m.)—As has already been indicated in earlier comments, the AWRAP board was dismissed on 30 November 1998. The act provides that, once the board is dismissed following a successful no-confidence motion, the minister has one month to appoint a new chairman—and that is in fact what transpired. The minister is then required to appoint further directors as soon as is practicable. I remember quite clearly that this is what happened. Mr Tony Sherlock was appointed chairman within the required time frame, and he was followed later by the other directors. So there was no period of time when there was no board.

Senator WOODLEY (Queensland) (7.54 p.m.)—I want to go to another matter, although I am very interested in this debate. Certainly, the Democrats believe that this is an absolutely critical issue, so any answers the parliamentary secretary can supply would be very helpful. I want to ask some questions about an entirely different matter. I have here a letter from the National Council of Wool Selling Brokers. They have a bit of a gripe with the government and, more particularly, with the new interim advisory board of Australian Wool Services. They are bound to supply a lot of information to their grower clients, providing information on the wool tax that is required for the formation of Australian Wool Services. Apparently, when they provided such information previously they received some remuneration for it. But on this occasion they have been told very clearly that there will not be any remuneration for the information that they supply. I am asking whether or not the government is aware of this problem and whether it has any advice for the National Council of Wool Selling Brokers that it would be useful to put on the record.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (7.56 p.m.)—I am advised that wool growers are responsible for forwarding the information. What you are speaking about, Senator Woodley, is a matter of a commercial relationship between brokers and clients. As you would be well aware, brokers perform many other services as well as arranging for the sale of wool, and this is included in their normal range of commercial services to their clients.

Senator HARRIS (Queensland) (7.56 p.m.)—I would like to return to the issues I initially raised with Senator Troeth—that is, issues relating to the poll. Can Senator Troeth inform the committee at what point the shareholders of AWARP—that is, the growers—decided to hand over the control and the management of AWARP to the new entity of HoldCo—which, as Senator Troeth has indicated, will trade as Australian Wool Services Ltd—and where this information is recorded.
Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (7.58 p.m.)—Senator Harris may recall that the original direction in which this process would start was indicated in the McLachlan report and that in the Wool Poll, which was taken in March 2000, 85 per cent of wool growers indicated that they would support the direction that the new arrangements were taking. The government took that as an indicative result of support for the new arrangements. The result of that poll is presumably recorded in departmental archives.

Senator HARRIS (Queensland) (7.59 p.m.)—From the senator’s answer, it is very clear to me that in the records of AWAP, the statutory body, we would not find any resolution from the shareholders of that entity that would show a majority resolution in favour of bringing into existence these new entities.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (7.59 p.m.)—Senator Harris, in my view, that is a different issue. The government decided to take the view of wool growers across the country, through their levy paying facility, to register for that vote which I just spoke about. So the result of that poll, which I have just indicated, is the basis for the government taking the view that 85 per cent of wool growers supported the movement to the new company.

Senator FORSHAW (New South Wales) (8.00 p.m.)—I have a question in regard to another matter. I draw the parliamentary secretary’s attention to clause 30(1) in division 7 of the bill, which provides for the minister to declare in writing—

... a body to be the research body for the purposes of this Division.

Then it goes on:

(2) The Minister must not declare a body to be the research body unless the body is registered as a company under the Corporations Law of the Australian Capital Territory.

(3) A declaration under this section is a disallowable instrument for the purposes of section 46A of the Acts Interpretation Act 1901.

There is a note there also which says that:

... the Acts Interpretation Act 1901 provides for repeal, variation etc. of instruments.

Keeping that in mind, I refer you to clause 6.1 and 6.2 of the statutory funding agreement. This is the draft which was provided to the committee last week. It states in clause 6.1:

Subject to clause 6.2, the Commonwealth may, by giving written notice to the company, immediately:

(a)—

and (a) is the one I am interested in, but there are a number of powers there—

suspend or terminate payment of any or all of the funds …

I should also refer to (c) which states:

(c) terminate this agreement.

Clause 6.2 states:

The Commonwealth shall not issue a notice under clause 6.1 for a ground stated in 6.1(g) or (h) unless the Commonwealth has first:

(a) given the company six months notice of its intention to issue a notice under clause 6.1 ...

I apologise: I should have drawn the parliamentary secretary’s attention to subclauses (g) and (h), which effectively provide for the declaration of the company as the research body to be revoked. Under the act, any such declaration that the company is to be the research body, or any such declaration to revoke that, as I understand it, would be a declaration that would be a disallowable instrument and, therefore, would need to go through the normal processes of tabling. The provision provides for an instrument to be declared disallowable according to the relevant time, which is 15 sitting days after notice is given in the Senate, but 6.2, in conjunction with 6.1, says that the Commonwealth has to give six months notice of making such a declaration, such as to revoke the declaration that the company is a research body. Would you explain how those two sections will operate? In at least one scenario we can foresee a position where the requirements for disallowable instruments would be substantially less than the period required for six months notice.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agri-
culture, Fisheries and Forestry) (8.04 p.m.)—It is resolved by the way that these are two different issues with appropriately different time frames, and the time frames are different because the declaration relates to the minister enabling the funds to go to the research body, whereas clause 6 of the statutory funding agreement enables the minister to cease the flow of levy funds to the company. The Commonwealth has agreed, in negotiations with the company, that six months is a reasonable time frame for the company to get its affairs in order.

Senator FORSHAW (New South Wales) (8.05 p.m.)—I am not sure I follow that. Maybe I am misreading the section, but I understood that section 30(1), as it states, is the section which says that the minister has the power to declare a body to be the research body. What happens if he declares the company to be the research body? As I read the note to that section, the Acts Interpretation Act provides for such a declaration to be repealed. There certainly is power with the minister to revoke such a declaration. There are reasons why he or she may decide to do that, one of which could be, as is said there, insolvency. Another could be a breach of its obligations under the act. Another is that the Commonwealth considers that it is appropriate to revoke that declaration or to amend that declaration because the company, being a private company, changes its articles of association or constitution in a way that maybe the government does not like.

As I read it, 6.1 says that, before the minister can implement such a decision to revoke the declaration of the research body or to suspend or terminate payments, he has to give six months notice, but under section 30 that declaration would be a disallowable instrument. If he made the declaration and time begins to run, once it is tabled in the Senate the 15 days could well expire before the six months notice period has expired. That is the difference between the two.

Senator FORSHAW (New South Wales) (8.09 p.m.)—Frankly, Parliamentary Secretary, I think one of us is talking about cheese and the other is talking about chalk here, or wool and cotton. You have mentioned on a couple of occasion the suspension or termination of funds. I have specifically drawn attention to the provision in 6.1 that says:

Subject to clause 6.2, the Commonwealth may, by giving written notice to the Company, immediately...

Then it says:

(a) suspend or terminate the payment ...
(b) reduce the amount of the payment ...
(c) terminate this Agreement;

and then you go down to—

(g) the declaration of the Company under the Act as the research body is revoked ...

Can I put it another way; with the minister’s power to revoke the declaration that the company will be the research body, does he or she have to give six months notice to the company before the revocation of that declaration comes into effect? That is the first question. Secondly, is that a disallowable instrument—that is, a declaration that the company’s appointment as the research body has been revoked?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.08 p.m.)—These are still two different issues and I will refer you back again, Senator Forshaw, to the horticulture legislation that we put through last week, in which the minister also had to declare the research body as a research body. I think during that discussion that we had it was noted that, if the research body—and this applies to this legislation as well—either exceeded its charter or acted improperly in a way that the government did not agree with, or devoted the research funds to something which was way beyond what it was supposed to do, the minister has the power for that to be a disallowable instrument in the parliament; whereas, with the levy funds flowing to the body, this is an ongoing matter. There are research funds flowing through all the time and the company is a commercial company, therefore it would need the six months to put its affairs in order and do whatever it needed to do to take account of the levy funds drying up. That is the difference between the two.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agri-
culture, Fisheries and Forestry) (8.12 p.m.)—I am sorry to say to Senator Forshaw that I still do not see any inconsistency between the two issues that he is talking about. The minister has the power to declare the research body and he also has the power to undeclare the research body as a research body through the disallowable instrument. But to suspend the levy payments, clause 6.2 allows the company six months notice that the levy would cease to flow. That is what I said before and I cannot think of any other way to explain it any more clearly.

Senator FORSHAW (New South Wales) (8.13 p.m.)—If the minister decides to terminate the agreement and revoke the declaration of the company as a research body—this is the example I am putting to you—and he does that from, say, 1 June, then that is tabbed, I would understand, as a disallowable instrument. If that time then begins to run, it becomes effective after 15 sitting days. The first point I am raising is: how can he give six months notice under 6.1 of the agreement if the time period for an instrument to become effective if it is not disallowed is 15 sitting days? I can think of one way in which it could happen: if he gave the notice first and then waited six months or five months and then tabbed the instrument. That is the query I have.

The second point I wish to make is as follows. If you then go to 7.1 of the agreement, under that section it says:

Subject to clause 7.3, if any part of the Funds has been used or expended by the Company otherwise than in accordance with this Agreement, the Commonwealth may, by written notice to the Company, require the Company to repay, and the Company must repay, the amount that has been used or expended by the Company otherwise than in accordance with this Agreement to the Commonwealth by the time specified in the notice.

You said earlier that the reason for the six months being provided for under 6.1 is to allow time for a company to get its affairs in order, but under 7.1 it would seem possible for the minister to order the repayment of funds. Yet, if it is supposed to still continue to operate for six months, how does it do that without any funds? Alternatively, if it continues to operate for six months, can the minister still order the repayment of the funds within that six-month period?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.15 p.m.)—I will go back to the simple and single points that I made. The minister may decide that the research body is acting inappropriately and he will need to revoke its appointment as a research body. He can do that by a disallowable instrument in parliament which involves, as you say, usually around 15 sitting days. I am looking at 6.1(a). He may also decide to ‘suspend or terminate payment of any or all of the funds’. In that case, under 6.2(a), he would need to give the company six months notice of its intention so that the company has time—

Senator Forshaw—My point is 6.1(c)—‘terminate this agreement’.

Senator TROETH—I simply do not see any inconsistency. If I could also just deal with the point you made under 7.3—you mentioned the repayment of funds. The Commonwealth, through its matching funds, is a partner in this agreement. Any partner in a commercial agreement—if it considers that the other partner owes it money—will, of course, take steps to recover those funds. This is simply acting in a normal commercial way.

Senator FORSHAW (New South Wales) (8.18 p.m.)—I am not enlightened. I will have another go. I understand the second point about the repayment of funds from the Commonwealth but the issue I am raising is about the requirement under this agreement to give six months notice. You keep referring to 6.1(a) of the agreement but 6.1(c) says the Commonwealth ‘may, by giving written notice to the company, immediately terminate this agreement’. Then it says ‘if’. Further down, it says:

(g) The declaration of the company under the act as the research body is revoked.

So the Commonwealth decides that it is revoking the declaration of the company as a research body and it terminates the agreement. I want you to focus on this, Parliamentary Secretary. The purpose of the statutory funding agreement is to designate the
company as the research body. I am not sure whether the parliamentary secretary has my attention at the moment.

Senator Troeth—I am endeavouring to answer your question, Senator.

Senator FORSHAW—I appreciate that. The point I wanted to make—is that the minister’s power to terminate the agreement is a very powerful one. The statutory funding agreement is the agreement which results in the company becoming the research body, thereby being able to draw on and use the funds. Therefore, to terminate the agreement is clearly consistent with revoking the declaration of the company to be the research body. Understanding that, as I read it, the act says that that is a disallowable instrument—the minister decides to do it and tables the instrument and it becomes effective after the requisite period. That is what the act says but the agreement that the Commonwealth signed up to with the company says, ‘We have to give you six months notice.’ I am not suggesting that the power should not exist, that there should not be appropriate mechanisms and that it should not be a disallowable instrument. I am trying to understand how the two time periods can operate at the same time.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.21 p.m.)—I am getting a written form of words on this which I hope may express my thoughts more clearly than I have evidently spoken them. All I would say in answer to you is that you can undeclare the research body and thereby deprive it of its authority. But from a practical point of view, you cannot suddenly chop off a commercial company when there are levy funds coming in all the time and there are ongoing activities. That is why the company would need the six months notice to wind up its activities if that were the logical result of undeclaring it as the research body. That is what I have been saying all along.

Senator FORSHAW (New South Wales) (8.22 p.m.)—I will turn to one other issue, and hopefully this will just be a yes or a no answer. We have been told all along that it was intended that the new companies will come into operation from 1 January next year. It was put to us that this legislation has to be passed for that date to be met. I am not sure if this was raised in the earlier committee stage when I was not in the chamber, but can the government guarantee that things will begin to operate from 1 January? Or are you planning on a later date for commencement of the legislation and the new companies?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.24 p.m.)—Yes, if the legislation is passed, it can be set in train. Yes, the start-up date will be 1 January 2001. In regard to your other point, I guess you would like me to delay the Senate and to discuss this until you perfectly understand what I mean. I am very happy to try to elucidate this further in discussion so that we can get this perfectly clear, if you are willing to look at it from that point of view.

Senator FORSHAW (New South Wales) (8.24 p.m.)—I understood you to say that you were getting something in writing for us. It is not my intention to hold up passage of the legislation on this particular issue. The legislation says that it is a disallowable instrument. The other provisions are in an agreement. No doubt, if the agreement needed to be varied or redrafted to fix a problem, it could be done. On that basis I am happy, but I still would like an explanation as soon as possible—before the end of this week or in the next day—as to how those two will co-exist.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.25 p.m.)—Given that the point we are discussing is about the termination of a company rather than the start-up of a company, I am assuming that we will have sufficient time to discuss that. I, too, would like to be thoroughly clear about what the legislation says, so I can assure you that there will be a briefing or a discussion to get that point perfectly clear after this stage.

Senator HARRIS (Queensland) (8.26 p.m.)—In an earlier answer to one of my questions, Senator Troeth indicated that the interim board members would be in place for 12 months. Will Senator Troeth advise the
committee whether it will be the same process for Australian Wool Services Ltd, which will be the trading company for the holding company, for the commercial company as a separate entity and for the R&D fund operating as a separate company? Could Senator Troeth enlighten us as to the envisaged remuneration packages that will be made available to those board members? Will the details of the board members’ remuneration packages be freely available to all the growers?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.27 p.m.)—Yes, there will be the normal time frame of an interim board leading up to the first AGM. After that, the normal time frame will ensue so that there will usually be 12 months between AGMs. The remuneration level of directors and chairmen will be decided by the board. I expect that if shareholders wish to ask questions about that at the annual general meeting, that information would be available to them as well as through the normal business reporting mechanism.

Senator HARRIS (Queensland) (8.28 p.m.)—I thank Senator Troeth for her answer. Based on Senator Troeth’s answer, the growers will not have any input into the remuneration of those original interim board members. Could Senator Troeth also indicate to us how, in that first 12 months, the growers would have any input into the direction that these companies take relating to the allocation of funding, whether it be for marketing or research? What level of input would the growers have into any areas that they believe are priorities that are not presently being covered by the board or proposed by the new board? To clarify that for Senator Troeth, how do the growers have an input into this process within the first 12-month period while the interim boards are there? If the growers desire the boards to take a different direction or to allocate funding into areas that are not being looked into at that time, how would they achieve that?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.30 p.m.)—Given that the growers have indicated their approval for the new board structure to go ahead, I think we should take it that the first 12 months of the interim board will be a time for that interim board to start looking at a strategic business plan and to communicate to the growers where that direction is heading and some of the activities they would be undertaking. At the first AGM, a balance sheet of those directions and priorities will be presented to shareholders. Shareholders at that AGM will have every opportunity to express their views and to comment, by way of shareholders’ support, on the direction that the board is taking. That is how normal commercial boards operate, and I expect that this board and shareholders will be operating in exactly the same way. That is the power that the shareholders have—knowing that they will be meeting the board at each successive AGM.

Senator HARRIS (Queensland) (8.31 p.m.)—I thank Senator Troeth for her answer. I recognise that it is necessary for all three of those entities to establish a strategic plan. I do take some heart from the assurance from Senator Troeth that those strategic plans will be developed in consultation with peak bodies and that that will filter down so that the members, growers and producers within the industry have an input. If that is the process that will happen within that first 12 months, I support it totally. That is the type of input and the commitment from the government that I am looking for. I thank Senator Troeth for that answer.

The other issue of concern to the producers and growers is the past allocation of contracts to different R&Ds. I am looking for an assurance from Senator Troeth that allocation of research grants to any entity that is to carry out R&D on behalf of growers will be at arm’s length from members of these boards. As an example, I am led to believe that one of the existing members, Mr Gerald Martin of South Australia—who is a member of the board of AWRAPl also has a personal company called Agresults. I am led to believe that Agresults has been contracted on two occasions—once in 1999, for which he received remuneration of $84,000, and also in the 2000 financial year, for which he received $56,000. If this is correct, I am look-
ing for an assurance from Senator Troeth that in the allocation of the R&D company there is arm’s length between those members on the boards and any entities that are to carry out research for and on behalf of the growers and producers.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.35 p.m.)—Corporations Law will prevail on this, as with all other similar industry boards and constitutions, as Senator Harris may know. At present, I deal with 12 of the research and development boards in the Agriculture portfolio. In my appointment of board members through the selection process, all board members have to sign a declaration re conflict of interest. And if anything arises in normal board business, anyone who did have a conflict of interest would declare that and either leave the room or take no further part in the discussion. I assure Senator Harris that that sort of contracting arrangement is at arm’s length and it is extremely transparent.

Senator O’BRIEN (Tasmania) (8.36 p.m.)—The government set 1 January 2001 as the target date for implementation, although there is no reference in the bill. Mr Sutton told the committee that if construction of the share register for the new entity was not considered adequate by late December the minister would not be in a position to sign off. He said that, rather than have to change the legislation, the start date or the conversion day would be the proclamation. I understand that is the situation. At a briefing last week, Mr Sutton told us that the register is progressing well and that 35,000 of 50,000 levy payers would be on the list by 1 January. So that is one group of matters. If you would like to answer that, I have some follow-up questions.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.38 p.m.)—I can assure Senator O’Brien that Computer Share Registry Services is the name of the company that has been contracted to manage the registry arrangements. As he said, and as I said earlier, over 35,000 applications for shares have been received, which is a very promising result, representing over three-quarters of wool growers. All these applications will be dealt with in time for the minister to sign off on the list of eligible wool growers for the 1 January deadline.

Senator O’BRIEN (Tasmania) (8.38 p.m.)—You may need to take this question on notice—and I would appreciate, if that is the case, an undertaking to supply the information. In relation to clause 15(2)(d)(i) and (ii) of the regulations, could you advise me how many applicants fall into each of the categories? I am trying to get a feel for how many applicants fit in each of the paragraphs (a), (b), (c) and (d)—the categories laid out in regulation 15. If you could undertake to supply that information, I would appreciate it.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.39 p.m.)—Yes, I will take that on notice and endeavour to supply you with the information.

Senator O’BRIEN (Tasmania) (8.39 p.m.)—In relation to the recommendation from the committee that there be a spill of all staff positions in the new company, and whilst the opposition notes the views expressed by wool grower organisations and
the task force that there needs to be a cultural change in the new company, we have also noted the evidence from Mr Wolfenden that any proposal to implement a mass termination of existing employees would be an unnecessary financial burden for the new company and that further existing employees have legal rights to entitlements that cannot be disregarded in the establishment of a new company. Is it the view of the government that these are ultimately matters for the future board of AWS and R&D FundCo to determine?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.40 p.m.)—This is a matter for the new board to pursue, but I do assure Senator O'Brien that a human relations strategy has been developed in consultation with the department, Agriculture, Fisheries and Forestry Australia, OASITO and the Department of Employment, Workplace Relations and Small Business. AWREP staff are being transferred to the new company on comparable terms and conditions.

Senator HARRIS (Queensland) (8.41 p.m.)—I would like to seek some more information from Senator Troeth and it goes to the issue of the share capital. The explanatory memorandum, under clause 17, share capital, states:

This clause provides that as soon as practical after the conversion time, the Minister must make a written declaration specifying the net worth of HoldCo immediately after the conversion time. The amount specified is deemed to be HoldCo's share capital immediately after the conversion time. The declaration cannot be varied or revoked. A copy of the declaration must be published in the Gazette.

I emphasise the section of the EM where the government says that the declaration cannot be varied or revoked. Therefore, once the share capital is initiated it is locked in under the legislation. Whilst that is appropriate for the members who have contributed in the past through their wool levies to ABARE, what would be the position of a new person who enters the industry and will pay the same levies but ultimately will have no share register whatsoever in those new entities? The same is also applicable to those members who are presently entitled to share listings in the new entities based on their previous contribution to the taxes and levies. There could be variations in the positions of those producers—someone may reduce their production and still have the same share rights within the company or someone who has an original right may double their production but that will not be reflected in their share capital in the entity. As I have said, someone who has not contributed in the past to any levies or fees but becomes a substantial producer would not be represented at all by way of share issue and therefore, I believe, would not be able to participate in the direction that the entity is going in.

I am questioning the wisdom of the government in locking that share capital at that point in time. Would it not be prudent for the government to have some process by which it could introduce new share capital at some subsequent time? It is not a criticism of what the government is doing. I support very much what the government is doing, but I am raising the issue of somebody who enters this industry—and we are all looking to this being the positive move that would encourage people who are in the industry to increase their production and also to encourage new players into the market. Where is their ability to be part of that process?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.45 p.m.)—All I can say to Senator Harris is that there will be shareholders who have a shareholding because of historical equity in the industry—that is, they held those shareholdings because they were part of the wool industry before the transition to the new company. There will also be people who enter as new members of the wool growing industry and, through the levies they pay, they will be part of that shareholding. The levy fees paid by wool growers form part of that capital. But, of course, you also have the matching Commonwealth dollars that are introduced to the research and development component of it. So there is that capital arena, if you like, which will wax and wane over time according to the movement of wool growers in and out of the industry.
Senator HARRIS (Queensland) (8.46 p.m.)—I thank Senator Troeth for her answer. It is obvious that I did not clearly understand the EM. The way it is written, it clearly indicates that the share capital would be capped. If that is not the case, I am very pleased to hear that. The other question I would ask Senator Troeth is: prior to any of these entities being sold off as complete entities, could we have an assurance that that would be done only on the basis of a majority decision of the actual shareholders in any of those entities?

The TEMPORARY CHAIRMAN (Senator Murphy)—If Senator Harris and Senator O’Brien have further questions, it might be useful if we put some of them together so that we enable the officers to prepare a response for the parliamentary secretary and it may help progress a little bit.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.48 p.m.)—In answer to Senator Harris, any sale of the sort you envisage would be done under the process that would be laid down in the constitution of the company and according to the Corporations Law. There is a set process for these things. Each of these companies is bound by the Corporations Law and will have a particular constitution to cover that eventuality.

Senator O’BRIEN (Tasmania) (8.48 p.m.)—We can go on for an indeterminate period in relation to detail on the bill, but I think it is appropriate that the opposition conclude by simply returning to the matters I raised at the start and asking for an definitive answer. Is the government going to provide the committee with the correspondence between 1 January and 1 April 1998 between the minister and AWRAP relating to the Cape Wools issue? Is the government going to provide the committee with a copy of the deed of agreement between AWRAP and Cape Wools, as requested by the Senate committee? Is the government going to supply the committee with a copy of the two papers entitled ‘South Africa exit arrangements: trademark evaluation dispute’ and ‘South Africa exit arrangements: evaluation of trademarks notice dispute’? Rather than beat around the bush, I just seek a clear answer as to the government’s position on supplying those documents.

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.50 p.m.)—In answer to Senator O’Brien, we have already advised that the ministerial correspondence will not be released. The settlement deed between AWRAP and Cape Wools is a matter for Cape Wools to provide if they have made the offer.

Senator O’BRIEN (Tasmania) (8.50 p.m.)—I understand Cape Wools are on the record as saying that they are agreeable to it being supplied. It is a bit of a circular argument: one side saying the other can supply it but they are agreeable. What is the problem with the government supplying it if that is the case? I take it that the answer is no. The two documents I mentioned entitled ‘South Africa exit arrangements: trademark evaluation dispute’ and ‘South Africa exit arrangements: evaluation of trademarks notice dispute’ were sought by the Senate committee and, I understand, the government has decided that those documents should be withheld from the committee. Given the point we are at in the proceedings, why should they not be supplied? Will you supply them?

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (8.51 p.m.)—It would not be appropriate for me to comment on that. As Senator O’Brien knows full well, part of that information was provided in camera, and I am not at liberty to comment on it. I have indicated some of the things that could be provided, and I am not at liberty to comment any further on that.

Question resolved in the affirmative.

Bill reported without amendment; report adopted.

Third Reading

Bill (on motion by Senator Troeth) read a third time.

INTERACTIVE GAMBLING (MORATORIUM) BILL 2000

Consideration resumed.
In Committee

The bill.

Senator ALSTON (Victoria—Minister for Communications, Information Technology and the Arts) (8.54 p.m.)—I table a supplementary explanatory memorandum relating to the government amendments to be moved to this bill. The memorandum was circulated on 5 December. I seek leave to move government amendments (1) and (2) to clause 5 of the bill on sheet EV235 together.

Leave granted.

Senator ALSTON—I move:

(1) Clause 5, page 5 (after line 23), after paragraph (3)(a), insert:

(aa) a service to the extent to which it relates to betting on, or on a series of, any or all of the following:

(i) a horse race;
(ii) a harness race;
(iii) a greyhound race;
(iv) a sporting event;

(ab) a service to the extent to which it relates to betting on:

(i) an event; or
(ii) a series of events; or
(iii) a contingency; that is not covered by paragraph (aa);

(b) a service to the extent to which it relates to betting on the outcome of a lottery; or
(c) a service relating to betting on the outcome of a lottery; or
(d) a service for the conduct of a game, where:

(i) the game is played for money or anything else of value; and
(ii) the game is a game of chance or of mixed chance and skill; and
(iii) a customer of the service gives or agrees to give consideration to play or enter the game; or
(e) a service relating to betting on the outcome of a game of chance or of mixed chance and skill.

These amendments seek to exempt from the moratorium a service to the extent to which it relates to betting on, or on a series of, any or all of the following: horse race, harness race, greyhound race, sporting event; a service to the extent to which it relates to betting on an event, or a series of events, or a contingency that is not covered by paragraph (aa). The amendments are designed to exempt wagering services that allow bets on a sporting event after it has commenced. In other words, the new moratorium will have the same coverage as the bill of introduction, except that wagering services that do not allow bets after a sporting event has commenced will be exempt. Interactive gaming services such as Internet casinos are still subject to the moratorium. The amendments specifically provide that services relating to betting on a horse race, harness race, greyhound race, sporting event and betting on any other event, series of events, or contingencies are excluded services for the purpose of the moratorium. The only interactive wagering services falling within the moratorium are those that allow betting on a sporting event after the event has commenced. Wagering on a non-sporting event after it has commenced is not captured in the new moratorium. Wagering on a series of sporting events after the series has commenced is also not captured; for example, betting on the result of a tennis tournament after the tournament has commenced is not affected.

Senator LUNDY (Australian Capital Territory) (8.57 p.m.)—What we are witnessing
here tonight with the reintroduction of the Interactive Gambling (Moratorium) Bill 2000 is coalition hypocrisy on a major scale. The coalition so desperately want to pass some kind of legislation about gambling online that they have sacrificed any claimed principle in order to garner crossbench support. The Senate has already held this debate but, nevertheless, the government have pushed aside other critical legislation scheduled to be debated tonight in order to placate a directive that I understand to be directly from the Prime Minister to get something through, whatever it is, on interactive gambling this week in the Australian parliament.

It is no secret that Senator Alston is not around tomorrow, so this is the last-ditch effort the coalition have to actually deliver on long-held rhetoric.

For the record, in March 2000, after extensive submissions and evidence were presented, the Senate Select Committee on Information Technologies released the Nettbets review of online gambling in Australia. In September, the Senate Environment, Communications, Information Technology and the Arts Legislation Committee released its report into the Interactive Gambling (Moratorium) Bill 2000. Despite the plethora of documents, reports and submissions, the coalition have chosen to ignore the evidence and continue with their objective: to attempt to make Internet gambling illegal. On the one hand, we have a minister alleging that Australia is a new economy and that we are technologically savvy and capable of being a world player in e-commerce and online transactions. On the other hand, Senator Alston is in the chamber tonight trying to make activities that are perfectly legal offline illegal when they are online. To make the hole the minister has dug for himself even bigger, he is now claiming that separating wagering from gaming somehow solves the problem of Internet gambling. Some sort of road to Damascus conversion was obviously experienced by Senator Alston in the period since we last debated this bill.

Under these riding instructions that seem to have come from the Prime Minister, Senator Alston is now being forced to reintroduce this bill, which totally contradicts the government’s previous position. This resubmitted bill, with the amendments outlined by Senator Alston, contradicts the previous claim that a moratorium on Internet gambling must encapsulate all forms of interactive gambling. I remind the coalition and senators what Minister Alston said when he first presented this bill on 9 October:

As I understood it, it is being suggested that there is somehow some valid distinction between gaming and wagering. Each of them involves putting money on an outcome or, if you like, having a bet. One is a mechanically determined outcome; the other is a real-life event. Beyond that, they each involve the outlay of money based on some element of chance, and in that sense they both constitute interactive gambling. The government’s view is that, to the extent that through the Internet, the television set or otherwise it is possible to generate a new industry that caters for either or both of those streams of chance, they should all be put on hold for the period of the moratorium in order to make a judgment about what is a sensible approach.

That was clearly the government’s position. In fact, they contended amendments put forward by the members of the crossbench at the time to give effect to the separation of gaming and wagering. The government made it very clear, in that principled approach that they were claiming they were taking, that a moratorium encompassing all online gambling was warranted. But it seems now that that has all been disregarded.

It is no wonder that the development of e-commerce and the use of the Internet in Australia are being retarded under the Howard government. There is no doubt that the perception of this kind of legislative treatment of issues relating to the Internet does impact on Australia’s international reputation as being a nation capable of dealing with the challenges of the future. Interactive gambling happens to be the profile victim at this point, but we have seen it previously with sexually explicit material and other issues.

I turn to the basics of the argument for opposition to this bill. What the coalition is proposing is technically unfeasible and unworkable. During the last debate, Senator Alston was repeatedly asked to explain the technical feasibility of preventing all Australians from accessing interactive gambling
sites, which is what the implication of all the government rhetoric led Australian citizens to believe. We are still waiting for the minister’s response. We are still waiting for the government to explain how harm minimisation and consumer protection will be afforded to Australian citizens if they are unable to access regulated, transparent and legitimately operated sites. We are still waiting for the government to explain how harm minimisation and consumer protection will be afforded to Australian citizens if they are unable to access regulated, transparent and legitimately operated sites. We are still waiting for the government to explain how sending Australian punters offshore to unregulated and dodgy sites on the Internet will somehow deal with the complex issues of gambling in society. We do know from a variety of expert sources that this legislation would simply drive potential problem gamblers offshore to these unregulated sites. We know that there are over 800 unregulated offshore Internet casinos worldwide. Issues such as personal security, including credit card details and other private information, are not guaranteed by these operators.

Labor’s position, on the other hand, is that simply turning your back on Australians who are forced offshore to bet online is a negligent and unproductive approach to the problem associated with gambling. The Labor Party are concerned about gambling and we are aware of community concerns about gambling. We are conscious of community apprehension about the social dysfunction stemming from problem gambling, but the bill does not address these issues. We know from the Productivity Commission report into gambling in this country that the vast majority of social harm is associated with the availability and use of poker machines. The rhetoric and concern expressed by the government belongs appropriately in those directions. But do we see activity from the federal government in this area? No. For all of their concerned rhetoric, we see them targeting this issue of interactive gambling and applying what is an incredibly flawed and unjustifiable approach to managing these problems. As I have said all along, this bill is really about censoring Internet content. It is about making something illegal online that is legal offline. If there is a problem with content accessibility and potential social risks, let us look at those issues and evolve a workable practical framework that addresses them. I will speak a little later about the role that the states have in regulating gambling content.

Our principal concern is that the bill does not address the broad issues of gambling in Australia and the possible problems associated with sports betting. That is why Labor have consistently approached this bill for what it is—a bill about the Internet and Internet censorship. The flaws in the legislation are numerous, and for the umpteenth time I will go through the specific points concerning our opposition to it. In the first place, it does not deliver strong workable regulation of interactive gambling, which is the most practical and effective way of ensuring minimal social harm. In fact, all the evidence shows that this legislation will exacerbate problem gambling online in Australia by barring access to regulated online gambling services that do provide built-in safeguards. We heard about those safeguards at the various committees—that there are more improved methods of safeguarding problem gamblers online than there are offline.

Secondly, the bill does not extend current regulatory and consumer protection requirements that apply to offline and land based casinos or clubs to online casinos and similar facilities. We have not seen any activity at all by the coalition in the intervening period to encourage the states to proceed stridently down this path. The government has sat back on its laurels and has not even tried to apply the most effective means of avoiding the problems that could be derived from interactive gambling. It is absolutely ridiculous for the coalition to argue that consumer protection and harm minimisation are needed for one type of technology when it ignores it for the other. Additionally, the opportunity that exists for the coalition to deploy serious and meaningful preventative strategies is being completely and continually ignored.

Thirdly, the proposed moratorium would damage Australia’s reputation as a leader in providing effective consumer protection laws and strong workable gambling regulations. There is no secret that, in terms of Australia’s reputation, almost single-handedly Senator Alston has allowed Australia to develop a reputation as a global village idiot when it comes to addressing issues of social
concern related to technological change in the Internet.

Fourthly, by singling out one particular form of gambling—and I refer now to the amendments—in an attempt to create the impression that it is placating community concern about adverse social consequences, the Howard government is sustaining a position of hypocrisy. Fifthly, the Productivity Commission report into Australia’s gambling industries acknowledged that the Internet does in fact offer a greater level of consumer protection and safeguards than other forms of gambling.

Sixthly, by separating wagering and gambling, the coalition will in effect divide the industry and create a whole new tier of winners and losers. Operators such as Lasseters Online, Southern Cross and others will have their business operations damaged by this bill. The coalition has not applied any consistent assessment to the operation of existing businesses and has never paid any regard to that. Whilst that is not the motivating issue behind our concern, there is no doubt that it should be a consideration at least in the principles guiding any legislation dealt with in this place and as a factor in the coalition’s understanding of the problems.

Many of the online operators already comply with strict state and territory guidelines which will ensure that problem gambling is addressed and the maximum harm minimisation measures enforced. Yet other online operators, such as those involved in racing and sports wagering, will be allowed to continue without restriction. This artificial division highlights the hypocrisy of the government’s position and their willingness to do anything to pass legislation regardless of how detrimental and flawed it is.

I would like to conclude by reiterating Labor’s position. This legislation will not stop problem gamblers from betting online, because there is nothing in the legislation that prevents people in Australia from accessing gambling sites. It will not stop Australian punters being ripped off or having their personal details misused. This bill will prevent the creation of a regulated online gambling industry. This bill does not address the social issues such as problem gambling, domestic violence or family breakdowns that arise from that. In fact, it is misleading in that it gives the impression that it will solve some problems when the majority of the real causes of many of those issues continue to be ignored. And this bill does not provide harm minimisation or consumer protection.

What will address these issues is a workable, coordinated legislative framework, something the coalition refuses to acknowledge and refuses to take leadership on in guiding the states to a uniform regulatory environment. The Labor Party maintains that the principal objectives of gambling regulation should include consumer protection, ensuring a quality gambling product by financial probity checks on providers and their staff. It should provide education for punters, the general public, and athletes who are actually performing out there in the sports world. It should minimise any criminal activity linked to gambling and be strident in preventing illegal activities. It should contain the social costs of gambling by limiting access and ensuring that funds are available to assist those with gambling problems. It should maintain and protect a significant revenue base for governments, with universal standards for all operators and examination of internal protocols with the aim of achieving multilateral achievements on sports betting. It should limit the exploitation of monopoly market positions and ensure that some of the benefits accrue more directly to the local community.

We have called on the coalition to provide mechanisms to exclude those not eligible to gamble under Australian law rather than implementing a moratorium or ban which will allow minors to bet on unregulated offshore sites. The coalition should implement problem gambling controls such as exclusion from facilities, expenditure thresholds, no-credit betting and the regular provision of transaction records. If they were serious about addressing interactive gambling issues, they would have coordinated the development of a co-regulatory regime through the ministerial council comprising the relevant state ministers addressing all of these issues.

Our position is that the existing regulatory requirements for land based gambling and
gaming agencies should be extended to include online gambling in casinos, which would be required to meet the same licensing, auditing and probity requirements. Without a national regulatory framework, Australia’s reputation as a leading regulator of gaming and gambling will be diminished and Australian citizens will be open to unscrupulous manipulation. (Time expired)

Senator STOTT DESPOJA (South Australia—Deputy Leader of the Australian Democrats) (9.12 p.m.)—I rise as the Democrats’ technology spokesperson, following on, probably appropriately, the contribution of Senator Lundy, representing her party in the area of IT. She has correctly identified that the Interactive Gambling (Moratorium) Bill 2000 deals primarily with an attack on technology and is a bill in relation to information technology issues. It has the word ‘gaming’ in the headline but, as we have heard in contributions in past debate and have revisited in the debate today after the recommittal motion, the government has failed to take advantage of a rare opportunity to do something about the pressing social issues associated with gambling.

In the context of this process—not only the bill but the process leading up to it—Senator Lundy quite rightly identifies the fact that in the last few months the federal government has not really done anything in relation to this issue. The states and territories and the industry have been working to ensure that some progress has been made and in many respects people in that industry and in the states and territories have, if they had not previously, now embraced many of the recommendations referred to in the Netbets inquiry. I am not sure how many people in the chamber currently were involved in that inquiry apart from Senator Lundy and me, but perhaps we have lived with this issue a little longer than even those who are the staunchest advocates of the legislation before us today. We have an understanding of what was required in the industry in terms of national and consistent legislation—or frameworks, standards or guidelines, more appropriately—and had an opportunity to look not only at the technical and technological issues but at some of the but at some of the pressing social issues which I think everyone has a concern about.

As most people in the chamber would know—I hope—the Darwin gaming summit of senior gaming officials from the Australian states and territories, Norfolk Island and New Zealand concluded recently with a range of harm minimisation and player protection measures in line with the Senate Select Committee on Information Technologies Netbets report recommendations. The idea was to strengthen the national model considered by state ministers in 1997.

It is worth again putting on record the fact that the industry we are dealing with at the moment has on balance much stronger protections, regulations and standards than land based gambling and most casinos. As I indicated in the last debate, the Democrats are waiting for the government, in the same way that they have set their sights on online services, to set their sights on doing something about land based gambling. It is no surprise that the pokie industry is among the strongest supporters of this legislation—surprise, surprise; I wonder why!—because it might get rid of a competitor. I am personally not interested to giving a great big fillip to the pokie industry in Australia, but I am not quite sure why those people on the government side who purport to have such a commitment to ruling out the problems associated with gambling are moving legislation that is favoured by so many other aspects of the gambling industry.

Senator Lundy mentioned that the ALP had a consistent position. The Democrats have a consistent position, too. This is a free vote for our party room, and we are proud of that fact. We too will be voting in a consistent manner this time; I do not think that is any surprise to anyone in the chamber. We all have concerns about gambling issues. I acknowledge the right of at least two of my colleagues to send a message. Because they feel frustrated and because all of us feel frustrated about the lack of progress and the lack of leadership that has been shown, specifically from the federal government, in resolving some of the problem issues associated with gambling, they feel strongly about sending a message not only to the states and
territories but also to various aspects of the gambling industry.

I think in many respects that has happened, and that is why this legislative debate seems less relevant to me than it did a few months ago—not only because of the outcomes of the Darwin gaming summit. At best this government could claim, ‘Well, we have sent a bit of a message to the states and territories and they have got their act into gear a bit better than they had previously.’ But we cannot deny that progress has been made. There is a strong argument that states and territories have a better understanding of some of the need for regulation or legislation in this area, that they have been so-called experts in wagering and gaming regulation and that they should have a pivotal role in determining a national world’s best practice arrangement when it comes to regulation. That goes to the heart of this debate as well.

Legislation by press release—just talking in a procedural sense—is unacceptable in this country. I think all of us as legislators should reject that notion. Similarly, in the Netbets inquiry the majority report signed off on the notion of a moratorium, but a moratorium with very clear conditions and provisos: that this was a consultative process and it would not simply be a top-down, overwhelming, mandatory approach by the federal government without consultation. Yet that is what we have seen. No wonder there has been bad faith generated between the states and territories and the federal government on this matter.

When we first had this debate, the Democrats put forward amendments, and I will put forward similar amendments tonight but not necessarily the same amendments or with the same intention—although one of my amendments seeks to get rid of the retrospective nature of this legislation. We came up with what we thought was a technologically savvy solution to this problem—an e-solution, if you like—supported by all my colleagues. There is one thing all nine of us agree on and that is that this bill has not been good enough. If it really were to achieve the objectives set out by the government, then it has to be improved markedly in a whole range of areas that we have put on record before, some of which Senator Lundy has mentioned today.

We recognised that there were unworkable elements to this bill. There was the notion of the retrospection of the bill, to begin with. But we put forward an intermediate, three-month, non-retrospective moratorium for the express purpose of establishing a national regulatory system with the states and the territories. It was a technologically sympathetic solution to a technological problem. We proposed a moratorium, effective from the date of royal assent, to provide an opportunity for the states and the territories to negotiate with experts from the industry and to negotiate a world’s best practice set of regulatory standards for wagering and gaming services. We made it clear in those amendments that, if the states and the territories did not come to an agreement within this time period, the federal minister was to enforce the standards agreed to by a majority of the states and/or territories at the end of the three-month period. The minister’s power, I might add, to stipulate to the states what is required was limited solely to endorsing the agreement of the majority. I believed at that time, and still do, that the federal government should not be able to dictate to the states and territories how to regulate online gaming and wagering services. This should be a consultative, cooperative process that results in nationally agreed standards and a framework.

It has been mentioned in the debate that we aim at becoming a knowledge economy and a techno-savvy nation. This legislation, a bit like the online services bill, flies in the face of the rhetoric that is perpetuated by the government. With the ubiquity of the Net, we should not be looking at use of the telecommunications power under the Constitution. We should not be using this in a way that seeks to impose federal government agendas on the states and territories. Of all people, this particular minister should share that view. In light of the Darwin developments, and given the progress that has taken place, the need for further interference on a federal level—or further federal government stimulus, if you like, even including the Democrats’ moratorium proposal—is ques-
tionable. I hope the minister will report in detail on that progress so that it is on the record that there have been these developments involving other countries and the states and territories. I think that has made not only this legislation but also some of the amendments questionable indeed. The original piece of legislation was a significant message to the states and territories and the wider industry, and its effect is seen in the productive and progressive outcomes of that Darwin summit.

The Democrats maintained in the Netbets inquiry, and continue to believe, that a ban on interactive gambling services is not technologically feasible. We know that the findings of the Productivity Commission and the Senate inquiry did not recommend a ban for that very reason. Yet the government seems stuck on this idea, and the only reason we can ascertain that it is pursuing this legislation is for a cheap win, in the form of superficial news headlines banning gambling. I have no doubt that this is what has motivated this move tonight—that is, it is a stunt. It is a case of a 20th century legislative instrument being applied to a 21st century technological application. It is about an attack on technology—that is how we have to view this. The latest attempt by the government to produce inquiry recommendations to ban interactive gambling—that is, the NOIE inquiry—will not report until a few months into 2001. So we still have a period of uncertainty and indecision not only for the industry but generally.

The government recognises that gambling registers in the community as a concern, and we all know that in the chamber. It also registers as an industry that needs pulling into line; certainly nobody denies that that is the public perception. But the public has not been fooled in the context of this debate. The community recognises that interactive gambling is not where the majority of dangers lie in relation to current gambling operations and that it will not take off out of control due to the technologically specific protections which the Net can provide. It is arguable, of course, but I certainly believe that those protections are much more enforceable and stronger than those associated with land based gambling and other gambling. The government’s bill has provided an impetus for the industry and the states and territories to get moving on interactive gambling—which, I should note for the record, already has higher player protections than land based operations. Again, I ask that the government turn its attention to some of the real problem areas of gambling, but I think it would be a very brave day when we see this government take on some of its mates, casino friends and indeed the pokie industry at large. I hope that the high standard of services that are being provided for Australian online gambling acts as an impetus towards the real community concern regarding gambling—that is, land based gambling.

This bill was, the first time around, and is, the second time around, a poorly thought through bill which fails to recognise the manner in which the Internet was established and operates. A ban will only facilitate the proliferation of unregulated or poorly regulated sites offshore. We also recognise that this bill provided a rare opportunity for the Senate to address some of the social issues and impacts of gambling on the Australian and international communities. At the time of the first debate, I, on behalf of my colleagues, and other colleagues registered our concerns through the debate and through the Senate inquiry—concerns relating to things like licensing arrangements for land casinos, alleged licensing ‘for the boys’ in some cases, possible corruption in the industry and the social impact of the possible proliferation of gambling in whatever medium. Specific concern was raised by my colleagues about the lack of transparency of online gambling licence applications and the fact that the accountability and transparency of licence applications and their assessment and approval were not extensively examined in the Senate inquiry. That was referred to; certainly Senator Woodley contributed on that matter. While we have wide-ranging concerns about current online and land based gambling operations, we recognise that a ban is not the answer. The social consequences of gambling are a concern, and these multifactorial issues will not be addressed by a moratorium on interactive gambling.
It has been acknowledged that online gambling is estimated to account for only 0.6 per cent of all Australian gambling activity. So I believe that government and Senate time would be much better focused on the issues surrounding the other 99.4 per cent, as this is where community concern lies. I am particularly disappointed that this bill has been brought on in the last sitting week of the year when we have pressing legislation to attend to—not simply stunts. Again, I register my concern, and possibly that of the rest of the crossbenchers, at the fact that the Gene Technology Bill 2000 is continually being put off for debate. There are pressing matters before the chamber in relation to other legislative and regulatory frameworks; I would note the one relating to gene technology as the most pressing, but the government cannot seem to put that off enough. I think there are better ways in which we could be spending our time. The government should look at the progress that has been made in relation to the Darwin summit and, instead of just attacking technology, it should do something positive.

(Time expired)

Senator HARRIS (Queensland) (9.27 p.m.)—I rise to speak tonight on the Interactive Gambling (Moratorium) Bill 2000 and to raise a point that I have raised previously—that is, I have grave concerns about the level of gambling within Australia. I believe that this bill is not directed to correcting that problem. If the government is sincere in its agenda of controlling problem gambling, the obvious path to pursue would be to challenge and ultimately reduce the prevalence of the one-armed bandits, the poker machines. However, this bill does nothing to redress this glaring problem and goes off on another tangent, blaming the wagering and Internet industries. While I would be only too happy to support a true and genuine solution to the problem of gambling, I feel that this bill, unless amended, falls short of the mark. Wagering is an Australian institution, and nothing that we do will stop Australians from placing a bet. I have no wish or right to interfere with that pastime.

The government has put forward amendments under great pressure to alter the present wagering industries. I make no distinction between making a bet on the Net and placing that same bet on the phone. Any suggestions inferring that there is a difference are purely pedantic. Pauline Hanson’s One Nation placed amendments before the Senate the last time this legislation was being heard, and they were voted down by the government and the Labor Party. Now the government is putting forward some of those same amendments in an attempt to have the bill pass through the Senate tonight. I have no problem agreeing with those amendments, as I feel they will go some way to addressing some of the foolishness and futility of this piece of misguided, moralist legislation.

The major problem I have with the bill is the way it is set out and the covert way in which it undermines legal businesses which have, up until this piece of legislation, complied with all the prerequisites of the laws of their states and this country in setting up perfectly legitimate businesses. These enterprises have invested millions of dollars in their ventures, only to be told, after receiving their licences, that they will be suspended from operating their perfectly legal operations and that legitimate businesses will have to stop. This suspension and the possible subsequent banning of these operations will lead not only to the loss of millions of dollars in investment but also to the loss of hundreds of direct and indirect jobs.

This will impact most severely upon Tasmania—more than on any other state in Australia. I look forward to the support of the Tasmanian senators in supporting their state and their constituents. My current information shows that at present there are approximately six businesses—and they are substantially Tasmanian—which, under the provisions of the bill, have paid $30,000 application fees, have signed contracts for leasing their premises and have invested in multimillion dollar contracts to suppliers. I have not yet even mentioned the $300,000 yearly licence paid to the Tasmanian government. If you multiply $300,000 by six, that equals $1.8 million that will be forfeited by the Tasmanian state government on an annual basis if these operations have to cease. This raises the subsequent conse-
sequence of legal action being justifiably brought by these businesses against the Commonwealth government for what is essentially a breach of contract. These businesses have not done anything wrong, underhand or untoward. They have simply followed the rules, and now the government have shifted the goalposts.

Overall, this industry would generate approximately $350 million in IT industries, to the benefit of technology as a whole. Australia has the best monitoring and rules of operation guidelines in the world. It has a report card second to none. The rest of the world is following Australia’s lead. Yet, unless this bill is amended, here we are so arrogantly throwing away the investments, the jobs and the export dollars. If this bill progresses in its present form, I will not be held responsible. The bill defies logic, it defies any sense of justice and, to a degree, it demonstrates a gross ignorance or misunderstanding of the industry and the technology. One Nation feels that it will be incumbent upon the government—should the gaming provisions of this bill proceed without any recognition of the costs that are being imposed on the six businesses that I have spoken of previously, which have complied with all the licensing requirements and paid all the licensing fees, not to mention the hundreds of thousands of dollars that have been paid for research, leases, infrastructure and the loss of pending jobs—to refund to these businesses the licence fees they have paid and that compensation should be put in place prior to the end of the moratorium.

Senator WOODLEY (Queensland) (9.35 p.m.)—I begin my contribution to this debate by seeking leave to incorporate a letter from Senator Alston to me. I have circulated this to the Labor Party whip and Independents.

Leave granted.

The document read as follows—

4 December 2000
Senator John Woodley
SG55
Parliament House
CANBERRA ACT 2600
Dear Senator Woodley

Thank you for your note of 4 December regarding the Interactive Gambling (Moratorium) Bill 2000 (‘the bill’). As you know, the Government is currently considering recommitting the bill in the Senate sometime this week.

Based on your discussions with my Office, I am writing to confirm that:

1. The Government is predisposed to a ban on Internet gambling. However, if at the conclusion of the moratorium period, a ban is found not to be feasible, and subsequently is not imposed, the Government will, at the very least, urge the States and Territories to enact a uniform, national set of regulatory standards, formulated in consultation with the Commonwealth.

2. The Government is considering introducing amendments to exclude from the scope of the moratorium wagering services equivalent to those offered offline on 19 May 2000 and in traditional wagering formats. However, these amendments will not permit the introduction of more interactive, ball-by-ball style micro-wagering, given its potential to impact significantly on the incidence of problem gambling. Despite the proposed exclusion of wagering from the scope of the moratorium, the Government remains committed to investigating the feasibility and consequences of banning new forms of interactive gambling, including new forms of interactive wagering.

3. The Government is prepared to provide in principle support for two initiatives that were discussed at a recent COAG meeting. Those initiatives relate to:
   • A national research program into problem gambling, jointly funded by the Commonwealth and States and Territories; and
   • A national advertising campaign about the potential dangers of gambling, jointly funded by the Commonwealth and States and Territories.

Although funding for these proposals would need to be considered as part of the Budget process, the Commonwealth would be sympathetic to providing funding for both of these initiatives.

As you know, the aim of the Government’s 12-month moratorium is to halt the development of the interactive gambling industry in Australia while the Government investigates the feasibility and consequences of banning interactive gambling. Although predisposed to banning new forms of interactive gambling, the Government will make a final decision on a permanent ban after considering the findings of the NOIE report.

In addition, the Commonwealth will continue to work with the States and Territories through the Ministerial Council on Gambling, to ensure a concerted national effort on problem gambling.
addition to the initiatives outlined above, these efforts would focus on ensuring a coordinated national approach to a range of preventative and ameliorative actions, including those already being undertaken in all States and Territories, to address problem gambling.

Yours sincerely

RICHARD ALSTON
Minister for Communications, Information Technology and the Arts

Senator WOODLEY—I thank the minister for the letter because I believe it places on the record the government’s commitment to a ban on Internet gambling, if that is feasible—and, of course, that would also be my first option—or, if that is not feasible, the possibility of national standards being established and a commitment to a number of harm minimisation activities. Because of that, I believe the letter is very germane to this debate. I will range fairly widely over the issue, as other speakers have done, and, in that way, I hope to speak once only, as well as speaking to the amendment which has been moved by the government.

One of the issues which has been raised by other speakers is that this legislation is very poor. What puzzles me is that if the legislation is so poor, why is the gambling industry so frantic? If the legislation is ineffective, why on earth would the gambling industry be so concerned about making sure that it is defeated? The two things do not figure. I certainly say to Senator Lundy, who I listened to very carefully, that it is almost a case of: why do you protest? Do you protest too much? If this legislation were as ineffective as some speakers have said, then you could simply vote for it and allow its ineffectiveness to take effect.

Senator Lundy—Surprise, surprise! Where’s your principle now?

Senator WOODLEY—I want to put on the record now a number of statements which I think spell out very clearly the position that I want to take. I will read from an article in the Sydney Morning Herald of 9 November by Royce Millar and Tim Costello, which says:

They go on: What is clear is that the countries with national gambling policies and regulation, such as Ireland and Britain, have been best equipped to withstand...
the temptation to turn to gambling as an economic panacea. It is interesting to note that in Ireland—the spiritual home of the great Aussie gambler—there are no casinos and only a handful of antique poker machines. Despite warnings that it would be shunned by the world for its lack of "world class" gaming facilities, Ireland is now the economic miracle of Europe.

Senator Lundy—They sure as hell haven’t tried to ban the Internet.

Senator WOODLEY—I want also to place on record a statement by the National Council of Churches, which represents all of the major churches in Australia, including the Anglican Church, the Roman Catholic Church and so on. This is what they say:

The following well attested facts demonstrate the nature of the Council’s concerns about gambling.

. The last two decades have witnessed an expansion of gambling facilities in all the States of Australia. This expansion has been in the availability of gambling at local, centralised and electronic venues. The local expansions have been mostly in places of entertainment such as hotels and licensed clubs. The centralised locations are in the form of casinos, while the electronic venues occur through the Internet.

. Significant commercial interests have entered the gambling industry and increased its economic and political power.

. The licensing of gambling venues has increased the income of State governments to such an extent that they now rely on it for a significant proportion of their budgets.

. The availability and promotion of gambling has diverted resources from other uses, particularly from families.

. Persons susceptible to problem gambling (2.1% of Australians and 15% of regular gamblers) have increased availability and encouragement.

. Controls on the involvement of criminals in the gambling industry remain inadequate.

Finally it says in the recommendations:

. The Executive supports moves of the Commonwealth Government to seek a greater regulation of Internet gambling. It endorses the proposed moratorium on new licences. It rejects the claims by some State governments that, since people will gamble, the income should stay at home.

. The Executive supports moves that will decrease the accessibility of gambling. These moves include, but are not limited to:

. the reduction in the number of gambling venues and gambling machines;

. increased information about the risks of problem gambling;

. the removal of ATMs and credit facilities from gambling venues;

. increased publicity at gambling venues about the winning odds of specific methods of gaming, particularly gaming machines;

. increased provisions for community control.

It goes on to say:

. The Executive supports those policy and practice changes that would reduce criminal involvement in the gambling industry.

. The Executive urges governments to consider seriously the extent to which their dependence on revenue from gambling inhibits their capacity to act responsibly in its control.

Let me finally say that I commend the government for its initiative. This is, as far as I can find out, the only time any government in this country has acted to actually limit gambling facilities rather than to extend them. That is the objective which I would support wholeheartedly.

Senator Lundy interjecting—

Senator WOODLEY—What is your problem, Senator Lundy? I know you have been raving on there.

The TEMPORARY CHAIRMAN (Senator Lightfoot)—Why don’t you address your comments through the chair, Senator Woodley. Senator Lundy should stop yelling.

Senator WOODLEY—The problem was that Senator Lundy was speaking most of the time that I was speaking, but I really was not able to take account of her interjections so I was doing that at the end.

Senator BROWN (Tasmania) (9.45 p.m.)—It is my turn in the firing line, but I am sticking to my guns: I said that I would support the legislation if the amendments which we have before us from the government were made, and so I will. The problem with the earlier version that the government
had was that it excluded Tasmanian, Western Australian and Victorian TAB facilities from the opportunities available during moratorium for betting on horses and sporting events that were available to New South Wales, Queensland, South Australia, the Northern Territory and the ACT. That discrimination is overcome by the amendments. I take heed of what Senator Stott Despoja said when she said, ‘Well, this is only 0.6 per cent of the gambling problem in this country.’ I cast my mind back to the time—I have forgotten the exact date, but I think it was 21 September 1964—when 0.6 per cent of the gambling revenue in the country was coming out of poker machines. I dearly wish that we had legislated then to do something about it.

Senator Stott Despoja—To do what? Ban them?

Senator BROWN—Well, I would have supported a ban on poker machines, Senator. Would you?

The TEMPORARY CHAIRMAN—Senator Brown, if you want to debate the issue with Senator Stott Despoja, could I recommend that you do so outside the chamber.

Senator BROWN—What she said, Chair, is that she would have supported it.

Senator Sherry—Be consistent.

The TEMPORARY CHAIRMAN—Why don’t you address your comments through the chair, Senator Brown, and ignore the interjections of Senator Sherry.

Senator BROWN—I normally would not need any protection from Senator Sherry, but if you can provide that, Chair, I would be very happy. He is having a flamboyant evening. Gambling is a huge problem in this country and we have to, as legislators, look to put a curb on it. Now what we are not doing here is banning it.

Senator Sherry—Well, ban it.

Senator BROWN—Well, Senator Sherry, despite your—

The TEMPORARY CHAIRMAN—You should cease your interjecting, Senator Sherry.

Senator BROWN—Despite your protection, Chair, Senator Sherry has been saying that we should ban it. I would not jump to support him in that straightaway, but I would say that that is an option coming down the line. The other option, of course, is to do what Senator Lundy and Senator Stott Despoja have been supporting—and our senator from the Pauline Hanson’s One Nation Party, Senator Harris—and that is to bring in a very strong regulatory suite which is going to have that effect. I think this whole debate has absolutely promoted that option and put it in the fast lane. The Darwin outcome is part of that evolving regulatory system. I can tell the chamber that I will be looking at which of those two options is the better over the coming months. We have here, though, a moratorium in place while that decision is made. I might say to Senator Stott Despoja that, if this is an attack on technology, it is the exact same attack that was going to come through your three-month moratorium that was an alternative—

Senator Stott Despoja—Non-retrospective. Not the same use of the constitutional telecommunications power.

Senator BROWN—It doesn’t matter what the time or what the constitutional validity is, it is, nevertheless, an attack on technology. Look, I do not accept that. It is very easy to say that anything that regulates the Internet is an attack on technology. Are we to say that we will put no protection in there from people who might use the Internet to defraud people through abuse of their credit cards? Is it an attack on technology to try to do something about that? To try and stop online shoppers from being robbed: is that an attack on technology? Of course it isn’t. The fact is that the Internet has become part of our modern way of life. It is going to become even more a part of it. It is part of even the way we think, these days. But like every other aspect of life, it will—and should—attract the attention of regulators when it has the potential for harm. It has got a huge potential for good but it also has the potential for harm.

Gambling is one of the opportunities for those who would want to very rapidly accrue wealth to themselves at the expense of other people in the community. I am not in favour of banning gambling per se, but I am in favour of regulating it. I am not sure that making it available in the lounge room of
every home in Australia, regardless of whether there is supervision or not, is a good thing. You see, one of the problems here is that it is just not like other gambling. It makes gambling much more accessible, much more instantly available. It also makes it available covertly. I walk past the Queanbeyan Leagues Club late of an evening quite frequently on my way home and I would frankly feel quite embarrassed about going in there. I would think about who I was going to run into if I was to take $5 in to have a smack on the pokies. People who might feel a little bit embarrassed can go home and do it, no problems. No-one is going to be watching you; you can get away with it. It is a new attraction for people who might be inhibited by social circumstances not to gamble through the currently available avenues for gambling. I will be supporting the amendments and, if they pass, I will be supporting the legislation.

Let me finally say this. There has been some support for this move from the retail sector of the community. I want to make it very clear that gambling itself does not just siphon money out of the community—it siphons jobs and it siphons wellbeing. It takes other people’s jobs away. It is not just the gambler that is involved here, and it is not just the problem gambler. It is taking money out of other areas of the economy upon which people depend for their livelihoods and which give other people sustenance. We have to take that into account. I cannot see how interactive gambling online—gambling at the click of a mouse—is going to be any different to poker machine gambling in gaming houses when it comes to that fact. We have to weigh that up.

It will be an interesting six months while we await action from the Commonwealth. The action, when it comes, will be in the run-up to the next election. It will test us all in this place to keep our minds open to the best resolution to the question of whether we put a ban on Internet gambling—whether we have limited restrictions on it or whether we have a regulatory regime implemented nationally which will assuage the people’s fears that gambling on the Internet could be a very deleterious component of the future of our society.

Senator HARRADINE (Tasmania) (9.53 p.m.)—I am not going to belabour the point. I was privileged, if I can use that term, to serve on the committee which reported to the parliament in its Netbets report last year. Or was it this year? Time flies. Yes, it was in March this year.

Senator Stott Despoja interjecting—

Senator HARRADINE—The chamber is not receiving second reading contributions. It will be out of order; there is no doubt about it. I hope you will declare me to be out of order, Mr Temporary Chairman Lightfoot, because we had an early morning this morning and it is now five minutes to 10.

The TEMPORARY CHAIRMAN—Very difficult, Senator Harradine, but I probably could.

Senator HARRADINE—On the running sheet, we are now dealing with clause 5, government amendments (1) and (2). Before I say anything further, I think I should declare an interest. I do have a TAB account and have had for some years—not that it has done me much good. I will be supporting the amendments that have been put forward by the government in respect of gaming. When this legislation was previously before us, I had an amendment of similar intent. I thought I would just mention that to the committee.

Whilst I am on my feet, I should mention that, in respect of those institutions, licence holders for whom licences had already been issued prior to the operative date should also be exempted, and this would cover Federals in Tasmania and various other organisations. I have had a look at Senator Harris’s amendments in respect of that matter. It is my opinion that they do that job better than my amendments. When the time comes, if you do not mind, I would prefer you to call Senator Harris rather than me.

Senator BARTLETT (Queensland) (9.56 p.m.)—I would like to speak on the government amendments to the Interactive Gambling (Moratorium) Bill 2000, which has been reintroduced today. I do so on behalf of the Democrats and as the Democrats’
spokesperson on social security and welfare issues. There is no doubt that everyone in the chamber, whatever their position on this bill, would recognise that problem gambling, almost by definition, is a problem. It is a significant problem not just for the people and the families of those who do get caught up in uncontrolled gambling but also for the community as a whole in terms of the economy and the extra broader social damage that occurs. I am sure all of us are genuine in our attempts to redress that issue.

The big concern I have about this bill and the government amendments is that they do not redress that issue. They attack one area which, whilst always able to do more, goes further than any other in the gambling regime in trying to redress those problems and to minimise the damage. Possibly some people in the chamber would like to ban all gambling or to severely restrict all forms of gambling. That is not a position I hold personally, and it is not a position that the Democrats hold, but I recognise that some people have a genuine belief in that regard and I respect that belief. The rest of us are trying to redress and acknowledge the causes of problem gambling and to regulate and make changes in a way that will minimise—ideally prevent—that damage. That is what we should be focusing on in any debate on the impact of gambling.

In my background—which is not just in the political arena of this chamber and other aspects of parliamentary research for more than 10 years but also in the welfare area—I frequently saw the consequences for people who got caught up in uncontrolled gambling, or problem gambling or whatever label you wish to put on it. There are many people throughout the community who we all should acknowledge do an enormous job in trying to address the consequences of that activity, but we need to look at not just the consequences but also the causes. Lashing out in a knee-jerk type of way and saying, ‘Look at the consequences for someone who was not able to gamble responsibly. We should therefore stop this particular aspect of gambling to make us feel like we are doing something about it,’ is at best a hit-and-miss approach to addressing the concerns that we all have.

As well as talking with many people who work with the victims of gambling, I have also talked with—and continue to talk with—many people who deal with the causes of problem gambling. Without fail, all of those people say that Net gambling is not the area we need to focus on at the moment. They also say that this approach not only is farcical but is counterproductive. I can cope with the farcical political stunt that does not make an impact either way, but my real concern is that this is counterproductive. Whilst there may always be room for improvement, work is being done to try to minimise, to restrict, to control and to prevent the damage from problem gambling on the Internet. I accept that it is quite likely this area of gambling will expand. The big issue with this bill, as has been said many times and which these amendments do not address, is that it not only will not prevent that but also will take out the one area which does more than any other to try to minimise that harm. Those people who still want to gamble through the Net will be able to. They will continue to do so if that is what they need to do. If they have a problem, they will particularly continue to do so. If they are driven—if they have an addictive personality that needs to gamble and are particularly driven to the accessibility of the Internet—they will continue to do so.

This bill will not change that one way or the other. What it will do is to kick the knees out from under the one area of Net gambling that has led the world in trying to minimise or prevent that damage. It will cut that away and will leave it open for all those people—it is still a small number, but I accept it could be a larger number—to continue gambling in that way without those protections. They will be subject to all those areas of potential exploitation that Senator Brown quite rightly expressed concern about. Not only is this bill a knee-jerk stunt—and this amendment is an attempt to cover up that knee-jerk stunt—but it is a step backwards.

I appreciate and acknowledge the initial attempts of the Democrats when this bill was first debated to get genuine funding com-
commitments from the government at state and federal level to address the harm minimisation. I thank the minister for the commitment he has given. I hope that, unlike other commitments this government have given, as we outlined in this chamber just last night, they will give it in writing—and that it is not just a letter to individual senators but a commitment to the Senate and the people of Australia as a whole. But we saw just last night that a commitment to the chamber as a whole and the people of Australia as a whole is still something we cannot rely on from this government. But I hope they will deliver on extra funding for harm minimisation. That would be good, but we cannot forget the fact that this bill in operation would cut away from an area where there is a deliberate conscious attempt—partly in relation to the pressure the Senate exerted last time we dealt with this bill—to limit the damage that problem gamblers face.

Senator Brown is not in favour of banning and neither am I—some people may be and I respect that—but he is in favour of regulating and so am I. This bill does not regulate; it removes regulation, and people who wish to gamble on the Net will be subject to using sites that have less regulation. Senator Brown—I am not picking on you, but you argued in a logical way—addressed the danger of Net gambling being more accessible. The Net is in the home. It is more accessible than walking down the road to the pub—that is true. That is why we need stronger controls. That is why the Internet gaming industry in Australia has worked, partly in response to pressure from this chamber, to put in place those controls.

But what is even more accessible is putting a bet on the phone. It is much easier to pick up your phone and use your phone account to place a bet. It is a much bigger hassle—it is not that big a hassle but it is a bigger hassle—to log on through your modem, do your load in, hope the thing does not crash, log on to the Net, go to the site and put in your codes, and then you have your bet account limit as well. Phone betting is much easier and much more accessible. We are not touching phone betting. Not only are we not touching phone betting through these amendments, which I am addressing; we are also—

Senator Sherry—We are extending it.

Senator BARTLETT—This amendment extends the evil that the government is saying it is trying to restrict. That is how farcical it is. If we are looking at trying to prevent the small minority of people from having easy access to spending their money when they lose control, when they get stuck in that cycle, we have a duty to try to protect them. We have a duty to try to recognise what leads them into that difficulty. We have a duty to try to ensure that they have an opportunity not to end up there, not just for their sake and for their family’s sake but for society’s sake as a whole. But the most accessible form of betting is picking up the phone. You are at home. You can pick up the phone. You can watch television, particularly if you have pay TV. There are horse races all over the place. That is part of what pay TV relies upon—people who gamble through that. The majority of people gamble on horses. I gamble on other things occasionally, not particularly often. Personally, I cannot understand the interest people find in horse racing, even leaving aside the issue of exploitation of animals—but that is people’s choice. Why, as these amendments seek to do, is it somehow or other okay to gamble on horse races, harness racing, greyhound racing or sporting events through the Net, as we have always been able to do over the phone? It defies logic. I understand that the government wants to get the bill through, and it will do what it can to get the bill through. I understand that. But in terms of those who are looking at supporting this amendment, the logic quite honestly defies me.

Turning to the specifics of the amendments, I am sure the minister would be relieved to hear that I would like to ask him a question to clarify the content of the amendments, partly for the benefit of those who may well have to deal with this legislation if it goes through, as it looks like it may. The amendments talk about sporting events covered in amendment (1), paragraph (3)(aa). Amendment (2) clause (3A) says that paragraph (3)(aa) does not apply to a service to the extent to which:
(a) the service relates to betting on the outcome of a sporting event, where the bets are placed, made, received or accepted after the beginning of the event;

If someone is wanting to put a bet on who will be the highest scorer in the second innings for Australia in the next cricket test and the event has started but obviously the second innings has not started, does the event mean the test match or does the event mean the second innings? If you are talking about who is going to bowl the next over and you want to place a bet on who is going to bowl the next over, is the event the over, is the event the cricket match or is the event the start of the innings? I have read through the explanatory memorandum as well and it is not clear to me. I am quite genuinely, even though I oppose the amendments and oppose the bill, trying to understand where this line is being drawn. For those people out there who are existing service providers in this area or indeed future service providers who want to have Net betting in relation to sporting events, I think it would be helpful for the minister to clarify exactly where that line is, what the definition of when the event begins is and what the event is. I note that that paragraph does not apply to services for the conduct of lotteries, lottery tickets et cetera. Are there clear definitions of what exactly is a lottery and a lottery ticket? I would appreciate it if the minister could answer those questions.

In conclusion, coming back to my initial point about the major areas—and many people have made the point in the debate tonight, as all of us are concerned about minimising harm in terms of gambling—all of us know that the big problem in Australia at the moment is poker machines. As others have said today, the big winners out of this bill going through will be the pokie industry. The big winners will be the area that everybody acknowledges is the worst in terms of the impact on the community. I will mention briefly an article in the Canberra Sunday Times. I commend the local health minister in the ACT, Michael Moore, who pointed out that just in the ACT alone the Canberra Tradesman’s Union Club donated $590,000 to political, union and lobby groups last year. This was part of an attack on the ALP and how much it takes—my being cross-party in relation to this. The Canberra Labor Club donated $248,000—almost a quarter of a million dollars—in one year. Look at the financial power of those clubs, and that is just clubs.

Senator Brown mentioned retailers—exactly. They are not concerned about the social damage of gambling: they are concerned about losing their cut of the take. That is what they are concerned about. The pokie industry are a bit more sensible. They have not been right out front on this; they have been doing all the lobbying behind the scenes, but they know they stink enough that they would not dare to stick their heads up in public. The clubs are a bit less so and the retail industry has gone a bit further out front. But the impact is the same. That is not a concern about social impact; that is a concern about them losing market share. I have even had lobbying from newsagents saying, ‘This is not fair. People will not come here and buy lottery tickets.’ I can understand that, but they are not people who are concerned about the social impact of gambling. I would like to specially commend those who are. I do not wish to besmirch all clubs—some of them are being responsible. I do not mean to besmirch all newsagents. My local newsagent in Wilston in Brisbane specifically has a sign up saying, ‘We will not take credit cards or EFTPOS for people buying scratch-it tickets.’ I think that is a really laudable activity. They recognise, through their activities in taking money from people, those people who are just having harmless fun. They identify people who act responsibly and those who do not and recognise that they have a responsibility. I think that is the sort of area we need to focus on. Having said all that, I hope the minister did hear my questions about the amendments, and I would quite genuinely be interested in any response or clarification he can make.

Senator SHERRY (Tasmania) (10.11 p.m.)—Looking at the amendments we are considering in committee, if you look at the possible configurations of the voting outcome and the calculations that the government and we as a Labor opposition have to make in respect of supporting particular
amendments, I cannot help but be reminded of a game of Russian roulette of whether the bill will pass or fail—more so for this legislation than on most pieces of legislation that we see in this chamber.

For those in the chamber who are not aware, I worked at Wrest Point Casino for 3½ years. In that time there was one thing I did learn from a personal perspective: do not gamble. Senator Woodley does not have a monopoly on the moral, the ethical, the economic, the social considerations and outcomes and tragedies that result from gambling. I used to see it every night and every day—people who were losing money who could not afford to do so. Gambling is a zero sum game—so is drinking, so is smoking and so are a number of other social activities in our community. The difficult judgment we have to make as legislators is: can we effectively outlaw these activities? If we do attempt to outlaw, will it be done effectively and comprehensively? Then, are those outcomes of outlawing or prohibition for the better or worse? One country attempted to prohibit alcohol for an extensive period of time—the United States. I think most people who have looked at that experiment would come to the conclusion that the outcome was much worse than allowing alcohol to be consumed in a controlled, regulated manner.

We had a referendum in Tasmania on whether casinos should be legalised. I still have a copy of the referendum questions and the debate and the predictions that were made if casinos—in this case one casino—were to be legalised in Tasmania. Some of the claims that were made—

Senator Calvert—It was the end of the world.

Senator Sherry—It was going to be the end of the world, Senator Calvert. You can recall the arguments for and against: we were going to have the Mafia move into Tasmania; Sandy Bay, which is the suburb in which the casino was built, was going to be a Las Vegas with row after row of houses of ill repute; and the retail industry was going to be devastated. Nevertheless, the majority of Tasmanians voted to proceed with a legal casino. If people looked back objectively, I think they would come to the conclusion that that development and the successive developments that have occurred have been to the benefit of Tasmania overall.

You only have to read the Productivity Commission report on gambling in this country to be deeply disturbed by the dreadful impact of gambling on many individuals and families in this country. But if we were to outlaw gambling, to prohibit gambling, would it result in a better community overall? I would suggest it would not. If you prohibited smoking or alcohol, I would suggest it would be the same: it would not result in a better social outcome. As legislators, these are the difficult dilemmas we sometimes have to face. What we are presented with tonight is not a prohibition on gambling; it is an attempt to prohibit interactive gambling. It is an attempt. It will not be successful because, if the legislation is passed, people will simply move offshore through the Internet and carry out their gambling there. That will be the practical outcome of the legislation if it is passed. We know that is what will happen. Those people in moving offshore will move into an area where there is very little regulation—certainly far less regulation than has been implemented, or proposed, by the various jurisdictions within Australia. That will be the effect of it. That seems to me to be a very impractical outcome.

What is of interest is that the government states that it wants to ban interactive gambling, but that is not what we are presented with. What we are presented with is an attempt—we know an impractical attempt—to prohibit interactive gambling, but there are exemptions to this proposed prohibition. Excluded from what will be an ineffective prohibition are services relating to contracts that, under the Corporations Law, are exempt from a law relating to gaming or wagering and services that the minister determines are exempt services. But, since we last debated this, we have gone a further step. Apparently the government has done a deal with Senator Brown. It is okay for Senator Brown to support a piece of ineffective legislation purporting to ban interactive gambling as long as the Tasmanian TAB is saved. So we add another exemption in order to pass a piece of legislation that is going to be ineffective
anyway and is going to drive offshore those people who want to use this particular service. I can understand Senator Brown having a Tasmanian perspective, but where is his concern for Federal Hotels—a company which, on balance, has made a significant positive contribution to the Tasmanian economy? Where is his concern for Federal Hotels who have invested $15 million? They are a major Tasmanian company, but that will be money down the drain and it will have a serious impact on the bottom line of that company. That is just one example.

This legislation we are presented with is monumental hypocrisy. It is monumentally impractical. If we are fair dinkum and want to deal with the social problems of gambling, as I am sure we all do, the way to go is to regulate gambling and provide positive programs for those people who are harmed by it, not try to prohibit it in an impractical way.

Senator ALSTON (Victoria—Minister for Communications, Information Technology and the Arts) (10.19 p.m.)—I will just address a few issues before I come to answering Senator Bartlett’s question. There does seem to be quite a serious failure to comprehend the nature of this legislation. I noticed that Senator Lundy said that this bill does not address problem gambling. Indeed, Senator Lundy seems to be blissfully unaware of the fact that COAG has addressed these issues in recent times and that the Ministerial Council on Gambling has devoted quite a deal of time and energy to addressing these very concerns. So let us be clear: this bill is not about tackling the problems that derive from poker machines or casino activities; it is about nipping in the bud an industry—that is still very much in its infancy—for a period of time in which we will be able to make some longer term judgments. In other words, we will be able to look at the report of the National Office of the Information Economy on the technical feasibility and consequences of a permanent ban and we will also be able to look at the social consequences. Those are all issues that should be examined at this stage.

It is also a bit disappointing, but not surprising, that people like Senator Stott Despoja want to dismiss this sort of activity as a stunt—which, I presume, not even all the members of her own party would agree with, let alone those of goodwill and good intent who have a different view. So I do not quite know why she feels that she has the high moral ground on this issue. She seems to think that somehow the states are moving rapidly. She asked me if I would acknowledge what progress the states have made. I think even Senator Stott Despoja found it necessary to say that the act has provided some impetus for the states and territories. Quite clearly, they did nothing from 1997 until quite recently. I was asked what emerged from the Darwin summit. My understanding is that what really emerged was an agreement to draft a national code, which is hardly, I would have thought, the sort of thing that Senator Stott Despoja professes to aspire to in terms of a uniform solution involving harm minimisation. So if you ask me what the states and territories have managed to do in the last six months or so, the answer is basically that they have licensed quite a number of new players. But, beyond that, they have not really taken any significant action.

Senator Stott Despoja interjecting—

Senator ALSTON—It is all very well for you to accuse other people of stunts, but when you ask me to acknowledge what the states have done and I tell you, you take exception. I will not go any further. Senator Bartlett asked me about the intent of the amendments in relation to what in common parlance these days is called ‘spread betting’—in other words, where you bet on a ball by ball event or whether Shane Warne’s next ball will be a googly or a flipper. Those are contingencies that occur after the commencement of the event, which in cricket is the first ball bowled once the match starts. On page 4 of the supplementary explanatory memorandum the distinction between ‘an event’ and ‘a series of events’ is explained by way of an example:

... in the case of the game of cricket, the ‘event’ would be characterised as a single cricket match. However, the test series would be characterised as ‘a series of events’.

In other words, even though the first test had started, you could bet on the outcome of the
second test; but you could not then bet on other contingencies that might occur during what is normally a five-day game but these days seems to be a 2½- to three-day game. What we are concerned about here is allowing sporting activities to be exempted in terms of interactive wagering, but not those new services which have not really got off the ground and any events which are generally described as spread betting. Senator Lundy also does not seem to be able to distinguish between casino-type betting and sports wagering. I simply—

Senator Lundy interjecting—

Senator ALSTON—The whole thrust of this assertion that somehow this is just a hopeless compromise to get the bill through under any circumstances ignores the fact that there is in many people’s minds a qualitative distinction between sports betting and casino-type activity. If you do not know the difference or you do not think there is a difference, I am not going to spend much time trying to paint the distinction. But I would have thought—

Senator Lundy—Why didn’t you support Senator Harradine’s amendments last time round? Think about it.

Senator ALSTON—A lot of people would say that betting on sporting events is a fairly Australian characteristic; but, if you are talking about a casino-type activity, that is a particularly mindless form of exercise that does not involve any skill or judgment but in most instances enables you to lose a lot more money, more quickly—

Senator Lundy interjecting—

Senator ALSTON—I am just explaining the distinction to you. I am not asking you to have a side bet on who is going to vote for what. I am simply saying to you that you should not pretend that somehow there is no qualitative distinction. I would like to acknowledge the constructive role played by Senators Woodley and Allison. The following excerpt of the letter I wrote to Senator Woodley has already been incorporated into the Hansard:

Based on your discussions with my Office, I am writing to confirm that:

1. The Government is predisposed to a ban on Internet gambling. However, if at the conclusion of the moratorium period, a ban is found not to be feasible, and subsequently is not imposed, the Government will, at the very least, urge the States and Territories to enact a uniform, national set of regulatory standards, formulated in consultation with the Commonwealth.

2. ... Despite the proposed exclusion of wagering from the scope of the moratorium, the Government remains committed to investigating the feasibility and consequences of banning new forms of interactive gambling, including new forms of interactive wagering.

3. The Government is prepared to provide in principle support for two initiatives that were discussed at a recent COAG meeting. Those initiatives relate to:
   - A national research program into problem gambling, jointly funded by the Commonwealth and States and Territories; and
   - A national advertising campaign about the potential dangers of gambling, jointly funded by the Commonwealth and States and Territories.

Although funding for these proposals would need to be considered as part of the Budget process, the Commonwealth would be sympathetic to providing funding for both of these initiatives.

I acknowledge that both Senators Woodley and Allison clearly share the government’s concerns in relation to the potential quantum increase in accessibility of new interactive gambling services and the associated potential increase in problem gambling. I am very conscious of the fact that very strong representations have been made by the Chief Minister to the government in very recent times, particularly to the Prime Minister. I am also aware that Senator Tambling has come under a great deal of pressure and, as a result, has certainly expressed to me and to other colleagues some of the issues that he believes need to be closely examined. The government has done that, and I think the way in which the amendments have been put forward should ensure that the right balance is struck. So I commend both amendments to the Senate.

Question put:
That the amendments (Senator Alston’s) be agreed to.
The committee divided. [10.32 p.m.]
(The Chairman—Senator S.M. West)

Ay es…………. 35
Noes………… 30
Majority……… 5

AYES
Abetz, E. Alliston, R.K.R.
Brandis, G.H. Calvert, P.H. *
Calvert, P.H. * Chapman, H.G.P.
Crane, K.W. Ferris, J.M.
Harradine, B. Heffernan, W.
Kemp, C.R. Lightfoot, P.R.
Mackay, I.A.L. McGauran, J.J.J.
Newman, J.M. Payne, M.A.
Tchen, T. Vanstone, A.E.
Woodley, J.

NOES
Bartlett, A.J.J. Bishop, T.M.
Bolkus, N. Bourne, V.W.
Buckland, G. Carr, K.J.
Crossin, P.M. Denman, K.J.
Dentman, K.J. Evans, R.C.
Forsyth, M.G. Greig, B.
Heres, M.H. Lees, M.H.
Landy, K.A. Lundy, K.A.
McKinnon, J.P. Murphy, S.M.
O’Brien, K.W.K. * O’Brien, K.W.K. *
Schacht, C.C. Stott Despoja, N.
* denotes teller

Question so resolved in the affirmative.
Progress reported.

ADJOURNMENT
The PRESIDENT—Order! It being after
10.30 p.m., I propose the question:
That the Senate do now adjourn.

Companies: Employee Entitlements

Senator COONAN (New South Wales)
(10.36 p.m.)—Earlier this week I was pleased
to learn that the federal government would
pay 19 former employees of the Victoria Knitting Mills in the Sydney suburb of Alex-
andria, which is part of my duty electorate of
Sydney, at least some of the entitlements
edowed to them by their former employer who
became insolvent. The issue of employee
entitlement is one in which I have a particu-
lar interest. I have taken a close interest in
the plight of workers whose employer goes
broke, owing wages and other entitlements,
as part of working at the bar in recent years
as an insolvency practitioner. It is a matter in
which I have both some experience and a
particular interest. These 19 workers at Vic-
toria Knitting Mills received more than
$70,000 under the federal government’s Em-
ployee Entitlements Support Scheme—

Senator Abetz interjecting—

Senator COONAN—It is a good pro-
gram, Senator Abetz—a program which pro-
vides assistance to employees who have lost
their job since 1 January 2000 as a result of
their employer’s insolvency and who lost
some or all of their employee entitlements. It
is an example of the federal government
leading the way and making a real difference
to the lives of ordinary Australian workers
who, through no fault of their own, have
been affected by the financial failure of their
employer.

The government is delivering on the com-
plex issue of employees losing their entitle-
ments following business insolvency and it
continues to provide real help to people who
need it and who have little to offer but their
labour. The liquidator for Victoria Knitting
Mills, Mr Geoffrey Reidy, from the firm
Rodgers Reidy in Sydney, is distributing the
money among the employees. Let me give
you a picture of the people who will benefit
from this payout. An average payment for
each of the 19 claimants is around $3,727,
with the highest payout being $8,628. One of
these employees worked for the company for
23 years, and eight employees gave more
than 15 years service.
By mid-November this year the federal government had paid more than 1,000 workers who were otherwise left without their entitlements when their employer failed. In total, the scheme has now paid out more than $1.8 million. Typically, the federal government scheme has delivered to employees up to 50 per cent of the entitlements owed by their insolvent employer. But workers would have received double what they had been paid under the scheme, sometimes up to 100 per cent of their entitlements, if the states had contributed their fair share to assist workers in need. The contrast is stark. In this case, the Commonwealth is paying these 19 former Victoria Knitting Mills employees an average of almost 40 per cent of their entitlements owing at termination. If the Labor Premier of New South Wales, Mr Bob Carr, cared enough about these workers to pay the New South Wales government share, they would be paid on average about 80 per cent of their entitlements owing at termination.

For 13 years, federal Labor turned its back on these workers. Now it encourages its state counterparts to follow suit, it would appear. During the federal Labor government’s 13 years in office, it failed to provide meaningful protection for workers whose entitlements were not paid on insolvency. No more evidence of this failure is required than the plight of the workers who have, since Labor left government, discovered that there were no federal laws or schemes in existence to protect their unpaid entitlements on the insolvency of their employer’s business.

Labor’s record of inaction is pitiful. No Labor Prime Minister, no Labor cabinet and no Labor industrial relations minister—Mr Willis, Mr Morris, Senator Cook or Mr Brereton—ever succeeded in establishing a national scheme to protect worker entitlements on insolvency. It does not appear that any Labor Prime Minister, Labor cabinet or Labor industrial relations minister paid out one cent of Commonwealth money to fund unpaid entitlements to employees where debts were owed to them by their private sector employer. Labor did not seek the agreement of the states on a proposal for the establishment of a national scheme to protect worker entitlements, despite the existence of a joint federal-state Labor ministers council.

Labor did not even commit to a national scheme to protect worker entitlements in its self-proclaimed accords with the ACTU. During the life of the Labor government there were eight separately negotiated accords with the ACTU. The accord record on employee entitlements speaks for itself: Accord Mark I in 1983—no mention of worker entitlements on insolvency; it was the same for Accord Mark II in 1985 and Accord Mark III in 1987. In Accord Mark IV in 1988 again there was no mention of it. In 1989 there was no mention of it in Accord Mark V. In 1990 there was no mention of it in Accord Mark VI.

In Accord Mark VII in 1993 we got the first mention—after 10 years of government and four days before the 1993 election—of worker entitlements on insolvency. But there was still no commitment to providing a national scheme or a safety net; there was only a modest change to priorities to allow employees to receive payment before the Commissioner of Taxation but, of course, after secured creditors. It was not nearly a solution to the problem. Accord Mark VIII was not much better; it recorded a second mention of worker entitlements on insolvency after eight accords over 13 years. Labor’s only commitment to the trade union movement on this was that the government would ‘examine and, if practicable and desirable, move to improve the protection of employees’ entitlements in the event of insolvency of the employer’. In other words, after 13 years of government Labor was not even convinced that it was desirable to do anything about the problem, let alone propose a solution.

Over the period of this inaction, thousands of workers and their families were owed millions of dollars. They went without their entitlements without the Labor government taking action to provide a safety net. The ACTU’s own figures estimate that 17,000 workers each year are not paid entitlements on insolvency and that the average amount of money owed to workers who are left with unpaid entitlements on insolvency is $7,000 per person. If this is right—and data is not readily available on this issue—during La-
Labor’s 13 years 221,000 workers were left unprotected by Labor, losing some $1.25 billion in unpaid entitlements. Yet virtually nothing was done.

Labor’s failure is even more contemptible given that Labor induced an economic recession in 1990 which left nearly a million Australians unemployed and caused thousands of businesses to go into insolvency. Even with the wreckage of recession around it, Labor did not act to protect employee entitlements. Apart from its failed accords with the ACTU, Labor missed other opportunities to deal with the problem. Unfortunately I will not have time to go through them all. Labor’s only legislative actions on this issue were in 1985 and 1993. In 1985 the Companies Act was amended to give limited priority to retrenchment payments after unpaid wages and entitlements in respect of annual leave. In 1993 the Corporations Law was amended so that priority for money owed to the Commissioner for Taxation was ranked behind employee entitlements, but this amendment provided no effective solution to the problem because it left employee entitlements ranking behind those of secured creditors.

Every employee during and after Labor’s recession who was sacked but owed money when their employer went broke continued to be denied their unpaid entitlements when secured creditors ranked above them. Labor’s record in government on protecting employee entitlements exposes the gulf between Labor’s rhetoric and practice on workers’ rights. We hear a lot about it now but there was not much action when Labor was in a position to do something about it. The Employee Entitlements Support Scheme is the most far reaching extension of the social security safety net undertaken by a government to protect workers who are left stranded when a company fails. It is the only scheme operating to protect workers’ entitlements. Workers and their families have every right to vent their disappointment at the states and the federal opposition who left them significantly out of pocket, through no fault of their own. It is an enduring pity that others do not share the coalition government’s commitment to working people in need.

Parliamentary Privilege: Whistleblowers

Senator WOODLEY (Queensland) (10.46 p.m.)—In this debate this evening I wish to return to a matter which I have pursued for some years, and to update the Senate on the latest development in the saga. It is to do with the matter of parliamentary privilege and whether a document tabled in parliament can be used in the courts in evidence for or against a person. This is an issue which is coming more and more to the fore in parliaments in Australia and in the courts, and it needs to be addressed.

It seems even the courts themselves do not understand the nature of parliamentary privilege, and it is becoming quite an important issue. I am going to repeat part of a speech that I gave some time ago, because it needs a context to bring the Senate up to date in this matter. It is to do with the issue of a former policeman, Mr Gordon Harris. As I said, I believe it is an issue of privilege which really does interest the Senate. I want to thank the Clerk of the Senate, Mr Harry Evans, for helping me to draw the attention of Mr Harris and others to what is now quite clearly a breach of privilege of the Queensland parliament. The advice given by Harry Evans has subsequently been confirmed by the staff of the Queensland parliament as well. So it is interesting for me to bring this update to the Senate. It concerns Mr Harris’ attempts to have the Queensland parliament’s ethics and privileges committee deal with the matter. The fact that they have refused to deal with it is of concern, because they need to deal with its issue as much as any other parliament in this country.

In the court case in which Harris was involved, and in which finally the magistrate said he was technically in breach of the law but no conviction was recorded against him, much of the evidence used against him by the prosecutor was taken from a document obtained from the Queensland parliament, and that document attracted parliamentary privilege. For the court to have used the document as evidence against Gordon Harris appears to be a very serious breach of that privilege. Mr Evans has given me some advice on this, and the staff of the Queensland parliament have backed up that advice. It is
worth quoting from Mr Evans’s letter, because it very clearly puts the issue into context. The report that was tabled in the Queensland parliament and subsequently used in the court case was called the Cox-Clamp report. Mr Evans says:

The Cox-Clamp report was undoubtedly a document prepared, made and published under the authority of, in the first instance, a parliamentary committee and finally the Legislative Assembly of Queensland. The report was commissioned by the Parliamentary Criminal Justice Committee, was presented to the Legislative Assembly by that committee and was ordered to be printed by the Assembly.

In relation to question (ab)—that is a question about whether parliamentary privilege has been breached—the Commonwealth statute defines the scope of the protection conferred on proceedings in parliament, but this provision has no equivalent in the Queensland statute. It is possible that the courts in Queensland could hold that the scope of the protection is more limited in that jurisdiction (there was a recent eccentric judgment of the Queensland Court of Appeal which suggests such a possibility). Given that the Commonwealth provision, however, has been found by courts which have examined it closely to be an accurate codification of the common law, it is likely that the protection offered by parliamentary privilege in Queensland has the same scope as it has in the federal sphere.

The material you have supplied—the letter was to me—sufficiently indicates that the Cox-Clamp report was used in the legal proceedings to support the case of one side in the proceedings against another, to establish the credibility of one person and to undermine the credibility of others. It is just this sort of use of proceedings in parliament which parliamentary privilege seeks to prevent. This is made clear in the Commonwealth legislation.

On that basis, it can be concluded that the use which was made of the Cox-Clamp report in subsequent legal proceedings was unlawful in that it was contrary to the law of parliamentary privilege.

That is the opinion of Mr Evans, and I thank him for providing that to me.

It is a very interesting case. It seems that not only was the document used to prosecute Gordon Harris but it was also used very selectively. At the time it was not available to the Senate committee—we were looking into the issue of Gordon Harris’s status—but we were allowed to read it in a closed room and not allowed to comment on it when we went out of the room. However, the document has now been made available publicly, and when one reads it one can see how selectively it was used in prosecuting Gordon Harris in the court. I think that represents a very serious miscarriage of justice as well as a breach of parliamentary privilege.

I believe it is important that I bring this issue to the attention of the Senate. The prosecution was brought with the knowledge of the Queensland Criminal Justice Commission, the Queensland Attorney-General at that time, the Queensland Director of Public Prosecutions and the Queensland Police Service. It seems to me that, when all those bodies work together to bring a prosecution against someone and then use a document which is subject to parliamentary privilege and quote from it very selectively—a document which is not available publicly and was not available to Gordon Harris to defend himself—a serious miscarriage of justice has occurred.

To conclude, I want to, in a sense, make an appeal to the Queensland parliament. I am not singling out any one party because—like the Senate, in particular—the Members Ethics and Parliamentary Privileges Committee is made up of people from a number of parties. The issue of privilege was first raised in May 2000—over six months ago. Mr Harris wrote to the committee and asked that his matter be considered. He had not had a reply by September this year, so he wrote again and then phoned the committee. In reply to his letter, the chair of the Queensland committee wrote this:

As our Research Director advised you on 15 September 2000, the committee is currently awaiting some advice from the Attorney-General. We will communicate with you in further detail once we have obtained the Attorney-General’s advice.

We cannot, however, let some of your comments pass without response. It is inconceivable to accuse this committee of ‘delay’ in respect of the matter that you have
raised. The court case from which the matter you are complaining arose in 1991. You brought it to the attention of a member of this committee in 2000. To the best of our knowledge, Counsel representing you at the trial did not bring the privilege issue to the attention of the Court. Yet now, almost 10 years later, you are seeking this committee's assistance. In the circumstances it is ironic that you would complain about the committee delaying the matter.

The problem, of course, is that most of the documents on which the matter of privilege was based were not available to Mr Harris until quite recently. It seems to me that that is a very dismissive way to treat a matter of privilege, and I cannot even imagine that the Senate would treat an appeal by someone in that fashion. The letter from the chairman of the committee concludes:

Given the vintage of this matter and the fact it was not raised to the court at the hearing, this committee would have been justified in dismissing your correspondence.

I think that means they are not very happy about pursuing the matter but they have not yet closed the door. The reason why I am still concerned about this issue is that I believe these kinds of issues ought to be dealt with—they ought to be dealt with by a privileges committee of any parliament, certainly when the person against whom the matter has been prosecuted seems to have been treated very badly indeed. (Time expired)

Aboriginals and Torres Strait Islanders: Reconciliation

Senator TCHEN (Victoria) (10.56 p.m.)—Last Sunday between 200,000 and 400,000 Melburnians joined in the Reconciliation Walk. I was not able to join in the walk because I was required to attend a Cambodian community function in Springvale which did not finish until 12 o'clock. By the time I got into the city, the walk had finished, although there were still a large number of people congregating in King's Domain, so I had the privilege of joining them in commemorating this event. The reason I particularly wanted to join in, even though I knew that I was late and that the walk would be finished, was that I wished to register my goodwill, along with that of my fellow Australians from all backgrounds, in this reconciliation process with indigenous Australians.

It seems to have been a great success, by all accounts—the last event organised by the Council for Aboriginal Reconciliation. Tomorrow morning the council will submit its final report to the government, and the council will then be disbanded. In the history of the event, that is a good thing because, having culminated in that walk, the reconciliation process should be finished by now. There is no doubt that the Aboriginal people have won the respect of their fellow Australians as a group of people. But the harder task now is for individual Aboriginal Australians to gain respect as individuals, particularly respect for themselves—self-respect—because that will be the hardest task for a people that has suffered injustice in history. The important thing is that they should not carry their suffering through to the present day and imagine that they are still suffering as individuals.

As someone from a different background, and speaking from my people's experience and from my own experience, I would like to say to Aboriginal Australians that the task in front of them is to achieve practical reconciliation—which this government over the last five years has been working very hard at achieving. I hope that the Aboriginal community will recognise that fact and work together with us to achieve a future for them that is appropriate as a part of the Australian community.

To demonstrate to them that this process is already in place—notwithstanding much of the rhetoric over the last few years—and to reassure them that this process is continuing, I would like to say that, over the last four years, this government has increased funding and put many processes in place to ensure that Aboriginal communities have had a general improvement in their health, education, employment opportunities and housing, in order to bring them up to the standards enjoyed by other Australians. Funding in health, since 1996, through the Office for Aboriginal and Torres Strait Islander Health, has increased by more than 50 per cent in real terms to $214 million per year. Nevertheless, the Aboriginal infant mortality rate
remains three to three and a half times worse than the rate for non-indigenous Australians, but it has been reduced by more than 75 per cent since the 1970s. We still have some way to go, but we are on track to improve the situation. There is a tendency to look at the current rate of three to three and a half times higher than the rate for the normal population and say that it is not acceptable. Nevertheless, there has been a great improvement. One hopes that that improvement will continue.

In other areas such as education, between 2001 and 2004 the government has budgeted to spend $1 1/2 billion to improve education outcomes for indigenous students, including tertiary education. While still lagging well behind the rate for non-indigenous Australians, Aboriginal school retention rates have quadrupled since the 1970s, but most of the success has been achieved over the last five or six years. In particular, we should note that on Monday, when the Minister for Aboriginal and Torres Strait Islander Affairs, the Hon. Senator Herron, was asked a question about reconciliation, he commented that in the last year the number of indigenous students in tertiary education reached 8,001, which is the highest ever. I found it particularly intriguing when he got to that point that the normally noisy opposition bench fell totally silent—in recognition, even from the opposition senators, of the achievement that this government has reached, with the cooperation of the Aboriginal community, to assist young Aboriginals to achieve their aspirations.

Employment is another area where the Aboriginal community is behind the general community. There is an unacceptably high level of Aboriginal unemployment, but the proportion of indigenous Australians who are participating in vocational training has increased fivefold in the last 10 years. The proportion of indigenous Australians who are employed in professional occupations has also increased by more than one-third in 10 years. This major achievement bodes well for reconciliation of Aboriginals on an individual level in the near future. I look forward to seeing the Council for Reconciliation’s final report and the blueprint for the future for Aboriginals in Australia. Given the success they have achieved, particularly in the last few years, I am sure this blueprint will bring Australia, within the very near future, to be truly one people, rather than being always under threat of confused complaint about past injustice, which has held back the advancement of our people for the last 100 years.

Senate adjourned at 11.06 p.m.

DOCUMENTS

Tabling
The following documents were tabled:
Treaties—List of multilateral treaty action under negotiation or consideration by the Australian Government, or expected to be within the next twelve months, December 2000.

Tabling
The following documents were tabled by the Clerk:
Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Directives—Part—
Sydney Airport Curfew Act—Dispensation granted under section 20—Dispensation No. 19/00.
QUESTIONs ON NOTICE

The following answers to questions were circulated:

Council for Aboriginal Reconciliation: Public Opinion Research
(Question No. 1971)

Senator Faulkner asked the Minister representing the Prime Minister, upon notice, on 29 February 2000:

(1) On how many occasions since 1 July 1999 has the Council for Aboriginal Reconciliation, or the department on behalf of the council, commissioned quantitative and/or qualitative public opinion research.

(2) (a) Who was commissioned to conduct each of these studies; (b) what was the purpose of each study; (c) what research methods were used in each study; (d) what was the estimated cost of each study when commissioned; (e) what was the final cost of each study, where finalised; (f) what was the commencement date of each study; and (g) where appropriate, when was each study concluded.

(3) (a) How were each of these consultants chosen; and (b) where appropriate, what was the reason for not using an open tender.

(4) (a) When were the results of each of these studies provided to the department; and (b) what were the dates of provision of each interim report and final report from these studies.

(5) On what dates were these results and/or reports provided to the members of the council.

(6) (a) Apart from departmental officers and members of the council, who received the results and/or reports of each of these studies; and (b) on what date did they receive them.

(7) Which of these studies was cited by the Prime Minister in the interview published in the Australian on 28 February 2000.

Senator Hill—The Prime Minister has provided the following answer to the honourable senator’s question:

Since the date that the honourable Senator asked his question, my Department has provided him with papers containing many of the answers when responding to his Freedom of Information request on the same subject. Information about the cost of the social research has been included in the Department of the Prime Minister and Cabinet’s 1999-2000 Annual Report.

House of Representatives Members: Electorate Staff
(Question No. 2393)

Senator Eggleston asked the Special Minister of State, upon notice, on 22 June 2000:

Is the Minister aware that, Mr Damien Karmelich, a full-time electorate officer to the Federal Member for Swan (Mr Wilkie), has been working on a regular basis from Labor House in Bunbury, Western Australia. (2) Given that, Labor House is located outside Mr Wilkie’s federal electorate of Swan, do Mr Karmelich’s activities contravene the guidelines for employment of electorate staff by members of the House of Representatives. (3) Is the Minister aware that Mr Karmelich has been actively campaigning for the Australian Labor Party in Western Australia as part of its state election efforts in the marginal seats of Bunbury and Mitchell. (4) If Mr Karmelich has breached any guidelines: (a) what actions will the Minister take to correct the matter; and (b) will the Minister undertake any efforts to recoup any taxpayers funds that may have been used during Mr Karmelich’s activities in Bunbury.

Senator Ellison—The answer to the honourable senator’s question is as follows:

In accordance with usual practice, I wrote to Mr Wilkie on 5 September 2000 requesting his comments on this matter.

On 5 October 2000, Mr Wilkie wrote that he was satisfied that Mr Karmelich had not been working for the State Labor candidates in the seats of Bunbury and Mitchell and he had not contravened any guidelines or determinations on the use of staff by Members of Parliament.
Mr Karmelich has assured Mr Wilkie that when he has been present at Labor House, he has been there either in a private capacity outside working hours or while on leave.

Mr Wilkie is satisfied that Mr Karmelich has not broken any guidelines. As such, the Department of Finance and Administration proposed that no further action be taken in relation to this matter.

Department of Employment, Workplace Relations and Small Business: Programs and Grants to the Bass Electorate

(Question No. 2407)

Senator O’Brien asked the Minister representing the Minister for Employment, Workplace Relations and Small Business, upon notice, on 27 June 2000:

(1) What was the level of funding provided through programs and/or grants administered by the department to provide assistance to people living in the federal electorate of Bass in the 1999-2000 financial year.

(2) What level of funding provided through these programs and/or grants has been appropriated for the 2000-01 financial year.

Senator Alston—The Minister for Employment, Workplace Relations and Small Business has provided the following answer to the honourable senator’s question:

(1) and (2) There are eight relevant types of funding administered by the Department of Employment, Workplace Relations and Small Business.

In the case of funds provided for the administration of Area Consultative Committees (ACCs), funds provided under the Regional Assistance Programme (RAP) and those provided under the Indigenous Employment Programme and its predecessor, the Training for Aboriginals and Torres Strait Islanders Programme (TAP), and the Small Business Enterprise Culture Programme (SBEC), it is questionable how accurate the data on the amount of funds provided under each of the above programmes would be if attributed by electorate. This is because funds are not allocated, approved or accounted for by federal or any other electorates.

The honourable senator sought similar information on funding for the electorate of Bass in his question No 1874 of 21 January 2000. In my response, I advised that funding under the IEP and its predecessor TAP was not resourced by electorate. Some funding information was provided in relation to funding under RAP for activities that may have had an impact on the electorate of Bass, but this information was qualified.

In the case of ACCs and RAP, the programme is based on a structure that involves 56 ACCs which are located in all States and Territories. All potential projects (other than those of national significance) are channelled through these 56 ACCs. ACCs, which consist of local representatives, make recommendations with respect to the potential projects. Ultimately, however, decisions about the funding of projects are made by a delegate within the National Office of DEWRSB.

All administrative funding allocations for ACCs and RAP, together with information collected on the projects supported by the programme, are based on that ACC structure. Many ACCs cover a number of federal electorates in whole or in part. Moreover, many projects that are funded under RAP cut across a number of ACCs. In short, to attempt to move from an ACC basis to an electorate-based approach in order to quantify the allocation of funds is fraught with difficulties. Arbitrary judgements would have to be made about how much of a project or ACC related to a particular electorate. For example, the single ACC in Sydney, GROW, covers wholly or partially 28 electorates.

For the 2000–2001 financial year a notional allocation of around $16 million is available for new RAP proposals endorsed by ACCs.

In the case of IEP (and TAP) the same difficulties arise in taking an electorate-based approach to quantifying funds approved under the various elements of the programme, namely, Wage Assistance, Structured Employment and Training (STEP), the Corporate Leaders for Indigenous Employment Project, National Indigenous Cadetship Project, Placement Incentives for Community Development Employment Projects (CDEP), the Indigenous Small Business Fund and the Voluntary Service to
Indigenous Communities Foundation. These various elements operate differently and, as mentioned above, are not categorised by electorate.

The SBECP is equally problematic, in that individual projects may cover several electorate boundaries. What may occur is that the proponent of a project may be located in one electorate yet be conducting the elements of the project in another electorate(s).

To attempt to identify individuals living in the electorate of Bass who may be the beneficiaries of assistance under the various elements of the programme is, at best, problematic.

For the 2000–2001 financial year, the amount allocated to the Indigenous Employment Programme is $55.428 million. Under the SBECP, funding of $2.2 million has been made available to assist small business skill development programmes.

**Job Network**

Similarly, expenditure on Job Network is not reported on the basis of electoral boundaries. The Bass electorate is located in the Job Network labour market region of Tasmania in the second contract period which began on 28 February 2000. Job Network payments in this region (and the corresponding region for the first contract period which ended on 27 February 2000) totalled $25 177 800 in 1999–2000. Job Network funding is not appropriated on the basis of electoral or regional boundaries.

Although funds are also not allocated by electorate in respect of the Community Support Programme, the Return to Work Programme and the Work for the Dole Programme, some figures can be provided.

**Community Support Programme (CSP)**

In the 1999–2000 financial year a total of $171 000 was allocated for CSP sites within the electorate of Bass. Expenditure of funds would be subject to the use of places by the service provider. For the 2000–2001 financial year the amount appropriated for CSP in Bass is $392 089.

**Return to Work Programme (RTW)**

Contracts commenced in March 2000 and will continue until February 2002. In the financial year 1999–2000 a total of $9607 was provided for RTW to assist people living in the federal electorate of Bass. For the financial year 2000–2001 the amount allocated for RTW to assist people living in federal electorate of Bass is $46 748.

**Work for the Dole (WFD)**

WFD is administered by DEWRSB in the electorate of Bass. In 1999–2000 $191 325.25 was provided to WFD activity sponsors and Community Work Coordinators (CWCs) based in the electorate of Bass.

In 2000–2001 $51 946.40 has been provided to CWCs based in the electorate of Bass. A further $274 642.90 has been committed for WFD sponsors and CWCs based in this electorate. However, further funding may be provided during the remainder of this financial year as WFD projects are approved on a monthly rolling basis.

The allocation of business to Community Work Coordinators (CWCs) (and sponsors in previous rounds of the programme), is based around Employment Service Areas (ESAs). CWCs are required to make available Work for the Dole places for eligible job seekers resident in the ESA for which the CWC is contracted. ESA boundaries do not coincide with federal electorate boundaries.

Therefore in the case of the Federal electorate of Bass, whilst these projects/activities are located in the Bass electorate, and most participants would reside in the Bass electorate, participants may have been drawn from parts of the ESAs that are located in neighbouring federal electorates. Furthermore, projects/activities located in other parts of the ESAs that fall into neighbouring federal electorates may recruit participants living in the Bass electorate.
Department of Employment, Workplace Relations and Small Business: Programs and Grants to the Kalgoorlie Electorate

(Question No. 2425)

Senator O’Brien asked the Minister representing the Minister for Employment, Workplace Relations and Small Business, upon notice, on 27 June 2000:

(1) What programmes and/or grants administered by the department provide assistance to people living in the federal electorate of Kalgoorlie.

(2) What was the level of funding provided through these programmes and/or grants for the 1996-97, 1997-98, 1998-99 and 1999-2000 financial years.

(3) What level of funding provided through these programmes and/or grants has been appropriated for the 2000-01 financial year.

Senator Alston—The Minister for Employment, Workplace Relations and Small Business has provided the following answer to the honourable senator’s question:

(1), (2) and (3) There are eight relevant types of funding administered by the Department of Employment, Workplace Relations and Small Business (DEWRSB).

In the case of funds provided for the administration of Area Consultative Committees, funds provided under the Regional Assistance Programme (RAP) and those provided under the Indigenous Employment Programme and its predecessor, the Training for Aboriginals and Torres Strait Islanders Programme (TAP), and the Small Business Enterprise Culture Programme (SBECP), it is questionable how accurate the data on the amount of funds provided under each of the above programmes would be if attributed by electorate. This is because funds are not allocated, approved or accounted for by federal or any other electorates.

The honourable senator sought similar information on funding for the electorate of Kalgoorlie in his question No 1874 of 21 January 2000. In my response I advised that funding under the IEP and its predecessor TAP was not resourced by electorate. Some funding information was provided in relation to funding under RAP for activities that may have had an impact on the electorate of Kalgoorlie, but this information was qualified.

In the case of ACCs and RAP, the programme is based on a structure that involves 56 ACCs which are located in all States and Territories. All potential projects (other than those of national significance) are channelled through these 56 ACCs. ACCs, which consist of local representatives, make recommendations with respect to the potential projects. Ultimately, however, decisions about the funding of projects are made by a delegate within the National Office of DEWRSB.

All administrative funding allocations for ACCs and RAP, together with information collected on the projects supported by the programme, are based on that ACC structure. Many ACCs cover a number of federal electorates in whole or in part. Moreover, many projects that are funded under RAP cut across a number of ACCs. In short, to attempt to move from an ACC basis to an electorate-based approach in order to quantify the allocation of funds is fraught with difficulties. Arbitrary judgements would have to be made about how much of a project or ACC related to a particular electorate. For example, the single ACC in Sydney, GROW, covers wholly or partially 28 electorates.

For the 2000-01 financial year a notional allocation of around $16 million is available for new RAP proposals endorsed by ACCs.

In the case of IEP (and TAP) the same difficulties arise in taking an electorate-based approach to quantifying funds approved under the various elements of the programme, namely, Wage Assistance, Structured Employment and Training (STEP), the Corporate Leaders for Indigenous Employment Project, National Indigenous Cadetship Project, Placement Incentives for Community Development Employment Projects (CDEP), the Indigenous Small Business Fund and the Voluntary Service to Indigenous Communities Foundation. These various elements operate differently and, as mentioned above, are not categorised by electorate.

The SBECP is equally problematic, in that individual projects may cover several electorate boundaries. What may occur is that the proponent of a project may be located in one electorate yet be conducting the elements of the project in another electorate(s).

To attempt to identify individuals living in the electorate of Kalgoorlie who may be the beneficiaries of assistance under the various elements of the programme is, at best, problematic.
For the 2000–2001 financial year, the amount allocated to the Indigenous Employment Programme is $55.428 million. Under the SBECP, funding of $2.2 million has been made available to assist small business skill development programmes.

**Job Network**


Job Network funding is not appropriated on the basis of electoral or regional boundaries.

Although funds are also not allocated by electorate in respect of the Community Support Programme, the Return to Work Programme and the Work for the Dole Programme, some figures can be provided.

**Community Support Programme (CSP)**

CSP is administered by DEWRSB in the electorate of Kalgoorlie.

No funding was provided to CSP organisations in Kalgoorlie in the 1996–1997 and 1997–1998 financial years. Approximately $64 000 was allocated to CSP providers within the electorate of Kalgoorlie in each of the 1998–1999 and 1999–2000 financial years. Expenditure of funds would be subject to the use of places by the service provider.

For the 2000–2001 financial year the amount appropriated for CSP in Kalgoorlie is $289 795.

**Return to Work Programme (RTW)**

RTW is administered by DEWRSB in the electorate of Kalgoorlie.

Contracts commenced in March 2000 and will continue until February 2002. In the financial year 1999–2000 a total of $25 800 was provided for RTW to assist people living in the federal electorate of Kalgoorlie. For the financial year 2000–2001 the amount allocated for RTW to assist people living in the federal electorate of Kalgoorlie is $76 200.

**Work for the Dole (WFD)**

WFD is administered by DEWRSB in the electorate of Kalgoorlie. This programme was not operating in 1996–1997 and no payments were made. In the 1997-1998 and 1998-1999 financial years, $47 272 and $113 499.56 was provided to WFD activity sponsors respectively. In 1999–2000 $293 789.99 was provided to WFD activity sponsors and Community Work Coordinators (CWCs) based in the electorate of Kalgoorlie.

In 2000–2001 $1 620.16 has been provided to CWCs based in the electorate of Kalgoorlie. A further $223 748.48 has been committed for WFD sponsors and CWCs based in this electorate. However, further funding may be provided during the remainder of this financial year as WFD projects are approved on a monthly rolling basis.

The allocation of business to Community Work Coordinators (CWCs) (and sponsors in previous rounds of the programme), is based around Employment Service Areas (ESAs). CWCs are required to make available Work for the Dole places for eligible job seekers resident in the ESA for which the CWC is contracted. ESA boundaries do not coincide with federal electorate boundaries.

Therefore in the case of the Federal electorate of Kalgoorlie, whilst these projects/activities are located in the Kalgoorlie electorate, and most participants would reside in the Kalgoorlie electorate, participants may have been drawn from parts of the ESAs that are located in neighbouring federal electorates. Furthermore, projects/activities located in other parts of the ESAs that fall into neighbouring federal electorates may recruit participants living in the Kalgoorlie electorate.

**Department of Employment, Workplace Relations and Small Business: Programs and Grants to the Eden-Monaro Electorate**

(Question No. 2443)

Senator O’Brien asked the Minister representing the Minister for Employment, Workplace Relations and Small Business, upon notice, on 27 June 2000:
1. What programmes and/or grants administered by the department provide assistance to people living in the federal electorate of Eden–Monaro.

2. What was the level of funding provided through these programmes and/or grants for the 1996–97, 1997–98, 1998–99 and 1999–2000 financial years.

3. What level of funding provided through these programmes and/or grants has been appropriated for the 2000–2001 financial year.

Senator Alston—The Minister for Employment, Workplace Relations and Small Business has provided the following answer to the honourable senator’s question:

1), (2) and (3) There are eight relevant types of funding administered by the Department of Employment, Workplace Relations and Small Business.

In the case of funds provided for the administration of Area Consultative Committees, funds provided under the Regional Assistance Programme (RAP) and those provided under the Indigenous Employment Programme and its predecessor, the Training for Aboriginals and Torres Strait Islanders Programme (TAP), and the Small Business Enterprise Culture Programme (SBECP), it is questionable how accurate the data on the amount of funds provided under each of the above programmes would be if attributed by electorate. This is because funds are not allocated, approved or accounted for by federal or any other electorates.

The honourable senator sought similar information on funding for the electorate of Eden–Monaro in his question No 1874 of 21 January 2000. In my response I advised that funding under the IEP and its predecessor TAP was not resourced by electorate. Some funding information was provided in relation to funding under RAP for activities that may have had an impact on the electorate of Eden–Monaro, but this information was qualified.

In the case of ACCs and RAP, the programme is based on a structure that involves 56 ACCs which are located in all States and Territories. All potential projects (other than those of national significance) are channelled through these 56 ACCs. ACCs, which consist of local representatives, make recommendations with respect to the potential projects. Ultimately, however, decisions about the funding of projects are made by a delegate within the National Office of DEWRSB.

All administrative funding allocations for ACCs and RAP, together with information collected on the projects supported by the programme, are based on that ACC structure. Many ACCs cover a number of federal electorates in whole or in part. Moreover, many projects that are funded under RAP cut across a number of ACCs. In short, to attempt to move from an ACC basis to an electorate–based approach in order to quantify the allocation of funds is fraught with difficulties. Arbitrary judgements would have to be made about how much of a project or ACC related to a particular electorate. For example, the single ACC in Sydney, GROW, covers wholly or partially 28 electorates.

For the 2000–2001 financial year a notional allocation of around $16 million is available for new RAP proposals endorsed by ACCs.

In the case of IEP (and TAP) the same difficulties arise in taking an electorate–based approach to quantifying funds approved under the various elements of the programme, namely, Wage Assistance, Structured Employment and Training (STEP), the Corporate Leaders for Indigenous Employment Project, National Indigenous Cadetship Project, Placement Incentives for Community Development Employment Projects (CDEP), the Indigenous Small Business Fund and the Voluntary Service to Indigenous Communities Foundation. These various elements operate differently and, as mentioned above, are not categorised by electorate.

The SBECP is equally problematic, in that individual projects may cover several electorate boundaries. What may occur is that the proponent of a project may be located in one electorate yet be conducting the elements of the project in another electorate(s).

To attempt to identify individuals living in the electorate of Eden–Monaro who may be the beneficiaries of assistance under the various elements of the programme is, at best, problematic.

For the 2000–2001 financial year, the amount allocated to the Indigenous Employment Programme is $55.428 million. Under the SBECP, funding of $2.2 million has been made available to assist small business skill development programmes.
Job Network


Although funds are also not allocated by electorate in respect of the Community Support Programme, the Return to Work Programme and the Work for the Dole Programme, some figures can be provided.

Community Support Programme (CSP)

CSP is administered by DEWRSB in the electorate of Eden–Monaro.

Funding for CSP commenced in the 1998-1999 financial year. In the 1998-1999 and 1999-2000 financial years a total of $121 000 was allocated for CSP sites within the electorate of Eden–Monaro. Expenditure of funds would be subject to the use of places by the service provider. For the 2000–2001 financial year the amount appropriated for CSP in Eden–Monaro is $256 179.

Return to Work Programme (RTW)

RTW is administered by DEWRSB in the electorate of Eden–Monaro.

Contracts commenced in March 2000 and will continue until February 2002. In the financial year 1999–2000 a total of $4500 was provided for RTW to assist people living in the federal electorate of Eden–Monaro.

For the financial year 2000–2001 the amount allocated for RTW to assist people living in the federal electorate of Eden–Monaro is $54 000.

Work for the Dole (WFD)

This program was not operating in 1996–1997 and no payments were made. In the 1997-1998 and 1998-1999 financial years, $171 504 and $164 614.50 was provided to WFD activity sponsors respectively. In 1999–2000 $454 702.30 was provided to WFD activity sponsors and Community Work Coordinators (CWCs) based in the electorate of Eden–Monaro.

In 2000–2001 $22 400 has been provided to CWCs based in the electorate of Eden–Monaro. A further $290 337 has been committed for WFD sponsors and CWCs based in this electorate. However, further funding may be provided during the remainder of this financial year as WFD projects are approved on a monthly rolling basis.

The allocation of business to Community Work Coordinators (CWCs) (and sponsors in previous rounds of the programme), is based around Employment Service Areas (ESAs). CWCs are required to make available Work for the Dole places for eligible job seekers resident in the ESA for which the CWC is contracted. ESA boundaries do not coincide with federal electorate boundaries.

Therefore in the case of the Federal electorate of Eden–Monaro, whilst these projects/activities are located in the Eden–Monaro electorate, and most participants would reside in the Eden–Monaro electorate, participants may have been drawn from parts of the ESAs that are located in neighbouring federal electorates. Furthermore, projects/activities located in other parts of the ESAs that fall into neighbouring federal electorates may recruit participants living in the Eden–Monaro electorate.

CWCs may also provide placements for eligible job seekers outside the ESA they are contracted for, but, this is subject to prior approval from the relevant DEWRSB State Office.

Centenary of Federation: Costs

(Question No. 2490)

Senator Faulkner asked the Minister representing the Prime Minister, upon notice, on 29 June 2000:

With reference to the upcoming Centenary of Federation celebrations to be held in the United Kingdom:
20750  

SENATE  

Tuesday, 5 December 2000

(1) What is the estimated total cost of the preparations for and implementation of the celebrations, including arrangements for the Prime Minister’s party currently known to consist of 54 members.

(2) (a) What is the up-to-date number of the Prime Minister’s party for the visit; and (b) can details be provided of the membership of the party.

(3) Will the Prime Minister’s party be using RAAF aircraft, charter flight(s) or scheduled international services to travel to and from the United Kingdom.

(4) What class of air travel will be used for the members of the Prime Minister’s party.

(5) (a) How many members of the Prime Minister’s personal staff will accompany the party; and (b) what is the expected cost of their travel, travel allowance and other costs for the trip.

(6) (a) What is the expected cost of accommodation for the members of the Prime Minister’s party; and (b) what standard of accommodation is to be used.

(7) (a) What travel or other allowances will be paid to members of the Prime Minister’s party; and (b) what is the expected total cost of the allowances.

(8) What is the expected cost of internal travel by the Prime Minister’s party within the United Kingdom and what specific costs are expected through:

(a) use of High Commission vehicles; (b) hire of other vehicles; (c) domestic air travel; (d) taxis; and (e) public transport.

(9) What is the date of departure from Australia and the date of return to Australia of members of the Prime Minister’s party.

Senator Hill—The Prime Minister has provided the following answer to the honourable senator’s question:

I am advised by my department as follows:

None of the responses below includes information about the Prime Minister’s security detail. The Australian Federal Police (AFP) advises that the AFP involvement relates to close personal protection for the Prime Minister. It is established practice not to disclose information that may impinge upon operational security. Appropriate AFP resources were deployed and costs were met from within AFP’s appropriations.

(1) See response to Senate Question on Notice No. 2599

(2) (a) and (b) The Prime Minister’s party and the official delegation comprised the following forty nine people:

Prime Minister and Mrs Howard and PMO staff
Officials from PM&C, DFAT, DCITA, DVA
Deputy Prime Minister, Mrs Anderson and staff
Minister McGauran and Mrs McGauran and staff
President of the Senate and Mr Reid and staff
Speaker of the House and Mrs Andrew and staff
Senator Lees and Mr Mitchell
Chief Justice of the High Court and Mrs Gleeson
Four former Prime Ministers and their wives
Five members of the National Council for the Centenary of Federation

(3), (4), (5), (6), (7) and (8) See response to Senate Question on Notice No. 2599.

(9) The dates of departure from and return to Australia of the members of the Prime Minister’s party and official delegation set out below include periods when some individuals were not on Commonwealth business and for which their expenses were not reimbursed by the Commonwealth. The dates set out below should not therefore be taken to indicate the period for which the accommodation costs of any particular individual were met by the Commonwealth.

Of the Prime Minister’s party and official delegation, one member left on 17 June and returned on 24 July. One member left on 21 June and returned on 13 July. Two members left Australia on 26 June and returned on 12 July. One member left on 27 June and returned on 19 July. Two members left on 28 June and returned on 22 July. One member left on 29 June and returned on 2 August. Ten members left
on 1 July, three of whom returned on 10 July, four on 11 July, two on 14 July and one on 17 July. Twelve members left on 2 July, five of whom returned on 16 July, two on 17 July, two on 19 July and three on 21 July. Seventeen members left on 3 July 2000, one of whom returned on 8 July, one of whom returned on 10 July, fourteen returned on 12 July 2000 and one returned on 23 July. Two members made their own arrangements for travel, the dates of which are not known.

Centenary of Federation: Costs
(Question No. 2599)

Senator Faulkner asked the Minister representing the Prime Minister, upon notice, on 25 July 2000:

In relation to the Centenary of Federation celebrations held in the United Kingdom in early July 2000:

(1) What is the total cost of the preparations for and implementation of these celebrations, including arrangements for the Prime Minister’s party.

(2) In relation to travel to and from the United Kingdom, did the Prime Minister’s party use RAAF aircraft, a chartered flight, or scheduled international services.

(3) What class of air travel was used for the members of the Prime Minister’s party.

(4) (a) How many members of the Prime Minister’s personal staff accompanied the party; and (b) what was the final cost of their travel, travel allowance and other costs.

(5) (a) What is the final cost of accommodation for the members of the Prime Ministerial party; (b) what were the standards of accommodation for the party; and (c) what were the name of each hotel used.

(6) (a) What travel or other allowances were paid to members of the Prime Ministerial party; and (b) what is the total cost of these allowances.

(7) What is the total cost of travel within the United Kingdom by the Prime Ministerial party and what specific costs were incurred through: (a) use of High Commission vehicles; (b) hire of other vehicles; (c) domestic air travel; (d) taxis; and (e) public transport.

Senator Hill—The Prime Minister has provided the following answer to the honourable senator’s question:

I am advised by my department as follows:

The answers to the questions below are based on payments made as at 1 November 2000. A relatively small number of accounts have not yet been presented for payment and some expenditure has yet to be acquitted. Where final costs are not known, the answers to the questions below include an estimate of the final costs. Costs and other information in relation to the Prime Minister and his immediate party (office staff and officials) include travel for the Indian component of the Prime Minister’s overseas visit. This additional cost is estimated at around $20,000.

None of the responses below includes information about the Prime Minister’s security detail. The Australian Federal Police (AFP) advises that the AFP involvement relates to close personal protection for the Prime Minister. It is established practice not to disclose information that may impinge upon operational security. Appropriate AFP resources were deployed and costs were met from within AFP’s appropriations. The estimated costs also do not include any costs for the Chief Justice of the High Court and his wife as the Chief Justice was attending conferences in both the USA and UK and there were no additional costs incurred because of his participation in Australia Week activities.

(1) The Minister for Communications, Information Technology and the Arts will provide advice on the whole of government costs for the Australia Week celebrations in response to Questions on Notice Nos. 2172 – 2190.

The estimated total cost for the Prime Minister’s party of 18 (which is similar in size to parties that have accompanied Prime Ministers on overseas trips in the past), comprising the Prime Minister and Mrs Howard, nine PMO staff, Dr Killer, the High Commissioner designate and five PM&C officials, and the associated official delegation of 31 comprising the Deputy Prime Minister, Mrs Anderson and two staff, the Minister for the Arts and the Centenary of Federation, Mrs McGauran and one staff and
one official from his department, the President, Mr Reid and one staff, the Speaker, Mrs Andrew and one staff, Senator Lees and Mr Mitchell (whose costs were met out of Senator Lees’s Parliamentary study leave entitlements), Sir John and Lady Gorton, Mr and Mrs Whitlam, Mr and Mrs Fraser, Mr Hawke and Ms d’Alpuget, the Chief Justice and Mrs Gleeson and five members of the National Council for the Centenary of Federation) is $968,560.

(2) Members of the Prime Minister’s party and official delegation travelled using scheduled international services.

(3) Of the party and accompanying delegation, twenty-one members of the party travelled first class on all sectors of the journey; nine members of the party travelled business class on all sectors; two members of the party travelled economy class on all sectors; the remaining seventeen members of the party travelled using a mix of first and/or business and/or economy on different sectors.

(4) (a) Nine.

(b) The estimated cost of Prime Minister’s Office staff travel and other costs is $266,167.

(5) (a) The cost of accommodation for the Prime Minister’s party and delegation, including a small amount for meals and incidental expenses incurred by some members which cannot be disaggregated, is $354,708.

(b) Members of the party and delegation stayed in suites, standard rooms, serviced apartments, and in a family room.

(c) Members of the Prime Minister’s party and delegation stayed at the following hotels: Claridges, the Millenium Britannia Hotel, the Thistle Charing Cross, the Strand Palace Hotel, the Hyatt Carlton Towers, the Admiral Hotel, the Trafalgar Orion Hotel, the Royal Horseguards Hotel, the Royal Overseas League, and the Travellers Club.

(6) (a) Travel, accommodation, meals and incidentals allowances were paid according to relevant entitlements. Allowances for former Prime Ministers Gorton, Whitlam, Fraser and Hawke and their wives were based on ministerial entitlements.

(b) $23,446 has been paid in advances and allowances.

(7) (a) As is usual with ministerial visits, the Australian High Commission in London made vehicles available from time to time during the Prime Minister’s visit. These costs are absorbed into normal High Commission running costs.

(b), (d) and (e) Separation of costs by type of transport is not available. The estimated cost for internal transport is $120,428.

(c) Nil.

Department of Communications, Information Technology and the Arts: Corporate Services

(Question No. 2635)

Senator Faulkner asked the Minister for Communications, Information Technology and the Arts, upon notice, on 9 August 2000:

With reference to the department and each agency in the portfolio, what were the state and city or town location, number of employees and annual salary values of all corporate services as at 30 June 1996 and 30 June 2000, for the following functional areas: (a) human resources; (b) property and office services; (c) financial and accounting services; (d) fleet management; (e) occupational health and safety; (f) workplace and industrial relations; (g) parliamentary communications; (h) payroll; (i) personnel services; (j) printing and photocopying; (k) auditing; (l) executive services; (m) legal and fraud; and (n) any other corporate services (please specify).

Senator Alston—The answer to the honourable senator’s question is as follows:
## DEPARTMENT OF COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS - DCITA

<table>
<thead>
<tr>
<th></th>
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<tr>
<td></td>
<td>No</td>
<td>$</td>
<td>No</td>
<td>$</td>
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<td><strong>Total</strong></td>
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<tr>
<td>Auditing</td>
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<td><strong>Total</strong></td>
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<td>Coordination</td>
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<td>706,533</td>
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<td>Information Systems</td>
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<td>9</td>
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<td>Media &amp; Public Affairs</td>
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<td>19</td>
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<td><strong>Total</strong></td>
<td>25.5</td>
<td>1,221,562</td>
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<td><strong>Grand Total</strong></td>
<td>139.75</td>
<td>5,840,834</td>
<td>130</td>
<td>6,559,340</td>
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**NOTE:** All Staff Located In Canberra, ACT.

(1) Increases necessitated by machinery-of-Government changes in 1998
(2) Function outsourced
### AUSTRALIA COUNCIL

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<thead>
<tr>
<th>Function</th>
<th>30 June 1996</th>
<th>30 June 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>All corporate staff located in Sydney</td>
<td>Staff</td>
<td>Salary ($)</td>
</tr>
<tr>
<td>Human resources includes</td>
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</tr>
<tr>
<td>(e) occupational health and safety</td>
<td>4</td>
<td>172,183</td>
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<tr>
<td>(f) workplace &amp; IR</td>
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<td></td>
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<tr>
<td>(h) payroll</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(l) personnel services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property and office services includes</td>
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<td></td>
</tr>
<tr>
<td>(d) fleet management</td>
<td>3</td>
<td>94,244</td>
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<tr>
<td>(j) print &amp; photocopy</td>
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<td></td>
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<tr>
<td>Financial and accounting services includes</td>
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<td></td>
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<tr>
<td>(k) auditing</td>
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<tr>
<td>Parliamentary communications under Secretariat</td>
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<td>(l) Executive communications (General Manager and Assistant)</td>
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<tr>
<td>- Director, Corporate Services &amp; Assistant</td>
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<td>108,686</td>
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<td>includes (m) legal &amp; fraud</td>
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<td>Director, Policy, Communications &amp; Planning</td>
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<td>na</td>
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<tr>
<td>includes (m) legal &amp; fraud</td>
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<tr>
<td>- Information technology**</td>
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<td>231,991</td>
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<td>- Records management</td>
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* The position of Director, Corporate Services has been abolished and its responsibilities taken over by the Director, Policy, Communications and Planning (0.33 of the position) and the Director, Finance and Services (included in Financial and accounting services).

** Information Technology services were outsourced as of close of business 30 June 2000.

### AUSTRALIAN FILM, TELEVISION AND RADIO SCHOOL

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<th>June 30 2000</th>
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<td>All corporate staff located in Sydney</td>
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<td>Salary ($)</td>
</tr>
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<td>(a) Human Resources</td>
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<tr>
<td>(b) Property &amp; Office Services</td>
<td>2</td>
<td>65,000</td>
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<tr>
<td>(c) Financial &amp; Accounting Services</td>
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<td>240,000</td>
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<tr>
<td>(d) Fleet management</td>
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<td>-</td>
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<tr>
<td>(e) OH&amp;S</td>
<td>covered by human resources (a)</td>
<td>covered by Directorate</td>
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<tr>
<td>(f) Workplace &amp; Industrial Relations</td>
<td>covered by human resources (a)</td>
<td>covered individually by all staff</td>
</tr>
<tr>
<td>(g) Parliamentary Communications</td>
<td>covered by Directorate</td>
<td>covered by Director</td>
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<tr>
<td>(h) Payroll</td>
<td>1</td>
<td>86,000</td>
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<tr>
<td>(i) Personnel Services</td>
<td>covered by human resources and payroll (h)</td>
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<tr>
<td>(j) Printing &amp; Photocopying</td>
<td>covered by Director</td>
<td>covered by Director</td>
</tr>
<tr>
<td>(k) Auditing</td>
<td>covered by human resources and payroll (h)</td>
<td>covered individually by all staff</td>
</tr>
<tr>
<td>(l) Executive Services</td>
<td>covered by Director</td>
<td>covered by Director</td>
</tr>
<tr>
<td>(m) Legal &amp; fraud</td>
<td>covered by human resources and payroll (h)</td>
<td>covered individually by all staff</td>
</tr>
<tr>
<td>(n) Other corporate services</td>
<td>covered by Director</td>
<td>covered by Director</td>
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<td>TOTALS</td>
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**FILM AUSTRALIA**

Relevant functional areas only listed.

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<th>30 June 2000</th>
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<tbody>
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<td>All corporate staff located in Sydney</td>
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<tr>
<td>(a) Human Resources</td>
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<tr>
<td>(b) Property and Office Services</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>(c) Financial and Accounting Services</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>(d) to (g)</td>
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<td>-</td>
</tr>
<tr>
<td>(h) Payroll</td>
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<td>0.5</td>
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<tr>
<td>(i) Personnel Services</td>
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<td>(j) Executive Services</td>
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<td>(k) to (m)</td>
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<td>(n) Other Services...</td>
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<td>Computers &amp; IT</td>
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**SCREENSOUND AUSTRALIA**

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**Explanatory Notes:**

- Excludes SES
- Salary ($) costs based on top of pay scale
- Annual Salary ($) Value not inclusive of employer superannuation
SPECIAL BROADCASTING SERVICE - SBS

Several of the functional areas referred to in this question have been outsourced by SBS. Those which have not included:

- human resources function (payroll and personnel),
- the financial services function, and
- the property and office services function.

These areas however manage activities which have been outsourced. The outsourced activities include:

- telephony,
- cleaning,
- security,
- internal audit,
- building maintenance,
- fleet management,
- merchandise sales, and
- internal representation.

Details for the non-outsourced functions are as follows:

<table>
<thead>
<tr>
<th>Function</th>
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<th>30 June 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>All corporate staff located in Sydney</td>
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<tr>
<td>(a) Human Resources *</td>
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<td>18</td>
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<tr>
<td>(b) Property and Office Services</td>
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<td>(c) Financial Services</td>
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<tr>
<td>(e) - (l)</td>
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<tr>
<td>(m) Legal</td>
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<td><strong>2.5</strong></td>
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</table>

* Human Resources includes human resources, occupational health and safety, workplace and industrial relations, payroll and personnel services.

AUSTRALIAN BROADCASTING AUTHORITY - ABA

The ABA is a small agency and is unable to provide discrete information on the items as listed. Items have been combined as indicated below.

<table>
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<tr>
<th>Function</th>
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</tr>
</thead>
<tbody>
<tr>
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<tr>
<td>(a) Human Resources covering</td>
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<td>- (e) Occupational Health and Safety</td>
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<td>- (f) Workplace and Industrial Relations</td>
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<td>- (h) Payroll, and</td>
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<td>- (d) Fleet Management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(j) Printing &amp; Photocopying</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(k) Auditing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(l) Executive services</td>
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</tbody>
</table>

* See explanatory note

**TOTALS**

- (l) See explanatory note
- (m) See explanatory note

UNABLE TO PROVIDE INFORMATION

- provided externally
- unable to provide information
### AUSTRALIAN COMMUNICATIONS AUTHORITY - ACA

Prior to 30 June 1996 the functions of the ACA were performed by two separate agencies, Austel and Spectrum Management Agency. After 30 June 1996 Austel and Spectrum Management Agency merged to form ACA.

Note: Figures referring to Melbourne apply to Austel and are shown in italics. ACT figures apply to Spectrum Management Agency.

#### AUSTEL AND SPECTRUM MANAGEMENT AGENCY

**PRE-MERGER TO FORM ACA. 30 JUNE 1996**

<table>
<thead>
<tr>
<th>Function</th>
<th>Staff</th>
<th>Salary ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Resources</td>
<td>Austel</td>
<td>Melbourne:5</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property &amp; Office Services</td>
<td>Austel</td>
<td>ACT:15</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial &amp; Fraud Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>15</td>
<td>204,274</td>
</tr>
</tbody>
</table>

---

### AUSTRALIAN FILM COMMISSION - AFC

The AFC is a relatively small organisation with dedicated staff for all functional areas listed.

<table>
<thead>
<tr>
<th>Function</th>
<th>30 June 1996</th>
<th>30 June 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>All corporate staff located in Sydney</td>
<td>Staff</td>
<td>Salary ($)</td>
</tr>
<tr>
<td>(a) Human Resources</td>
<td>2</td>
<td>97,270</td>
</tr>
<tr>
<td>(b) Property &amp; Office Services</td>
<td>4</td>
<td>92,118</td>
</tr>
<tr>
<td>(c) Financial &amp; Accounting Services</td>
<td>4</td>
<td>196,371</td>
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<tr>
<td>(d) Fleet Management</td>
<td>See Property &amp; Office Services</td>
<td></td>
</tr>
<tr>
<td>(e) OH&amp;S</td>
<td>See Property &amp; Office Services</td>
<td></td>
</tr>
<tr>
<td>(f) Workplace &amp; IR</td>
<td>See Personnel Services</td>
<td></td>
</tr>
<tr>
<td>(g) Parliamentary Communication</td>
<td>See Executive Services</td>
<td></td>
</tr>
<tr>
<td>(h) Payroll</td>
<td>See Personnel Services</td>
<td></td>
</tr>
<tr>
<td>(i) Personnel Services</td>
<td>1</td>
<td>52,968</td>
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<tr>
<td>(j) Printing &amp; Photocopying</td>
<td>See Property &amp; Office Services</td>
<td></td>
</tr>
<tr>
<td>(k) Auditing</td>
<td>No in house internal audit positions</td>
<td></td>
</tr>
<tr>
<td>(l) Executive Services</td>
<td>2</td>
<td>97,270</td>
</tr>
<tr>
<td>(m) Legal &amp; Fraud</td>
<td>2</td>
<td>107,004</td>
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<tr>
<td>(n) Any other Corporate Services</td>
<td>All included above</td>
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<tr>
<td>TOTALS</td>
<td>15</td>
<td>204,274</td>
</tr>
<tr>
<td>Function</td>
<td>Staff</td>
<td>Salary</td>
</tr>
<tr>
<td>------------------------------</td>
<td>-------</td>
<td>--------------</td>
</tr>
<tr>
<td>SMA</td>
<td>ACT:14</td>
<td>ACT:611,934</td>
</tr>
<tr>
<td>(d) Fleet Management</td>
<td></td>
<td>See Property and Services</td>
</tr>
<tr>
<td>(e) OH &amp; S</td>
<td></td>
<td>See Human Resources</td>
</tr>
<tr>
<td>Workplace &amp; IR</td>
<td></td>
<td>See Human Resources</td>
</tr>
<tr>
<td>(g) Communications</td>
<td>Austel</td>
<td>Melbourne:2</td>
</tr>
<tr>
<td>SMA</td>
<td>ACT:8</td>
<td>ACT:336,468</td>
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<tr>
<td>(h) Payroll</td>
<td></td>
<td>See Human Resources</td>
</tr>
<tr>
<td>(i) Personnel Services</td>
<td></td>
<td>See Human Resources</td>
</tr>
<tr>
<td>(j) Printing &amp; Photocopying</td>
<td></td>
<td>See Property and Services</td>
</tr>
<tr>
<td>(k) Auditing</td>
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<tr>
<td>(l) Exec Services</td>
<td>Austel</td>
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<tr>
<td>SMA</td>
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<td>ACT:110,271</td>
</tr>
<tr>
<td>(m) Legal and Fraud</td>
<td>Austel</td>
<td>Melbourne:0</td>
</tr>
<tr>
<td>SMA</td>
<td>ACT:6</td>
<td>ACT:332,599</td>
</tr>
<tr>
<td>(n) Other</td>
<td>Austel</td>
<td>Melbourne:2</td>
</tr>
<tr>
<td>including Library</td>
<td></td>
<td>Melbourne:0</td>
</tr>
<tr>
<td>Subtotals</td>
<td>Austel</td>
<td>Melbourne:18</td>
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<td>SMA</td>
<td>ACT:53</td>
<td>ACT:2,207,270</td>
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<td>TOTALS</td>
<td>71</td>
<td>2,962,745</td>
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AUSTRALIAN COMMUNICATIONS AUTHORITY - ACA
30 JUNE 2000

<table>
<thead>
<tr>
<th>Function</th>
<th>Staff</th>
<th>Salary ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Resources</td>
<td>Melbourne:0</td>
<td>Melbourne:0</td>
</tr>
<tr>
<td>Property &amp; Office Services</td>
<td>ACT:15</td>
<td>ACT:713,763</td>
</tr>
<tr>
<td></td>
<td>Melbourne:0</td>
<td>Melbourne:0</td>
</tr>
<tr>
<td>Financial &amp; Accounting Services</td>
<td>ACT:2</td>
<td>ACT:114,592</td>
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<td>Melbourne:0</td>
<td>Melbourne:0</td>
</tr>
<tr>
<td>(d) Fleet Management</td>
<td></td>
<td>See Property and Services</td>
</tr>
<tr>
<td>(e) OH &amp; S</td>
<td></td>
<td>See Human Resources</td>
</tr>
<tr>
<td>(f) Workplace &amp; Industrial Relations</td>
<td></td>
<td>See Human Resources</td>
</tr>
<tr>
<td>(g) Communications</td>
<td></td>
<td>Melbourne:9</td>
</tr>
<tr>
<td>(h) Payroll</td>
<td></td>
<td>See Human Resources</td>
</tr>
<tr>
<td>(i) Personnel Services</td>
<td></td>
<td>See Human Resources</td>
</tr>
<tr>
<td>Function</td>
<td>Staff</td>
<td>Salary ($)</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>(j) Printing and Photocopying</td>
<td>See Property and Services</td>
<td>See Property and Services</td>
</tr>
<tr>
<td>(k) Auditing</td>
<td>ACT:2</td>
<td>ACT:116,577</td>
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<tr>
<td>(l) Exec Services</td>
<td>Melbourne:1</td>
<td>Melbourne:37,576</td>
</tr>
<tr>
<td>(m) Legal and Fraud</td>
<td>ACT:1</td>
<td>ACT:41,912</td>
</tr>
<tr>
<td>Any Other corporate services</td>
<td>Melbourne:0</td>
<td>Melbourne:0</td>
</tr>
<tr>
<td></td>
<td>ACT:10</td>
<td>ACT:607,084</td>
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<tr>
<td>Subtotal</td>
<td>Melbourne:10</td>
<td>Melbourne:481,687</td>
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<tr>
<td>TOT ALS</td>
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**AUSTRALIAN NATIONAL MARITIME MUSEUM**

Pyrmont Sydney NSW

<table>
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<tr>
<th>Function</th>
<th>30 June 1996</th>
<th>30 June 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>All corporate staff located in Sydney</td>
<td>Staff</td>
<td>Salary ($)</td>
</tr>
<tr>
<td>(a) Human Resources</td>
<td>0.7</td>
<td>40,019</td>
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<tr>
<td>(b) Property &amp; Office Services</td>
<td>4.2</td>
<td>182,002</td>
</tr>
<tr>
<td>(c) Financial &amp; Accounting Services</td>
<td>5.2</td>
<td>218,900</td>
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<tr>
<td>(d) Fleet management</td>
<td>0.2</td>
<td>7,322</td>
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<tr>
<td>(e) OH&amp;S</td>
<td>0.3</td>
<td>17,306</td>
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<tr>
<td>(f) Workplace &amp; Industrial Relations</td>
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<td>11,897</td>
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<td>(g) Parliamentary Communications</td>
<td>0.5</td>
<td>27,044</td>
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<tr>
<td>(h) Payroll</td>
<td>1</td>
<td>32,651</td>
</tr>
<tr>
<td>(i) Personnel Services</td>
<td>2.2</td>
<td>97,353</td>
</tr>
<tr>
<td>(j) Printing &amp; Photocopying</td>
<td>0.2</td>
<td>7,975</td>
</tr>
<tr>
<td>(k) Auditing</td>
<td>Nil - service provided externally</td>
<td></td>
</tr>
<tr>
<td>(l) Executive Services</td>
<td>1</td>
<td>32,651</td>
</tr>
<tr>
<td>(m) Legal &amp; fraud</td>
<td>Nil - service provided externally</td>
<td></td>
</tr>
<tr>
<td>(n) Other: covering</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Records Management</td>
<td>0.8</td>
<td>31,902</td>
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<tr>
<td>IT</td>
<td>3</td>
<td>140,623</td>
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<tr>
<td>Volunteers Management</td>
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<tr>
<td>Library</td>
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**NATIONAL SCIENCE AND TECHNOLOGY CENTRE - QUESTACON**

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<th>30 June 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>All corporate staff located in Canberra</td>
<td>Staff</td>
<td>Salary ($)</td>
</tr>
<tr>
<td>(a) – human resources</td>
<td>5</td>
<td>166,200</td>
</tr>
<tr>
<td>(b) – property and office services</td>
<td>4.3</td>
<td>172,033</td>
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<tr>
<td>(c) – financial and accounting</td>
<td>7.8</td>
<td>300,003</td>
</tr>
<tr>
<td>(d) – fleet management</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(e) – OH&amp;S</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(f) – industrial relations</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(g) – parliamentary comm.</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(h) – payroll</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(i) – personnel services</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(j) – printing and photocopying</td>
<td>-</td>
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</tr>
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</table>
### NATIONAL GALLERY OF AUSTRALIA

<table>
<thead>
<tr>
<th>Function</th>
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<th>30 June 1996</th>
<th>30 June 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Staff</td>
<td>Salary ($)</td>
<td>Staff</td>
</tr>
<tr>
<td>(k) – auditing</td>
<td>4</td>
<td>255,000</td>
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<tr>
<td>(l) – executive services</td>
<td>4</td>
<td>134,914</td>
<td>3</td>
</tr>
<tr>
<td>(m) – legal and fraud</td>
<td>4</td>
<td>202,370</td>
<td>6</td>
</tr>
<tr>
<td>(n) – other</td>
<td>4</td>
<td>6,635</td>
<td>0.2</td>
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<tr>
<td>TOTALS</td>
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<td>935,713</td>
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</table>

Note: other includes: Security, Building Services, Records Management and Information Technology.

### NATIONAL LIBRARY OF AUSTRALIA

<table>
<thead>
<tr>
<th>Function</th>
<th>All corporate staff located in Canberra</th>
<th>30 June 1996</th>
<th>30 June 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Staff</td>
<td>Salary ($)</td>
<td>Staff</td>
</tr>
<tr>
<td>(a) – human resources</td>
<td>1.5</td>
<td>50,592</td>
<td>1.5</td>
</tr>
<tr>
<td>(b) – property and office services</td>
<td>4</td>
<td>134,914</td>
<td>3</td>
</tr>
<tr>
<td>(c) – financial and accounting</td>
<td>6</td>
<td>202,370</td>
<td>6</td>
</tr>
<tr>
<td>(d) – fleet management</td>
<td>0.2</td>
<td>6,635</td>
<td>0.2</td>
</tr>
<tr>
<td>(e) – OH&amp;S</td>
<td>0.5</td>
<td>16,864</td>
<td>0.5</td>
</tr>
<tr>
<td>(f) – industrial relations</td>
<td>0.5</td>
<td>16,864</td>
<td>0.5</td>
</tr>
<tr>
<td>(g) – parliamentary commms.</td>
<td>0.2</td>
<td>6,635</td>
<td>0.2</td>
</tr>
<tr>
<td>(h) – payroll</td>
<td>1.8</td>
<td>50,592</td>
<td>1.8</td>
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<tr>
<td>(i) – personnel services</td>
<td>1.5</td>
<td>60,821</td>
<td>1.8</td>
</tr>
<tr>
<td>(j) – printing and photocopying</td>
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<td>0</td>
</tr>
<tr>
<td>(k) – auditing</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(l) – executive services</td>
<td>4</td>
<td>134,914</td>
<td>3</td>
</tr>
<tr>
<td>(m) – legal and fraud</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(n) – other</td>
<td>61.8</td>
<td>2,083,426</td>
<td>54.80</td>
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<tr>
<td>TOTALS</td>
<td>82</td>
<td>2,764,627</td>
<td>73</td>
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</tbody>
</table>

* (i) (j) Include functions performed for another Agency.

### NATIONAL MUSEUM OF AUSTRALIA

<table>
<thead>
<tr>
<th>Function</th>
<th>All corporate staff located Canberra</th>
<th>30 June 1996</th>
<th>30 June 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Staff</td>
<td>Salary ($)</td>
<td>Staff</td>
</tr>
<tr>
<td>(a) Human Resources</td>
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<td>135,861</td>
<td>1.66</td>
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<td>(b) Property and Office Services</td>
<td>16.05</td>
<td>632,607</td>
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</tr>
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<td>(c) Financial and Accounting Services</td>
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<td>393,247</td>
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<tr>
<td>(d) Fleet Management</td>
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<td>0.03</td>
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<td>(e) Occupational Health and Safety</td>
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<td>0.7</td>
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<tr>
<td>(f) Workplace and Industrial Relations</td>
<td>0.02</td>
<td>1,141</td>
<td>0.02</td>
</tr>
<tr>
<td>(g) Parliamentary Communications</td>
<td>0.1</td>
<td>6,488</td>
<td>0.1</td>
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<tr>
<td>(h) Payroll*</td>
<td>5.3</td>
<td>175,837</td>
<td>3.75</td>
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<tr>
<td>(i) Personnel Services*</td>
<td>4.7</td>
<td>201,219</td>
<td>4.53</td>
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<tr>
<td>(j) Printing and Photocopying</td>
<td>0.25</td>
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<tr>
<td>(k) Auditing</td>
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<td>0.4</td>
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<tr>
<td>(l) Executive Services</td>
<td>2.6</td>
<td>135,709</td>
<td>3</td>
</tr>
<tr>
<td>(m) Legal and Fraud</td>
<td>0.8</td>
<td>45,427</td>
<td>0.3</td>
</tr>
<tr>
<td>(n) Any other Corporate Services</td>
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<tr>
<td>TOTALS</td>
<td>46.75</td>
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<td>34.79</td>
</tr>
</tbody>
</table>

* (i) (j) Include functions performed for another Agency.
**AUSTRALIAN BROADCASTING CORPORATION - ABC**

The ABC’s systems do not enable it to provide information in the form requested within the requested timeframe. However, agency-wide figures are available for June 1997 and June 2000 and are set out in the following table.

Note that June 1997 rather than June 1996 figures are provided. The ABC was restructured during the 1996-97 year, 1996 figures do not provide a basis for comparison with 2000.

<table>
<thead>
<tr>
<th>Function</th>
<th>30 June 1996</th>
<th>30 June 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Staff</td>
<td>Salary ($)</td>
</tr>
<tr>
<td>Parliamentary Communications Personnel</td>
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<td>-</td>
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<tr>
<td>(m) Legal and Fraud</td>
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<td>-</td>
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<tr>
<td>(n) Other Corporate Services*</td>
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<td><strong>TOTALS</strong></td>
<td>12</td>
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</table>

*(n) Any other Corporate Services - included in the above figures, Records Management, and Reception for both years

<table>
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<th>June 2000</th>
</tr>
</thead>
<tbody>
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</tr>
<tr>
<td>- Employee relations,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Equity &amp; Diversity,</td>
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<td></td>
</tr>
<tr>
<td>- Human Resource Mgm’t</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Human Resource Projects</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Learning &amp; Development</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- OH&amp;S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Payroll &amp; Personnel Srvs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- HR Policy &amp; Planning</td>
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<td></td>
</tr>
<tr>
<td>Finance &amp; Business Services covering:</td>
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<tr>
<td>- Business Ops &amp; Taxation</td>
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<td></td>
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<td>Feet Mgmt</td>
<td></td>
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</tr>
<tr>
<td>Printing Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>etc</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Efficiency Review &amp; Audit</td>
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<tr>
<td>- Finance</td>
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<td>- IT Services</td>
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<td>- Legal &amp; Copyright</td>
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<td>- National Property Group</td>
<td></td>
<td></td>
</tr>
<tr>
<td>and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Procurement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corporate Affairs covering</td>
<td>32.88</td>
<td>2,106,642</td>
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<tr>
<td>- Corporate Policy,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Corporate Relations,</td>
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<td></td>
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<tr>
<td>- Corporate Strategy &amp; Comms, and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- MD’s Office</td>
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<tr>
<td><strong>TOTALS</strong></td>
<td>596.88</td>
<td>28,718,221</td>
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# NATIONAL ARCHIVES OF AUSTRALIA

<table>
<thead>
<tr>
<th>Function</th>
<th>30 June 1996</th>
<th>30 June 2000</th>
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<tbody>
<tr>
<td>Human Resources covering (rehab services outsourced)</td>
<td>6</td>
<td>394,255</td>
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<tr>
<td>Workplace &amp; IR (payroll services outsourced)</td>
<td>16</td>
<td>497,500</td>
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<tr>
<td>Personnel Services</td>
<td>10</td>
<td>528,023</td>
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<tr>
<td>Property and Office Services covering fleet management (equipment matters only) (security, physical &amp; personnel)</td>
<td>10</td>
<td>528,023</td>
</tr>
<tr>
<td>Financial &amp; accounting services covering auditing legal &amp; fraud (legal services outsourced)</td>
<td>14</td>
<td>662,266</td>
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<tr>
<td>Parliamentary Communications</td>
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<td>104,870</td>
</tr>
<tr>
<td>Executive services</td>
<td>1</td>
<td>39,965</td>
</tr>
<tr>
<td>Subtotal for ACT NAA</td>
<td>33</td>
<td>1,729,379</td>
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</table>

Corporate service functions carried out in NAA’s State locations.

No dissection of salary values against function available

<table>
<thead>
<tr>
<th>Location</th>
<th>30 June 1996</th>
<th>30 June 2000</th>
</tr>
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<tbody>
<tr>
<td>Sydney</td>
<td>3</td>
<td>131,346</td>
</tr>
<tr>
<td>Melbourne</td>
<td>3</td>
<td>118,159</td>
</tr>
<tr>
<td>Brisbane</td>
<td>2</td>
<td>70,307</td>
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<tr>
<td>Adelaide</td>
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<td>73,567</td>
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<td>Perth</td>
<td>3</td>
<td>104,693</td>
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<tr>
<td>Hobart</td>
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<td>80,307</td>
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<tr>
<td>Darwin</td>
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<td>90,797</td>
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<tr>
<td>Subtotal NAA State locations</td>
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<td>TOTAL NAA</td>
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<td>2,308,128</td>
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# AUSTRALIAN FILM FINANCE CORPORATION LIMITED

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<tr>
<th>Function</th>
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<th>30 June 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Resources *</td>
<td>0.35</td>
<td>26,404</td>
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<tr>
<td>Property &amp; Office Services *</td>
<td>0.40</td>
<td>24,734</td>
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<tr>
<td>Financial &amp; Accounting Services *</td>
<td>1.60</td>
<td>131,560</td>
</tr>
<tr>
<td>Fleet Management</td>
<td>Not applicable</td>
<td></td>
</tr>
<tr>
<td>Occupational Health &amp; Safety</td>
<td>Covered by Human Resources (a)</td>
<td></td>
</tr>
<tr>
<td>Workplace &amp; Industrial Relations</td>
<td>Covered by Human Resources (a)</td>
<td></td>
</tr>
<tr>
<td>Parliamentary communications</td>
<td>Covered by CEO &amp; Policy personnel</td>
<td></td>
</tr>
<tr>
<td>Payroll</td>
<td>Covered by Human Resources (a)</td>
<td></td>
</tr>
<tr>
<td>Personnel Services</td>
<td>Covered by Human Resources (a)</td>
<td></td>
</tr>
<tr>
<td>Printing &amp; Photocopying</td>
<td>Covered individually by all staff</td>
<td></td>
</tr>
<tr>
<td>Function</td>
<td>30 June 1996</td>
<td>30 June 2000</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>--------------</td>
<td>--------------</td>
</tr>
<tr>
<td>All corporate staff located in Sydney</td>
<td>2.35 Staff</td>
<td>182,698 Salary ($)</td>
</tr>
<tr>
<td>(n) Other*</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>2.35</td>
<td>182,698</td>
</tr>
</tbody>
</table>

* There is a total of 3 staff who share these functions between them and it is not practicable to further dissect the allocation. There are other functions which these people perform (e.g., IT, Communications and Core functions) which have been excluded as they are not specifically in the Senator’s question.

**Department of Health and Aged Care: Corporate Services**

(Question No. 2640)

Senator Faulkner asked the Minister representing the Minister for Health and Aged Care, upon notice, on 9 August 2000:

With reference to the department and each agency in the portfolio, what were the state and city or town location, number of employees and annual salary values of all corporate services as at 30 June 1996 and 30 June 2000, for the following functional areas: (a) human resources; (b) property and office services; (c) financial and accounting services; (d) fleet management; (e) occupational health and safety; (f) workplace and industrial relations; (g) parliamentary communications; (h) payroll; (i) personnel services; (j) printing and photocopying; (k) auditing; (l) executive services; (m) legal and fraud; and (n) any other corporate services (please specify).

Senator Herron—The Minister for Health and Aged Care has provided the following answer to the honourable senator’s question:

This information is currently being collected in the Corporate Activities Review being undertaken by this Department and will be available by the end of this financial year.

**Department of Agriculture, Fisheries and Forestry: Corporate Services**

(Question No. 2646)

Senator Faulkner asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 9 August 2000:

With reference to the department and each agency in the portfolio, what were the state and city or town location, number of employees and annual salary values of all corporate services as at 30 June 1996 and 30 June 2000, for the following functional areas: (a) human resources; (b) property and office services; (c) financial and accounting services; (d) fleet management; (e) occupational health and safety; (f) workplace and industrial relations; (g) parliamentary communications; (h) payroll; (i) personnel services; (j) printing and photocopying; (k) auditing; (l) executive services; (m) legal and fraud; and (n) any other corporate services (please specify).

Senator Alston—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

**Department of Agriculture Fisheries and Forestry (AFFA)**

AFFA has offices in Canberra, Brisbane, Sydney, Melbourne, Adelaide and Perth.

As of 30 June 1996

The Department of Agriculture Fisheries and Forestry did not exist as at 30 June 1996. The former Department of Primary Industries and Energy was abolished in 1998 and its responsibilities reallocated. There is no data on corporate services that would be reliable for comparison purposes.

As of 30 June 2000

The information for 30 June 2000 has been provided directly from the Department’s human resource management system and reflects the Departments organisational structure at the time. In some cases the response does not reflect the functional breakdown sought in the question.
<table>
<thead>
<tr>
<th>Functional Area</th>
<th>State</th>
<th>City</th>
<th>Number of employees</th>
<th>Annual salary values</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a), (e), (f), (h) and (i)</td>
<td>ACT</td>
<td>Canberra</td>
<td>31</td>
<td>$1,673,830</td>
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<tr>
<td>(b) and (d)</td>
<td>QLD</td>
<td>Brisbane</td>
<td>8</td>
<td>$330,926</td>
</tr>
<tr>
<td>(c)</td>
<td>ACT</td>
<td>Canberra</td>
<td>10</td>
<td>$534,361</td>
</tr>
<tr>
<td>(g)</td>
<td>ACT</td>
<td>Canberra</td>
<td>8</td>
<td>$414,101</td>
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<tr>
<td>(j)</td>
<td>ACT</td>
<td>Canberra</td>
<td>2</td>
<td>$78,267</td>
</tr>
<tr>
<td>(k)</td>
<td>ACT</td>
<td>Canberra</td>
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<td>$62,973</td>
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<table>
<thead>
<tr>
<th>Functional Area</th>
<th>State</th>
<th>City</th>
<th>Number of employees</th>
<th>Annual salary values</th>
</tr>
</thead>
<tbody>
<tr>
<td>(l)</td>
<td>ACT</td>
<td>Canberra</td>
<td>4</td>
<td>$292,097</td>
</tr>
<tr>
<td>(m)</td>
<td>ACT</td>
<td>Canberra</td>
<td>3</td>
<td>$182,877</td>
</tr>
<tr>
<td>(n) Regional Support incorporates (b), (e), (i), (j) and (l)</td>
<td>QLD</td>
<td>Brisbane</td>
<td>7</td>
<td>$285,577</td>
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<tr>
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<td>Sydney</td>
<td>12</td>
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<td>Melbourne</td>
<td>9</td>
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<td>SA</td>
<td>Adelaide</td>
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<td>WA</td>
<td>Perth</td>
<td>4</td>
<td>$183,380</td>
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</table>

Details for agencies are included below:

<table>
<thead>
<tr>
<th>Agency</th>
<th>State</th>
<th>City</th>
<th>As of 30 June</th>
<th>Functional Area</th>
<th>Number of employees</th>
<th>Annual salary values</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Dairy Corporation</td>
<td>VIC</td>
<td>Melbourne</td>
<td>1996</td>
<td>Information not available</td>
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<td></td>
<td>2000</td>
<td>(a) – (m)</td>
<td>4</td>
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<td>Australian Dried Fruits Board</td>
<td>VIC</td>
<td>Mildura</td>
<td>1996</td>
<td>(a) – (m)</td>
<td>0.5</td>
<td>$36,652</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>2000</td>
<td>(a) – (m)</td>
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<td>$36,652</td>
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<tr>
<td>Australian Fisheries Management Authority</td>
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<td>Canberra</td>
<td>1996</td>
<td>(a), (d), (e), (f), (h) &amp; (i)</td>
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<td>$140,952</td>
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<td></td>
<td>2000</td>
<td>(a), (d), (e), (f), (h) &amp; (i)</td>
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<td></td>
<td></td>
<td>(n)</td>
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<tr>
<td>Australian Horticultural Corporation</td>
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<td>Sydney</td>
<td>1996</td>
<td>Information not available</td>
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<tr>
<td>Agency</td>
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<td>City</td>
<td>As of 30 June</td>
<td>Functional Area</td>
<td>Number of employees</td>
<td>Annual salary values</td>
</tr>
<tr>
<td>--------------------------------------------</td>
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<tr>
<td>Australian Pork Corporation</td>
<td>NSW</td>
<td>Sydney</td>
<td>1996</td>
<td>(a) – (m)</td>
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<td>2000</td>
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<td>Australian Wine and Brandy Corporation</td>
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<table>
<thead>
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<th>Agency</th>
<th>State</th>
<th>City</th>
<th>As of 30 June</th>
<th>Functional Area</th>
<th>Number of employees</th>
<th>Annual salary values</th>
</tr>
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<tbody>
<tr>
<td>Australian Wool Research and Promotion Organisation</td>
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<td>(a) – (m)</td>
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<td>Forest and Wood Products Research and Development Corporation</td>
<td>QLD</td>
<td>Gold Coast</td>
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<td>$283,000 plus on-costs</td>
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<td>2000</td>
<td>(a) – (m)</td>
<td>4</td>
<td>$355,000 plus on-costs</td>
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<tr>
<td>Grains Research and Development Corporation</td>
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<td>Canberra</td>
<td>1996</td>
<td>(c)</td>
<td>2.8</td>
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<td>(i)</td>
<td>0.1</td>
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<tr>
<td>Agency</td>
<td>State</td>
<td>City</td>
<td>As of 30 June</td>
<td>Functional Area</td>
<td>Number of employees</td>
<td>Annual salary values</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>-------</td>
<td>-----------</td>
<td>---------------</td>
<td>------------------</td>
<td>---------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Grapen and Wine Research and Development Corporation</td>
<td>SA</td>
<td>Adelaide</td>
<td>1996</td>
<td>(a) – (m)</td>
<td>1</td>
<td>$32,000</td>
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<td>2000</td>
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<td>Horticultural Research and Development Corporation</td>
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<td>Sydney</td>
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<td>(a) – (m)</td>
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<td></td>
<td>2000</td>
<td>(a) – (m)</td>
<td>8</td>
<td>$314,130</td>
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<table>
<thead>
<tr>
<th>Agency</th>
<th>State</th>
<th>City</th>
<th>As of 30 June</th>
<th>Functional Area</th>
<th>Number of employees</th>
<th>Annual salary values</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land and Water Resources Research and Development Corporation</td>
<td>ACT</td>
<td>Canberra</td>
<td>1996</td>
<td>(a) – (m)</td>
<td>3.5</td>
<td>$187,000</td>
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<td>(a) – (m)</td>
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<tr>
<td>National Registration Authority</td>
<td>ACT</td>
<td>Canberra</td>
<td>1996</td>
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<td>2000</td>
<td>(a) – (m)</td>
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<tr>
<td>Pig Research and Development Corporation</td>
<td>ACT</td>
<td>Canberra</td>
<td>1996</td>
<td>(a) – (m)</td>
<td>3</td>
<td>$136,488</td>
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Senator Faulkner asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 9 August 2000:

(1) Has the department and/or any agency in the portfolio, set a timeframe to market test any of its corporate services; if so, which agency, which functions, and what is the timeframe.

(2) In relation to each agency which has, or will, move to market test corporate services, what arrangements have been made to consult with effected employees and their representatives; if such arrangements have not been made, when will these consultations be undertaken.

Senator Alston—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

**Department of Agriculture, Fisheries and Forestry**

(1) In line with the Government’s policy regarding performance improvement and competitive tendering, the Department of Agriculture, Fisheries and Forestry has made substantial progress in the market testing of its corporate functions.

The provision of Human Resource support services has been market tested and the function outsourced to PricewaterhouseCoopers HR Services. Provision of the full range of contracted services commenced on 31 August 2000.

The provision of Information Technology services has been outsourced to Ipex ITG Pty Ltd as part of the group 8 initiative. Provision of these services commenced on 1 July 2000.

The provision of Property Services has been market tested and outsourced to Jones Lang LaSalle (NSW) Pty Ltd. Provision of the full range of services commenced on 3 July 2000.

Minter Ellison provide the Department’s Corporate Legal Unit. The contract commenced in August 2000. The Department also has access to an external panel of law firms including the Australian Government Solicitor.

The Department has market tested its Office Services function. A ‘value for money’ decision was made to retain the services in-house.

Market testing of other relevant corporate services will be progressively undertaken during 2000/01.

(2) All staff, and particularly those directly affected by market testing, were consulted directly as well as through established consultative mechanisms throughout the market testing process.
Australian Fisheries Management Authority (AFMA)

1. Some corporate service functions such as printing, internal audit and some legal services are already sourced from outside AFMA. The potential to outsource other corporate service functions will be considered in the next year. No timeframe has been set to further market test corporate services at this stage.

2. Consultations with affected employees will take place after a timeframe for market testing has been set.

National Registration Authority (NRA)

1. The NRA is currently market testing those IT services which were previously provided by AFFA until the Department outsourced its IT function. The market testing will determine whether it will be more cost effective to continue to outsource some of the Authority’s IT services or whether it would more effective to bring these services in-house. Draft recommendations have been made but have not yet been approved by the CEO.

2. There will be minimal impact on the NRAs existing IT employees.

Department of Agriculture, Fisheries and Forestry: Corporate Services

(Question No. 2703)

Senator Faulkner asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 9 August 2000:

1. Has the department, and/or any agency in the portfolio, set a timeframe to market test any of its functions other than corporate services; if so, which agency, which functions, what is the state and city or town location of staff currently undertaking that function, and what is the timeframe.

2. In relation to each agency which has or will move to market test these functions, what arrangements have been made to consult with effected employees and their representatives; if such arrangements have not been made, when will these consultations be undertaken.

Senator Alston—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

Department of Agriculture, Fisheries and Forestry

1. The Department of Agriculture Fisheries and Forestry reviews the efficiency and effectiveness of the delivery of its programs and activities as part of its on-going management process. At this stage no non-corporate services functions have been market tested or timeframes set.

2. If the Department proceeds to market test other functions there will be full consultations between the department, affected staff and within the established consultative mechanisms.

Australian Fisheries Management Authority (AFMA)

1. Some functions such as logbook data entry and research objects are already outsourced. During the past year AFMA market tested the observer function and decided to use a combination of employees and contractors. The potential to outsource other functions will be considered in the next year. However, as of today, no timeframe has been set to further market test corporate services.

2. Consultations with affected employees will take place after a timeframe for market testing has been set.

Dairy Research and Development Corporation (DRDC)

1. All DRDC business functions are market tested continually, as all research and development project work (DRDC’s function) is contracted to Public or Private sector organisations or businesses.

2. Not applicable as all research and development project work (DRDC’s function) is contracted to Public or Private sector organisations or businesses.
Regional Assistance Program: Funding
(Question No. 2710)

Senator O’Brien asked the Minister representing the Minister for Employment, Workplace Relations and Small Business, upon notice, on 15 August 2000:

1) How many projects approved for funding through the Regional Assistance Program in the 1999-2000 financial year included a commitment of funding from the private sector, state or territory governments or the local community.

2) In each case: (a) what was the nature of the proposal; (b) what was the cost of the proposal; and (c) what was the value of the financial commitment from the above sources.

Senator Alston—The Minister for Employment, Workplace Relations and Small Business has provided the following answer to the honourable senator’s question:

1) My department advises me that during 1999-00, 411 approved projects included a commitment of either cash and/or in-kind co-funding from the private sector, state or territory governments or the local community.

2) The table containing the relevant information for approved projects during 1999-00 is being supplied separately to the honourable senator. A copy of the list is also held in the Senate table office.

Area Consultative Committees
(Question No. 2713)

Senator O’Brien asked the Minister representing the Minister for Employment, Workplace Relations and Small Business, upon notice, on 14 August 2000:

1) Has the membership of any Area Consultative Committees (ACCs) varied since 30 August 1999; if so, and in each case: (a) how has the membership of the ACC varied; (b) what process was followed in the selection of people to be appointed to each ACC; (c) who was consulted as part of that selection process; and (d) who made the final decision on the membership of each ACC.

2)(a) What funding was provided to each ACC in the 1999-2000 financial year; (b) how much of that funding allocation was expended by each ACC in that year; and (c) what level of funding has been appropriated for the 2000-01 financial year.

3) Was funding for any ACC supplemented from consolidated revenue or from another program in the 1999-2000 financial year; if so: (a) which ACCs received additional funding; (b) how much additional funding was provided; (c) when was the additional funding sought; (d) when was the request met; and (e) who approved the additional money.

4) Where additional funding was provided at the request of the ACC, how was the additional funding used and was all of the additional funding expended.

5) If additional funding provided to an ACC in the 1999-2000 financial year was not requested by the ACC: (a) who requested the funding; (b) what was the basis for the request; and (c) who approved the request.

Senator Alston—The Minister for Employment, Workplace Relations and Small Business has provided the following answer to the honourable senator’s question:

1)(a) The membership of individual ACCs may change frequently depending on the particular operations and needs of the individual ACC. My Department advises me that it does not maintain national records of changes in the individual memberships of ACCs due to the significant resources which would be required to maintain a comprehensive register of the changing membership of the 56 organisations funded to form the ACC Network. The sum of the resources required to collect this information would represent an unwarranted diversion of the resources of the Department. Furthermore, there could be no guarantee that the information collected would be comprehensive. Indicative information on the current membership of a number of ACCs may be found on their individual web-sites located through the ACC web site at www.acc.gov.au.

In relation to parts (b) (c) and (d) as it pertains to ACC membership, I answered these questions in my response to the honourable senator’s question No 1370 of 30 August 1999.
In regard to the positions of Chair of each ACC for parts (a), (b), (c) and (d), I provided this information in my response to the honourable senator’s question No 1370 of 30 August 1999. I have however, attached a list of the current Chairs of each ACC as an update to that information.

(2) Responses to (a) and (c) are contained in a table being separately supplied to the honourable Senator and a copy is also held in the Senate Table Office. In regard to (b) my department advises me that this information is not available as at this stage acquittals from ACCs for the 1999-2000 financial year are still being processed.

(3)(a)(b)(c) and (d) Yes, some ACCs have had access to funds from two other programs during the 1999-2000 financial year. The Government decided that funds under the GST Start Up program would be made available to ACCs to fund the GST Signpost Officer initiative in rural, remote and regional ACCs. The funds were provided in the third quarter of the 1999-2000 financial year. A list of those ACCs in receipt of these funds and the amounts is being supplied separately to the honourable senator (a copy is also available at the Senate Tabling Office). Additional funding of $22,000 to extend the life of the GST Signpost Officers is being released to ACCs this financial year.

Funds were also made available to ACCs under the promotional component of the Indigenous Employment Policy for the purpose of promoting the initiatives available under the Policy. ACCs were invited to submit proposals for the funds which were assessed by the national office of the department and approved by the delegate for the Indigenous Employment Programme. Funds have been released to ACCs under this initiative from the third quarter of 1999-2000 financial year. A list of ACCs in receipt of funds under Indigenous Employment Policy and the amounts involved is attached.

(4) Additional funds were not provided at the request of the ACCs. In relation to the Indigenous Employment Policy, ACCs were invited to submit applications for the funding as detailed in part (3) above.

(5) See responses to parts (3) and (4).
<table>
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<th>ACC (including other names)</th>
<th>CHAIRPERSON</th>
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<tr>
<td>Australia’s Holiday Coast Area Consultative Committee</td>
<td>Mr Don Phillips</td>
<td>Mr Peter Miller</td>
<td>02 6584 7025</td>
<td>02 6584 9155</td>
<td>PO Box 1567 PORT MACQUARIE NSW 2444</td>
<td><a href="http://www.employmentgrowth.org.au">www.employmentgrowth.org.au</a></td>
<td><a href="mailto:achacc@turboweb.net.au">achacc@turboweb.net.au</a></td>
<td><a href="mailto:Alphacc@turboweb.net.au">Alphacc@turboweb.net.au</a></td>
</tr>
<tr>
<td>Broken Hill Regional Employment Council (Broken Hill Area Consultative Committee)</td>
<td>Mr John Williams</td>
<td>Mr Scott Howe</td>
<td>08 8087 8383 (0417 436 170)</td>
<td>08 8087 8413</td>
<td>PO Box 1010 BROKEN HILL NSW 2880</td>
<td><a href="http://www.bhrc.org.au">www.bhrc.org.au</a></td>
<td><a href="mailto:bhrc@ruralnet.net.au">bhrc@ruralnet.net.au</a></td>
<td><a href="mailto:Johnwillmtrs@ozemail.com.au">Johnwillmtrs@ozemail.com.au</a></td>
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<tr>
<td>Capital Region Employment Council (ACT and Southern Tablelands Area Consultative Committee)</td>
<td>Mr Ross MacDiarmid</td>
<td>Mr Paul Coker</td>
<td>02 6295 5945</td>
<td>02 6295 5988</td>
<td>49 Wentworth Ave KINGSTON ACT 2604</td>
<td><a href="mailto:crec@cyberone.com.au">crec@cyberone.com.au</a></td>
<td><a href="mailto:nss_macdiarmid@ansett.com.au">nss_macdiarmid@ansett.com.au</a></td>
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<tr>
<td>Capital Coast Area Consultative Committee</td>
<td>Mr Peter Hale</td>
<td>Mr Ray Lyon</td>
<td>02 4323 7675</td>
<td>02 4323 7881</td>
<td>Suite 7, 1st Floor, 1-3 Baker St GOSFORD NSW 2250</td>
<td><a href="mailto:ccacc@turboweb.net.au">ccacc@turboweb.net.au</a></td>
<td><a href="mailto:Mherbert@ebtns.com.au">Mherbert@ebtns.com.au</a></td>
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<tr>
<td>Central Coast Area Consultative Committee</td>
<td>Mr Jerry Kenrick</td>
<td>Ms Maria White</td>
<td>02 6332 6417 (0409 157 301)</td>
<td>02 6332 1129</td>
<td>PO Box 853 BATHURST NSW 2795</td>
<td><a href="mailto:mwacc@ix.net.au">mwacc@ix.net.au</a></td>
<td><a href="mailto:Jerryk@ix.net.au">Jerryk@ix.net.au</a></td>
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<td>GROW Employment Council</td>
<td>Mr Jan Bosnjak OAM</td>
<td>Mr Tony Powers</td>
<td>02 9890 7804 (0410879890)</td>
<td>02 9890 7814</td>
<td>235 Russell St BATHURST NSW 2795 Suite 102, Level 1 480 Church St NORTH PARRAMATTA NSW 2150</td>
<td><a href="http://www.grow.org.au">www.grow.org.au</a></td>
<td><a href="mailto:info@grow.org.au">info@grow.org.au</a></td>
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<td>Hunter Area Consultative Committee</td>
<td>Mr Arch Humphrey</td>
<td>Ms Kath Elliott</td>
<td>02 4952 9010</td>
<td>02 4952 8995</td>
<td>Suite 2A, OTP House Bradfield Chase KOTARA NSW 2289</td>
<td><a href="http://www.hacc.org.au">www.hacc.org.au</a></td>
<td><a href="mailto:hunteracc@huntenlink.net.au">hunteracc@huntenlink.net.au</a></td>
<td><a href="mailto:Humphreyc@bigpond.com">Humphreyc@bigpond.com</a></td>
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<td>Illawarra Area Consultative Committee</td>
<td>Mr Emm Ferris</td>
<td>Mr Chris Quigley</td>
<td>02 4227 4500</td>
<td>02 4227 4700</td>
<td>89 Market St WOLLONGONG NSW 2500 PO Box 666 TAMWORTH NSW 2340</td>
<td><a href="http://www.iac.asn.au">www.iac.asn.au</a></td>
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<td>Illawarra / North West</td>
<td>Mr Patrick Maher</td>
<td>Ms Kate Ware</td>
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<td>Northern Rivers Area Consultative Committee</td>
<td>Ms Ann Carkery</td>
<td></td>
<td>07 5599 4200</td>
<td>07 5599 4201</td>
<td>Suite 4, 346-350 Peel St TAMWORTH NSW 2340 PO Box 459 TWEED HEADS NSW 2485</td>
<td><a href="http://www.northernriversacc.com.au">www.northernriversacc.com.au</a></td>
<td><a href="mailto:ann.carkery@northernriversacc.com.au">ann.carkery@northernriversacc.com.au</a></td>
<td>Petero @liscity.nsw.gov.au</td>
</tr>
<tr>
<td>Orana Development &amp; Employment Council (ODEC) and/or Orana Area Consultative Committee</td>
<td>Mr Paul Mann</td>
<td>Mr Tom Warren</td>
<td>02 6885 1488 (0417 232 461)</td>
<td>02 6885 1468</td>
<td>Suite 6, KBA House 40 Francis St TWEED HEADS NSW 2485 PO Box 1557 DUBBO NSW 2830 Level 2, Oliver House, 34 Church St DUBBO NSW 2830</td>
<td><a href="http://www.odec.org.au">www.odec.org.au</a></td>
<td><a href="mailto:odec@crt.net.au">odec@crt.net.au</a></td>
<td>Gilgan @lap.com.au</td>
</tr>
<tr>
<td>Riverina Area Consultative Committee</td>
<td>Ms Peta Breden</td>
<td></td>
<td>02 6964 5540 (0429 449 213)</td>
<td>02 6964 5540</td>
<td>PO Box 25 GRIFFITH EAST NSW 2680 Shop 3 149-153 Yambil St GRIFFITH NSW 2680 PO Box 1227 NOWRA NSW 2541</td>
<td><a href="http://www.riverinaatwork.org.au">www.riverinaatwork.org.au</a></td>
<td><a href="mailto:racc@webfront.net.au">racc@webfront.net.au</a></td>
<td>Rosie @strath.net.au</td>
</tr>
<tr>
<td>Shoalhaven Area Consultative Committee</td>
<td>Mr Milton Lay</td>
<td></td>
<td>02 4422 9011 (019 314 511)</td>
<td>02 4421 2769</td>
<td>81 North St NOWRA NSW 2541</td>
<td><a href="http://www.shoalhaven.net.au/sacc">www.shoalhaven.net.au/sacc</a></td>
<td><a href="mailto:sacc@shoalhaven.net.au">sacc@shoalhaven.net.au</a></td>
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<tr>
<td>South East NSW Area Consultative Committee</td>
<td>Ms John Dedman</td>
<td></td>
<td>02 6492 5688 (0418 489 408)</td>
<td>02 6492 5684</td>
<td>Suite 10, Bega Centre, Auckland St BEGA NSW 2550 PO Box 307 Bega NSW 2550</td>
<td><a href="http://www.seacc.org.au">www.seacc.org.au</a></td>
<td><a href="mailto:seaccjd@acr.net.au">seaccjd@acr.net.au</a></td>
<td><a href="mailto:gregm@acr.net.au">gregm@acr.net.au</a></td>
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<tr>
<td>Albury Wodonga Area Consultative Committee</td>
<td>Mr Ray Hurtle</td>
<td></td>
<td>02 6041 6600 (0419 068 255)</td>
<td>02 6021 6300</td>
<td>Suite 6, 620 Maccauley St ALBURY NSW 2640 PO Box 660 BALLARAT VIC 3350</td>
<td><a href="mailto:awacc@albury.net.au">awacc@albury.net.au</a></td>
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<tr>
<td>Central Highlands Area Consultative Committee (Ballarat Area Consultative Committee)</td>
<td>Ms Sue Nelson</td>
<td></td>
<td>03 5320 2008 (0419 050 235)</td>
<td>03 5331 2470</td>
<td>Victorian Business Centre Cnr. Sturt &amp; Camp Sts BALLARAT VIC 3350</td>
<td><a href="mailto:chacc@netconnect.com.au">chacc@netconnect.com.au</a></td>
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<tr>
<td>Central Murray Area Consultative Committee (CMACC)</td>
<td>Ms Graeme Gledhill</td>
<td>Ms Kerry Anne Jones</td>
<td>03 5480 2353 (0419 543 586)</td>
<td>03 5482 2759</td>
<td>PO Box 942 ECHUCA VIC 3564 818 Nial St ECHUCA VIC 3564</td>
<td><a href="http://www.cmacc.com.au">www.cmacc.com.au</a></td>
<td><a href="mailto:cmacc@cmacc.com.au">cmacc@cmacc.com.au</a></td>
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<td>Community Employment Council Central Victoria (Bendigo Region Area Consultative Committee)</td>
<td>Mr Lloyd Cameron</td>
<td>Mr Jeff Bolke</td>
<td>03 5424 8773 (0419 541 097)</td>
<td>03 5442 9109</td>
<td>PO Box 541 BENDIGO VIC 3552</td>
<td>1st Floor 328 Lyttleton Tce BENDIGO VIC 3550</td>
<td><a href="mailto:benacc@netcon.net.au">benacc@netcon.net.au</a></td>
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<tr>
<td>Geelong Area Consultative Committee</td>
<td>Mr Terry Tyler</td>
<td>Mr Jack Stewart</td>
<td>03 5223 1091 (0419 003 007)</td>
<td>03 5221 7454</td>
<td>PO Box 2090 GEELOONG VIC 3220</td>
<td>69 Moorabool St GEELOONG VIC 3220 PO Box 537 MORWELL VIC 3840</td>
<td><a href="mailto:acc_geel@primus.com.au">acc_geel@primus.com.au</a></td>
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<td>Gippsland Area Consultative Committee</td>
<td>Mr David Power</td>
<td>Ms Marlene Battria</td>
<td>03 5133 9166 (0416 310 900)</td>
<td>03 5133 6032</td>
<td>23 Hazelwood Rd MORWELL VIC 3840 PO Box 615 ARARAT VIC 3377</td>
<td><a href="mailto:gacc@latrobe.net.au">gacc@latrobe.net.au</a></td>
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<tr>
<td>Greater Green Triangle Area Consultative Committee</td>
<td>Ms Olive McVicker</td>
<td>Mr Pat McKaun</td>
<td>03 5352 3935 (0419 541 658)</td>
<td>03 5352 4311</td>
<td>12 Speed St ARARAT VIC 3377 333 Mitcham Rd MITCHAM VIC 3132</td>
<td><a href="mailto:ggtacc@netconnect.com.au">ggtacc@netconnect.com.au</a></td>
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<td>Jobs East (Melbourne East Area Consultative Committee)</td>
<td>Mr Neil Stevenson</td>
<td>Ms Louise Rolband</td>
<td>03 9873 8377 (0418 141 303)</td>
<td>03 9873 8149</td>
<td>92 Summerville Rd YARRAVILLE VIC 3013</td>
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<td>Jobs ACCtion (Melbourne's West Area Consultative Committee)</td>
<td>Mr Dominee Andreacchio</td>
<td>Mr Liam Browne</td>
<td>03 9315 2266 (0409 331 533)</td>
<td>03 9325 1561</td>
<td>92 Summerville Rd YARRAVILLE VIC 3013</td>
<td><a href="http://www.jobsacc.org.au">www.jobsacc.org.au</a></td>
<td><a href="mailto:mwacc@jobsacc.org.au">mwacc@jobsacc.org.au</a></td>
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<tr>
<td>Melbourne Development Board (Melbourne Central and Southern ACC, previously JobEast)</td>
<td>Mr Tony Davorn</td>
<td>Mr John MacDonald</td>
<td>03 9523 1466 (0419 341 430)</td>
<td>03 9523 0607</td>
<td>368A Harchoon Rd CAULFIELD VIC 3162</td>
<td><a href="http://www.mdb.asn.au">www.mdb.asn.au</a></td>
<td><a href="mailto:acc@mdb.asn.au">acc@mdb.asn.au</a></td>
<td><a href="mailto:johnmac@mdb.asn.au">johnmac@mdb.asn.au</a></td>
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<tr>
<td>North East Victoria Area Consultative Committee</td>
<td>Mr Jim Crawshaw</td>
<td>Mr Shane O'Brien</td>
<td>03 5831 1133</td>
<td>03 5831 1520</td>
<td>PO Box 2275 SHEPPARTON VIC 3632</td>
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<td>Northern Area Consultative Committee</td>
<td>Mr Bob McQuilen</td>
<td>Dr Reg Poole</td>
<td>03 9925 7304</td>
<td>03 9467 8583</td>
<td>55 Weiford St SHEPPARTON VIC 3630 RMIT Bundoora West Campus PO Box 71 BUNDOORA VIC 3083</td>
<td><a href="http://www.northernacc.com">www.northernacc.com</a></td>
<td><a href="mailto:nacc@rmit.edu.au">nacc@rmit.edu.au</a></td>
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<td>Sunraysia Area Consultative Committee</td>
<td>Mr Don Carraza</td>
<td>Mr Mark Wilson</td>
<td>03 5023 8656 (0419 008 506)</td>
<td>03 5023 8659</td>
<td>RMIT Bundoora West Campus Plenty Rd BUNDOORA VIC 3083 PO Box 1679 MILDURA VIC 3502</td>
<td><a href="mailto:sunacc@ozland.net.au">sunacc@ozland.net.au</a></td>
<td><a href="mailto:suacc@ozland.net.au">suacc@ozland.net.au</a></td>
<td><a href="mailto:suacc@ozland.net.au">suacc@ozland.net.au</a></td>
</tr>
<tr>
<td>Western Port Area Consultative Committee (South East Development Area Consultative Committee)</td>
<td>Mr Charles Wilkins</td>
<td>Mr Richard Percy</td>
<td>03 9793 6466</td>
<td>03 9793 6566</td>
<td>29 Dookie Ave MILDURA VIC 3500 Suite 2 329 Thomas Street DANDEENONG VIC 3175</td>
<td><a href="http://www.wpacc.com.au">www.wpacc.com.au</a></td>
<td><a href="mailto:emplay@vicnet.net.au">emplay@vicnet.net.au</a></td>
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<tr>
<td>Central Queensland Area Consultative Committee</td>
<td>Mr Kym Mobs</td>
<td>Mc Carol Gorton</td>
<td>07 4921 3639 (0418 980 191)</td>
<td>07 4922 3732</td>
<td>PO Box 6498 Rockhampton Mail Centre ROCKHAMPTON QLD 4702</td>
<td><a href="http://www.cqacc.com.au">www.cqacc.com.au</a></td>
<td><a href="mailto:cjqacc@cupnet.com.au">cjqacc@cupnet.com.au</a> and/or <a href="mailto:cgqacc@cupnet.com.au">cgqacc@cupnet.com.au</a></td>
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<tr>
<td>FNQ Employment (Far North Queensland Area Consultative Committee) Gold Coast &amp; Region Area Consultative Committee</td>
<td>Mr Robert Blakemore</td>
<td>Mr Tomas Viera</td>
<td>07 4051 7836 (0419 776 293)</td>
<td>07 4031 8970</td>
<td>Level 1, Cairns Port Authority Building 38 Grafton St CABINS QLD 4870 PO Box 3005 NERANG BC QLD 4211</td>
<td><a href="http://www.fnqemp.com">www.fnqemp.com</a></td>
<td><a href="mailto:info@fnqemp.com">info@fnqemp.com</a> and/or <a href="mailto:ceo@fnqemp.com">ceo@fnqemp.com</a></td>
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<tr>
<td>Greater Brisbane Area Consultative Committee</td>
<td>Mr David Peel</td>
<td>Ms Margaret Blade</td>
<td>07 3262 4168 (0419 751 446)</td>
<td>07 3262 8745</td>
<td>Suite 6 764 Sandgate Road CLAYFIELD QLD 4111 PO Box 61 CLAYFIELD QLD 4011</td>
<td><a href="http://www.gbacc.com">www.gbacc.com</a></td>
<td><a href="mailto:mail@gbacc.com">mail@gbacc.com</a> and/or <a href="mailto:mblade@gbacc.com">mblade@gbacc.com</a></td>
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<tr>
<td>Ipswich Area Consultative Committee</td>
<td>Mr Neal Atchley</td>
<td>Ms Cindy Ford</td>
<td>07 3812 4244 (0408 980 789)</td>
<td>07 3812 4353</td>
<td>Suite 77 649 Sandgate Road CLAYFIELD QLD 4011 IPSWICH QLD 4305 PO Box 1377 IPSWICH QLD 4305</td>
<td><a href="http://www.iracc.asn.au">www.iracc.asn.au</a></td>
<td><a href="mailto:mail@iracc.asn.au">mail@iracc.asn.au</a> and/or <a href="mailto:cindy.f@iracc.asn.au">cindy.f@iracc.asn.au</a></td>
<td><a href="mailto:Neal@iracc.asn.au">Neal@iracc.asn.au</a> and/or @iracc.asn.au</td>
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<tr>
<td>Mackay Region Area Consultative Committee</td>
<td>Mr Denis Connole</td>
<td>Mr Wyn Cook</td>
<td>07 4944 0661 (0418 709 449)</td>
<td>07 4957 2405</td>
<td>15 Peel St</td>
<td><a href="http://www.jobsnetm.org.au">www.jobsnetm.org.au</a></td>
<td><a href="mailto:muracc@easy.net.au">muracc@easy.net.au</a></td>
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<td>Formerly Johnstons Association Mackay: Moreton Bay Coast &amp; Country Area Consultative Committee</td>
<td>Ms Susan Burgess</td>
<td>Ms Estella Rodighiero</td>
<td>07 5428 2411 (0411 558 834)</td>
<td>07 5428 2511</td>
<td>PO Box 100 MORAYFIELD QLD 4506 110 Morayfield Rd MORAYFIELD QLD 4506</td>
<td><a href="http://www.mortonbayacc.gov.au">www.mortonbayacc.gov.au</a></td>
<td><a href="mailto:mbcacc@caboolture.net.au">mbcacc@caboolture.net.au</a></td>
<td><a href="mailto:sueke@mail.cth.com.au">sueke@mail.cth.com.au</a></td>
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<tr>
<td>Southern Inland Qld Area Consultative Committee (SIQACC)</td>
<td>Mr Patrick Nunan</td>
<td>Ms Caroline Cuckson</td>
<td>07 4639 1211 (0429 981 827)</td>
<td>07 4639 1403</td>
<td>PO Box 3070 Village Fair TOOWOOMBA QLD 4350 Ground Floor, Heritage Plaza Arcade 400 Ruthven St TOOWOOMBA QLD 4350</td>
<td><a href="http://www.siqacc.indelta.com.au">www.siqacc.indelta.com.au</a></td>
<td><a href="mailto:mail@siqacc.com">mail@siqacc.com</a></td>
<td><a href="mailto:ptn@clearlylee.com.au">ptn@clearlylee.com.au</a></td>
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<tr>
<td>Sunshine Coast Area Consultative Committee</td>
<td>Ms Rosalind Hourigan</td>
<td>Mr David Hopper</td>
<td>07 5479 5099 (0418 748 265)</td>
<td>07 5479 0150</td>
<td>PO Box 5370 MAROOCHYDORE SOUTH QLD 4558 Ground Floor, Mayfield House 29 The Esplanade MAROOCHYDORE SOUTH QLD 4558 PO Box 640 THURSDAY ISLAND QLD 4875</td>
<td><a href="http://www.scacc.com.au">www.scacc.com.au</a></td>
<td><a href="mailto:davids@scacc.com.au">davids@scacc.com.au</a> and/or <a href="mailto:carolynev@scacc.com.au">carolynev@scacc.com.au</a></td>
<td><a href="mailto:rosh@ausnetwork.com.au">rosh@ausnetwork.com.au</a></td>
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<td>Torres Strait Regional Employment Committee</td>
<td>Mr Elia Doolah</td>
<td></td>
<td>07 4069 1255</td>
<td>07 4069 1288</td>
<td>85-82 Douglas St THURSDAY ISLAND QLD 4875</td>
<td>www2.tpgi.com.au/USERS/TSECACC/</td>
<td><a href="mailto:torcacc@tpgi.com.au">torcacc@tpgi.com.au</a></td>
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<td>Wide Bay Burnett Area Consultative Committee WorkNorth Advisory Group (North Queensland Area Consultative Committee) Goldfields Esperance Area Consultative Committee</td>
<td>Mr Bill Trevor</td>
<td>Ms Joan Brazier</td>
<td>07 4121 7099 (0408 985 533)</td>
<td>07 4121 7411 The Globe 190 Cheapside St MARYBOROUGH QLD 4650</td>
<td><a href="http://www.widebay.net/acc">www.widebay.net/acc</a></td>
<td><a href="mailto:wbacc@bigpond.com">wbacc@bigpond.com</a></td>
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<td>Mr Bill Kennedy</td>
<td>Mr Ross Contarino</td>
<td>07 4772 4166 (0419 039 617)</td>
<td>07 4772 4911</td>
<td>PO Box 500 TOWNSVILLE QLD 4810 Suite 5a, Level 1 316 Sturt St TOWNSVILLE QLD 4810</td>
<td><a href="mailto:worknorth@1140.aone.net.au">worknorth@1140.aone.net.au</a></td>
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<td>Mr Ronald Yuriyevich</td>
<td>Mr Joe Baker</td>
<td>08 9091 6051 (0417 959 458)</td>
<td>08 9021 6570 (or 08 9091 6052)</td>
<td>PO Box 1031 KALGOORLIE WA 6430 Suite F2, 1st Floor McKenzie Chambers 142 Hannan St KALGOORLIE WA 6430</td>
<td><a href="mailto:gracc@emerge.net.au">gracc@emerge.net.au</a></td>
<td><a href="mailto:kalaire@emerge.net.au">kalaire@emerge.net.au</a></td>
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---|---|---|---|---|---|---|---|---
**Great Southern Area Consultative Committee (Albany)** | Mr Pell House  | Mr Len van der Waag  | 08 9842 3800  | 08 9842 3811  | PO Box 716, ALBANY WA 6331 Suite 6, 1st Floor The Coach House 4 Peel Place ALBANY WA 6330  | albaynworking.org.au  | len@albaynworking.org.au  | pellhouse@wn.com

**Kimberley Area Consultative Committee** | Ms Lyn Page  | Mr Rory Whitelaw  | 08 9192 2450  | 08 9192 2451  | Office 9 Broome Lotteries House Cable Beach Rd BROOUM WA 6725  | fnwaacc@tpgi.com.au  |  | Magnolia@comwest.com.au

**Metropolitan Perth Area Consultative Committee** | Ms Audrey Jackson  | Mr Michael Thorne  | 08 9478 1000  | 08 9478 1011  | 226 St Eastern Hwy BELMONT WA 6984  | admin@northmetroacc.com.au  | and/or warren@northmetroacc.com.au  |  

**Mid West Gascoyne Area Consultative Committee** | Mr Geoff Crothers  | Mr Tom Sotioff  | 08 9964 5757  | 08 9964 5775  | Level 1 8 Darlach St GERALDTON WA 6530 c/o John Syants, Peel Development Commission 45 Mandalah Terrace MANDURAH WA 6210  | mgwacc@wn.com.au  | geoff.crothers@ghc.com.au  |  

**Peel Area Consultative Committee** | Mr Alan Cranberg  |  |  |  |  | jmt@peel.wa.gov.au  | alan.cranberg@alcoa.com.au  |  

**Pilbara Area Consultative Committee** | Ms Gladys Walker  | Ms Jenny Moore  | 08 9144 0651  | 08 9144 0652  | Unit 4 24 De Grey Place KARRATHA WA 6714  | pacjm@kisser.net.au  |  |  

**South West Area Consultative Committee (Bunbury)** | Mr Paul Vukelic  | Mr Graham Hodgson  | 08 9791 4552  | 08 9791 4306  | PO Box 1827 BUNBURY WA 6231  | www.swaccwa.org.au  | swaccwa@highway1.com.au  |  

**Wheatbelt Area Consultative Committee** | Ms Kerry Oliver  | Ms Lisa Sheeve  | 08 9041 5351  | 08 9041 5357  | PO Box 176 MERREDIN WA 6535  | www.wheatbelacc.avon.net.au  | wacc@agm.net.au and/or lisarick@merkno.net.au  |  

**Adelaide Metropolitan Area** | Mr Peter Smith  | Ms Anne Evans  | 08 8232 8843  | 08 8232 8845  | PO Box 3158 RUNDLE MALL SA 5000  | amacc@senet.com.au and/or arevans@senet.com.au  | peter.smith@bartonvale.com.au  |  

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<td>Barossa, Riverland, Mid North Area Consultative Committee</td>
<td>Ms Robyn Masterman</td>
<td>Ms Greer Wilkinson</td>
<td>08 8563 1355 (0417 867 601)</td>
<td>08 8563 1366</td>
<td>3 Basedow Road, TANINDA SA 5352</td>
<td><a href="http://www.brmacc.org.au">www.brmacc.org.au</a></td>
<td><a href="mailto:brmacc@dove.net.au">brmacc@dove.net.au</a> and/or <a href="mailto:execoff@dove.net.au">execoff@dove.net.au</a></td>
<td><a href="mailto:Clarclar@fc-hotels.com.au">Clarclar@fc-hotels.com.au</a></td>
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<tr>
<td>Fleurieu Region Area Consultative Committee</td>
<td>Mrs Barbara Dehun</td>
<td>Ms Guenter Schende</td>
<td>08 8645 9011 (0418 899 265)</td>
<td>08 8645 2099</td>
<td>PO Box 227, WHYALLA SA 5600</td>
<td><a href="mailto:Inacc@dove.net.au">Inacc@dove.net.au</a> and/or <a href="mailto:gunters@dove.net.au">gunters@dove.net.au</a></td>
<td><a href="mailto:Dreadmin@dove.net.au">Dreadmin@dove.net.au</a></td>
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<td>South Central Regional Network (South Central Area Consultative Committee)</td>
<td>Ms Leone Taylor</td>
<td>Mr Richard Puglett</td>
<td>08 8131 0155 (0428221154)</td>
<td>08 8131 0166</td>
<td>Suites 3 and 4, 85 Mt Barker Rd, STIRLING SA 5152</td>
<td><a href="http://www.scm.sa.com.au">www.scm.sa.com.au</a></td>
<td><a href="mailto:richard@scm.sa.com.au">richard@scm.sa.com.au</a></td>
<td><a href="mailto:leone@camtech.net.au">leone@camtech.net.au</a></td>
</tr>
<tr>
<td>South East SA Area Consultative Committee</td>
<td>Mr Alan Tidswell</td>
<td>Ms Elaine Pollock</td>
<td>08 8724 7628 (0408 799 459)</td>
<td>08 8735 1164</td>
<td>PO Box 2500, MT GAMBIER SA 5290</td>
<td><a href="http://www.jseacc.org.au">www.jseacc.org.au</a></td>
<td><a href="mailto:info@jseacc.org.au">info@jseacc.org.au</a> and/or <a href="mailto:elaine@jseacc.org.au">elaine@jseacc.org.au</a></td>
<td><a href="mailto:Alan.Tidswell@au.chh.com">Alan.Tidswell@au.chh.com</a></td>
</tr>
<tr>
<td>Tasmanian Employment Advisory Council</td>
<td>Mr David Rowell</td>
<td>Ms Sheryl Thomas</td>
<td>03 6334 9822 (0419 395 178)</td>
<td>03 6334 9828</td>
<td>PO Box 85, LAUNCESTON TAS 7250</td>
<td><a href="http://www.teac.org.au">www.teac.org.au</a></td>
<td><a href="mailto:trac@teac.org.au">trac@teac.org.au</a> and/or <a href="mailto:sthomas@teac.org.au">sthomas@teac.org.au</a></td>
<td><a href="mailto:team@pppartners.com.au">team@pppartners.com.au</a></td>
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<tr>
<td>Northern Territory Area Consultative Committee</td>
<td>Ms Kami Dunn</td>
<td>Mr David Wheaton</td>
<td>08 8941 7550</td>
<td>08 8941 7551</td>
<td>GPO Box 4723, DARWIN NT 0801</td>
<td><a href="http://www.ntacc.com.au">www.ntacc.com.au</a></td>
<td><a href="mailto:eo@ntacc.com.au">eo@ntacc.com.au</a></td>
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Tuesday, 5 December 2000
Child Care Benefit
(Question No. 2950)

Senator Chris Evans asked the Minister for Family and Community Services, upon notice, on 20 September 2000:

(1) Is it true that some families receiving the Child Care Benefit for registered care are now receiving less fee relief for this care than they had received from the Child Care Cash Rebate, even though their weekly hours of care have not decreased; if so: (a) what difference between the rebate and Child Care Benefit rules accounts for this reduction; (b) how many families and how many children are affected (please provide a state by state breakdown); (c) what is the estimated total reduction in fee relief to families using registered care since the introduction of the Child Care Benefit on 1 July 2000 (please provide a state by state breakdown); and (d) is this reduction in fee relief for registered care the result of an oversight or deliberate policy.

(2) If the reduction in fee relief is an oversight, will the Minister be introducing amending legislation to correct the problem; if so, when would any such legislation be introduced.

(3) If the reduction in fee relief is the result of deliberate policy, what is the reason for the policy.

Senator Newman—The answer to the honourable senator’s question is as follows:

(1) Some families, using registered child care, are receiving less assistance under Child Care Benefit than they received previously under Childcare Rebate. However the changes made to child care assistance were part of a much wider range of initiatives implemented as part of the Government’s taxation reforms. Those initiatives included changes to personal income tax rates, increases in income support payments and increased family assistance. The impact of the changes on individuals needs to take account of the effect of all those initiatives.

(a) Childcare Rebate for a family using registered care was paid as a proportion (either 30% or 20%) of fees incurred for child care (net of Childcare Assistance) less a minimum payment of $20.50. The maximum rate of Rebate a family could receive was $28.95pw for 1 child and $64.05pw for 2 children if they received the 30% Rebate and $19.10pw and $42.70pw for 2 children at the 20% Rebate level.

Child Care Benefit for registered care is calculated by multiplying the hours of child care by a standard hourly rate (currently $0.41). The standard hourly rate applies regardless of the fee paid.

(b) The department has no mechanism for obtaining that information.

(c) See (b) above.

(d) The methodology for calculating Child Care Benefit for registered care was included in the policy decisions taken by the Government in the development of A New Tax System. 

(2) Not applicable

(3) The introduction of Child Care Benefit (and its associated entitlement rules) was one component of a much wider tax reform strategy encompassing increases in family assistance and income support payments, relaxed income tax rates and the introduction of the Goods and Services Tax. The design of specific components of that strategy had regard to the full effect of all the changes and the overall package ensured that families received additional government support.

Australian Competition and Consumer Commission: Tasmania
(Question No. 2955)

Senator Brown asked the Minister representing the Minister for Financial Services and Regulation, upon notice, on 25 September 2000:

With reference to the Australian Competition and Consumer Commission (ACCC) in Tasmania:

(1) When was its office established and where.

(2) Who is in charge and who are the staff.
(3) (a) When did investigations in the case of Mr Tony Hassett’s Commercial and General Publications begin; (b) when did the case first come to the ACCC; and (c) how did the case come to the ACCC.

(4) (a) When was Mr Hassett informed of the investigation; and (b) what has happened since.

(5) Does the ACCC advise that verbal contracts are not enforceable.

(6) Are order numbers essential in small business.

(7) What, in the ACCC’s definition, is an order number.

(8) Is the ACCC discreet in protecting reputations before charges are made, as well as during proceedings.

Senator Kemp—The Minister for Financial Services and Regulation has provided the following answer to the honourable senator’s question:

(1) The Australian Competition and Consumer Commission (ACCC) was established nationally in 1995 when it was formed from the combination of the Trade Practices Commission and the Prices Surveillance Authority. The ACCC/Trade Practices Commission has had an office in Tasmania since the inception of the Trade Practices Act in 1974. Prior to that the office was known as the Office of the Commissioner of Trade Practices.

The ACCC’s Tasmanian office is situated in Hobart, on Level 3, 86 Collins Street.

(2) Peter Clemes is State Director of the ACCC Tasmanian office. There are presently six other ACCC staff comprising:

1 Assistant Director
1 GST Enforcement Manager
1 GST Investigation Officer
1 Senior Investigation Officer
2 Investigation Officers

(3) (a) July 1999.

(b) 29 June 1999.

(c) A complaint was received from a small business person.

(4) (a) 18 December 1999.

(b) Persons from a number of organisations and businesses have been interviewed. Further complaints about Mr Hassett were also received and investigated. Mr Hassett has been formally interviewed and the evidence collected to date is being assessed.

(5) It is not ACCC practice to advise people that verbal contracts are not enforceable – because the ACCC can not provide legal advice.

(6) The question is unclear – see answer 7 below – but the ACCC does not assert that all business conducted by small businesses should be based upon the provision of order numbers. It is, however, generally regarded as good business practice to do so.

(7) The ACCC does not have an official definition of ‘order number’. However, the ACCC understands the generally accepted meaning in the business community to be that it is a unique reference number quoted by an intending purchaser of goods and services to a supplier which identifies the purchaser – who is thereby understood to be agreeing to purchase specified goods or services from the supplier.

(8) The ACCC always seeks to be as discreet as possible in terms of protecting the reputations and commercial interests of all parties, including witnesses and the subjects of its investigations. The scope of some investigations means that a significant number of people may need to be interviewed and those persons or organisations will often need to be informed, in broad terms at least, of the matter under investigation. This is unavoidable.
Department of Finance and Administration: Efficiency Dividend  
(Question No. 2956)

Senator Sherry asked the Minister representing the Minister for Finance and Administration, upon notice, on 26 September 2000:

What is the amount the efficiency dividend is expected to yield for the 2000-01, 2001-02, 2002-03 and 2003-04 financial years for: (a) departmental expenses; and (b) Commonwealth own purpose expenses and specific purpose payments.

Senator Ellison—The Minister for Finance and Administration has supplied the following answer to the honourable senator’s question:

Existing efficiency dividend arrangements now form part of base estimates and are not separately identified as part of the estimates update process.

The efficiency dividend does not apply to Commonwealth own purpose expenses and Specific Purpose Payments that are not in the nature of operating expenses.

In relation to departmental expenses, the efficiency dividend is applied to agencies’ price of outputs appropriations. In broad terms, the annual 1% efficiency dividend for 2000-01 on departmental price of outputs appropriations is expected to yield in the order of $80 million, although this is offset by changes in estimates resulting from indexation and other agreed variations. A programme of reviews of the price of departmental outputs is currently underway. As pricing reviews are completed, the efficiency dividend will be incorporated into the agreed price of outputs.

Vietnam Veterans Counselling Service: Funding  
(Question No. 2965)

Senator Bartlett asked the Minister representing the Minister for Veterans’ Affairs, upon notice, on 3 October 2000:

With reference to the decision to cease funding as of December 2000 for the Volunteer Area Representatives program which has been conducted by the Vietnam Veterans Counselling Service:

(1) With the closure of the program, what services will be available to go to veterans in crisis in rural Queensland, rather than the veterans having to travel to access the service.

(2) As the service was conducted by volunteers who were only reimbursed for travel, what savings, both nationally and by state, will the Government make by cutting this service.

Senator Newman—The Minister for Veterans’ Affairs has provided the following answer to the honourable senator’s question:

(1) The question appears to be based on a misunderstanding of the role of the Volunteer Area Representatives. Their role has been to provide information and, as such, to link veterans in rural and remote areas to the resources of the VVCS. They do not, themselves, provide any form of counselling.

Therefore the closure of the program, now delayed until June 2001, will not cause veterans to travel any further than they currently do to access VVCS resources.

In fact, there is now a total of 320 contract counsellors Australia wide, with 86 providing services in Queensland. As a result, the distance veterans need to travel to access counselling has reduced significantly in the last five years.

(2) In the last financial year, the direct cost of reimbursement to Volunteer Area Representatives was $27,000.

Department of Employment, Workplace Relations and Small Business: Unauthorised Computer Access  
(Question No. 2972)

Senator O’Brien asked the Minister representing the Minister for Employment, Workplace Relations and Small Business, upon notice, on 3 October 2000:
(1) What systems are in place to ensure there is no external unauthorised access to departmental computer systems or computer systems operated by agencies for which the Minister is responsible.

(2) Since 1 January 1999, has there been any external unauthorised access to computer systems operated by the department or agencies for which the Minister is responsible; if so, in each case:
   (a) when did the external unauthorised access of the computer system occur;
   (b) what was the nature of the unauthorised access;
   (c) how was it detected; and
   (d) what action was taken as a result of the unauthorised access.

(3) Where external unauthorised access of a computer system has occurred:
   (a) what was the security status of the computer system;
   (b) what action was taken to identify the person who illegally accessed the system; and
   (c) what was the result of that action.

Senator Alston—The Minister for Employment, Workplace Relations and Small Business has provided the following answer to the honourable senator’s question:

(1) The Department of Employment, Workplace Relations and Small Business (DEWRSB) and its agencies have a large and complex set of facilities in place to ensure there is no external unauthorised access to the computer systems for which it is responsible. These facilities are designed to provide physical security, personnel security and communications security.

   Physical security measures control access to DEWRSB buildings and, within buildings, access to information technology (IT) equipment rooms. These measures include personal access passes which are administered separately from the administration of IT services and which strongly limit all access to areas storing IT equipment to authorised staff.

   Personnel security for every user of the systems is managed by the allocation to each authorised individual of a unique logon identification and secure password. Through this process individuals may only access those systems they are entitled to access. In addition an audit log is kept, where appropriate, to record each individual’s actions in accessing key systems.

   Communications security covers the technical facilities the Department and its agencies have in place to ensure that no users, internal or external, can use technical tools to gain unauthorised access to the system or technical infrastructure. This field is technically complex and one where the tools available are evolving rapidly as potential new security exposures emerge. It has become the most difficult area of security because of the rapid growth of the Internet.

   The Department and its agencies’ connections with the Internet and other similar standards have been certified by the Defence Signals Directorate (DSD), acting in the role of the National Information Security Authority, as operating in accordance with DSD guidance and best practice standards, and provides protection from external threats appropriate for systems and data at the requisite level of classification. A recent review by the Information Security Research Centre at the Queensland University of Technology commended the Department for the quality of its Internet security facilities and its rapid response to external probes.

(2) There have been three instances since January 1999 of external unauthorised access to computer systems operated by DEWRSB:

   (i) The first was the ILOVEYOU virus.
   (ii) The second was an unauthorised access to the Australian Job Search (AJS) Internet site.
   (iii) The third was unauthorised access of the Office of the Employment Advocate (OEA) site.

   During the same period there have been more than 15,000 unsuccessful attempts to gain unauthorised access to DEWRSB systems over the Internet. Most of these attempts have been attacks on Internet sites and Internet infrastructure generally; not attacks aimed solely at DEWRSB.

   (a) (i) The ILOVEYOU virus occurred on 4 May 2000,
(ii) The AJS incident occurred on 10 August 2000, and
(iii) The OEA incident occurred on 26 October 1999.

(b) (i) The ILOVEYOU virus was an international virus (the most destructive in history) which affected tens of thousands of Internet sites across the world. It entered DEWRSB through an attachment to an Internet mail message.
(ii) The AJS incident involved limited unauthorised access to the information held on one of the AJS server computers.
(iii) The OEA incident involved read/write access to documents on the fileserver run by a private Internet Service Provider (ISP) Nextracom.

(c) (i) The ILOVEYOU virus was detected within a few minutes because it quickly generated thousands of spurious email messages.
(ii) The AJS access was detected after investigation of an outage of the server.
(iii) The OEA incident was detected when the hacker reported the incident to the press.

(d) (i) & (ii) In the case of ILOVEYOU and the AJS incident, procedures and updated protection software were put in place to ensure that the incident concerned – and those of a similar nature – were trapped before they could occur. (iii) In the case of the OEA incident, the breach was closed on 27 October 2000.

(3) (a) (i) The ILOVEYOU virus only generated email messages. It was isolated and eliminated before it could do any significant damage.
(ii) The AJS system is designed for general public access. It contains no secure information.
(iii) In the case of the OEA incident, the ISP indicated that permission changes were left open by a design contractor thus providing access to any hacker.

(b) (i) International authorities mounted a large-scale investigation of the origins and author of the ILOVEYOU virus.

(ii) DEWRSB mounted an intensive investigation, co-ordinated by internal audit, of the AJS incident.

(iii) The OEA hacker identified himself to the press and left his initials embedded in one of the documents.

(c) (i) International authorities are confident they have located the origin of the ILOVEYOU virus and have taken steps to prevent its recurrence.
(ii) Because of the nature of the AJS exposure, it was not possible to identify anyone who may have gained unauthorised access to AJS.

(iii) The OEA advised the Australian Federal Police of the event on 29 October and forwarded all documents to them on 2 November 1999. All OEA web-based and other IT-related activities have subsequently been moved into the DEWRSB network infrastructure on 26 November 1999, a move that had been initiated in March 1999.

Department of Family and Community Services: Unauthorised Computer Access

(1) What systems are in place to ensure there is no external unauthorised access to departmental computer systems or computer systems operated by agencies for which the Minister is responsible.

2. Since 1 January 1999, has there been any external unauthorised access to computer systems operated by the department or agencies for which the Minister is responsible; if so, in each case: (a) when did the external unauthorised access of the computer system occur; (b) what was the nature of the unauthorised access; (c) how was it detected; and (d) what action was taken as a result of the unauthorised access.
(3) Where external unauthorised access of a computer system has occurred: (a) what was the security status of the computer system; (b) what action was taken to identify the person who illegally accessed the system; and (c) what was the result of that action.

Senator Newman—The answer to the honourable senator’s question is as follows:

(1) The Family and Community Services (FaCS) network (including Social Security Appeals Tribunal (SSAT) and CRS Australia (CRS)) is protected from unauthorised external access by our connection to the Secure Gateway Environment (SGE) facility operated by SecureGate Pty Ltd.

This environment is a Defence Signals Directorate (DSD) approved gateway, subscribed to by a number of Commonwealth Departments. The physical security requirements of the SGE facility are compliant with ASIO T4 requirements (including utilities, infrastructure, cabling and alarm systems) and the Information Technology (IT) infrastructure is operated in accordance with the Protective Security Manual (PSM) and all DSD security policies which apply to the environment.

External access via dial-in is protected by the use of authentication of discrete user identification and password. Access to office automation and departmental applications is provided via privileges associated with the authenticated user identification and password.

Centrelink’s sophisticated IT Security Architecture adopts security in depth principles, which use layered levels of security. It covers all corporate applications. Centrelink has in place strong general access control and physical security to manage sites containing departmental computer systems with data stored centrally in a mature mainframe environment. Access to data is limited to authorised staff only and is controlled, monitored and logged by security access management systems.

Secure firewall and gateway technologies are used to ensure that links to clients outside Centrelink are protected and cannot easily be compromised. The gateway technical environment is designed and has a number of layers including:

- dedicated redundant firewalls that filter traffic from external sources;
- CISCO choke routers and CISCO PIX firewalls with access control lists that only allow specific traffic to pass through the gateway;
- a Demilitarised Zone (DMZ) with strategy based on proxy servers and no direct access to production servers;
- use of encryption where required;
- active monitoring of potentially malicious activity including escalation of an incident where an attempt is made to compromise the gateway; and
- the use of auditing and logging software that identifies trends and malicious activity of traffic passing through the gateway.

The Child Support Agency (CSA) runs one large mainframe system and a few smaller LAN (Local Area Network) systems for use by staff. The CSA also runs an Interactive Voice Response system which provides payees with payment details over the phone. All CSA systems run on the Australian Taxation Office’s IT infrastructure, which is outsourced to EDS Australia.

Security for CSA systems is provided by the ATO, and by ATO, CSA and EDS staff following the ATO security guidelines and practices. The ATO and CSA follow the Defence Signals Directorate Guidelines for protecting data and systems. The ATO contract with EDS has a strong emphasis on maintaining security. The ATO is protected from external access through SecureGate Pty Ltd firewalls (contract) and then by internal firewalls operated and maintained by EDS Australia.

Apart from the Interactive Voice Response system, there is no external access to the CSA mainframe and LAN systems. Systems in place to prevent this are:

- the ATO computer network is a private network. It has connections to some other government departments, but the security on these links is such that it prevents users on the other side of the link from accessing ATO and CSA systems;
- internet access for ATO/CSA staff is provided through firewalls which prevent access from outside the ATO network;
- all network links outside an ATO/CSA building are encrypted;
• all access to computer systems is logged in audit logs;
• all unsuccessful attempts to gain access to a system are logged; and
• staff are reminded of their security obligations every time that they log in the LAN.

The CSA Interactive Voice Response (IVR) system can be accessed by dialling a 13 number. This connects the phone call to an IVR machine and the caller is asked to key in their file number and Personal Identification Number (PIN) using the phone keypad. The IVR machine does an enquiry on the CSA mainframe system based on the file number supplied and verifies the PIN. If the PIN is correct, the caller can get limited information about payments. The IVR machines cannot access other information on the mainframe system.

Ongoing education programs for portfolio staff regarding security awareness is undertaken, promoting a culture throughout the agencies of the need to use best practice when dealing with departmental computer systems

(2) No, not to my knowledge.

(3) Not applicable. See Question 2 above.

Department of Health and Aged Care: Unauthorised Computer Access
(Question No. 2975)

Senator O’Brien asked the Minister representing the Minister for Health and Aged Care, upon notice, on 4 October 2000:

(1) What systems are in place to ensure there is no External unauthorised access to departmental computer systems or computer systems operated by agencies for which the Minister is responsible.

(2) Since 1 January 1999, has there been any external unauthorised access to computer systems operated by the department or agencies for which the Minister is responsible; if so, in each case: (a) when did the external unauthorised access of the computer system occur; (b) what was the nature of the unauthorised access; (c) how was it detected; and (d) what action was taken as a result of the unauthorised access.

(3) Where external unauthorised access of a computer system has occurred: (a) what was the security status of the computer system; (b) what action was taken to identify the person who illegally accessed the system; and (c) what was the result of that action.

Senator Herron—The Minister for Health and Aged Care has provided the following answer to the honourable senator’s question:

(1) The Department of Health and Aged Care mitigates the risk of external unauthorised access to departmental computer systems by using a combination of measures recommended in the security policy for Commonwealth agencies set out in the Attorney General’s Protective Security Manual which include:

• A Departmental IT & T Security Policy enforced through Chief Executive Instruction;
• Maintenance of System Security Plans (prepared in accordance with the Defence Signals Directorate (DSD) advice) for IT & T infrastructure and business systems;
• Maintenance of a viable Systems Security function headed by the Departmental IT Security Adviser;
• Contractual obligations in the Services Agreement with our external IT & T infrastructure service provider (IBM Global Services Australia) to comply with Departmental IT & T Security Policy, DSD advice and Commonwealth security policy; and
• Technical and procedural measures used include: login ID and password validation at system entry for all systems, regular auditing of security logs; regular review of authorised system users, approved physical security; use of only DSD accredited Internet gateway services; use of products selected from the DSD Evaluated Products List where relevant; prior review and approval of any external access based on security plans and technical change control processes before implementation.

(2) No,
Department of Agriculture, Fisheries and Forestry: Unauthorised Computer Access
(Question No. 2980)

Senator O’Brien asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 3 October 2000:

(1) What systems are in place to ensure there is no external unauthorised access to departmental computer systems or computer systems operated by agencies for which the Minister is responsible.
(2) Since 1 January 1999, has there been any external unauthorised access to computer systems operated by the department or agencies for which the Minister is responsible; if so, in each case:
   (a) when did the external unauthorised access of the computer system occur;
   (b) what was the nature of the unauthorised access;
   (c) how was it detected; and
   (d) what action was taken as a result of the unauthorised access.
(3) Where unauthorised access of a computer system has occurred:
   (a) what was the security status of the computer system;
   (b) what action was taken to identify the person who illegally accessed the system; and
   (c) what was the result of that action.

Senator Alston—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

(1) The Department of Agriculture Fisheries and Forestry (AFFA) computer systems are protected from external unauthorised access through the use of Defence Signals Directorate (DSD) certified firewalls - for protection against unauthorised access from the Internet; and through the use of Microsoft RAS – for protection against unauthorised access from dial-up modems.

Some years ago AFFA identified the need for protection from unauthorised access from the Internet and took the initiative to develop a DSD certified secure gateway environment and then commenced to provide this service to other Commonwealth agencies.

Once fully operational, AFFA sold the Secure Gateway Environment to the private sector (SGE P/L), in conjunction with the broader IT outsourcing initiative. The sale was completed in December 1999.

The secure gateway operates a defence in depth architecture to protect connected agencies. This consists of several layers of firewalls, intrusion detection, encryption and virus scanners. These layered systems are installed between the Internet and client agency internal networks.

The architecture is supplemented by a policy framework, which has been certified by DSD as meeting the requirements to protect Commonwealth Government agencies up to the classification of HIGHLY PROTECTED.

(2) No external unauthorised access to AFFA computer systems has been detected since 1 January 1999 and only one case of unauthorised access to computer systems has been reported by a portfolio agency. The Sugar Research and Development Corporation (SRDC) has provided the following details:
   (a) Unauthorised access occurred in early 2000 to the mail server only;
   (b) An external “spammer” used the SRDC mail server as a relay to forward information to third parties;
   (c) A third party notified SRDC of the issue; and
   (d) The mail server operation was changed to allow only authorised users to forward mail.
(3) In relation to the unauthorised access of the SRDC’s computer system:
   (a) The security of the computer system was not breached;
   (b) The person could not be identified; and
Employee Benefit Tax Avoidance Schemes
(Question No. 2989)

Senator Conroy asked the Minister representing the Treasurer, upon notice, on 4 October 2000:

(1) Has the minister received advice from the Treasury or the Australian Taxation Office since March 1996 on the risk to revenue from employee benefit tax avoidance schemes.
(2) On what date was each piece of advice received.
(3) In each of the above cases, what course of action was recommended.
(4) What action did the government take in response to each of these recommendations.

Senator Kemp—The Treasurer has provided the following answer to the honourable senator’s question:

(1) to (4) No estimates have been provided to the current Government of the revenue at risk from the abuse of employee benefit arrangements because as the ATO has stated, abusive employee benefit arrangements are not effective under the existing law. The ATO is in the process of pursuing those arrangements which are ineffective under the law. In this regard I refer the honourable Senator to the relevant pages in the ATO’s 1999/2000 annual report.

On 30 June 2000 the Assistant Treasurer announced amendments to address aggressively marketed employee benefit arrangements following advice from the ATO that these arrangements were still being actively promoted. These legislative amendments were introduced into the Parliament in September 2000.

Employee Benefit Tax Avoidance Schemes
(Question No. 2990)

Senator Conroy asked the Assistant Treasurer, upon notice, on 9 October 2000:

(1) Has the Minister received advice from the Treasury or the Australian Taxation Office since March 1996 on the risk to revenue from employee benefit tax avoidance schemes.
(2) On what date was each piece of advice received.
(3) In each of the above cases, what course of action was recommended.
(4) What action did the Government take in response to each of these recommendations.

Senator Kemp—The Assistant Treasurer has provided the following answer to the honourable senator’s question:

(1) and (4) No estimates have been provided to the current Government of the revenue at risk from the abuse of employee benefit arrangements because as the ATO has stated, abusive employee benefit arrangements are not effective under the existing law. The ATO is in the process of pursuing those arrangements which are ineffective under the law. In this regard I refer the honourable Senator to the relevant pages in the ATO’s 1999/2000 annual report.

On 30 June 2000 I announced amendments to address aggressively marketed employee benefit arrangements following advice from the ATO that these arrangements were still being actively promoted. These legislative amendments were introduced into the Parliament in September 2000.

Employee Benefit Tax Avoidance Schemes
(Question No. 2991)

Senator Conroy asked the Minister representing the Minister for Financial Services and Regulation, upon notice, on 4 October 2000:

(1) Has the Minister received advice from the Treasury or the Australian Taxation Office since March 1996 on the risk to revenue from employee benefit tax avoidance schemes.
(2) On what date was each piece of advice received.
(3) In each of the above cases, what course of action was recommended.

(4) What action did the Government take in response to each of these recommendations.

**Senator Kemp**—The Minister for Financial Services and Regulation has provided the following answer to the honourable senator’s question:

(1) to (4) No estimates have been provided to the current Government of the revenue at risk from the abuse of employee benefit arrangements because as the ATO has stated, abusive employee benefit arrangements are not effective under the existing law. The ATO is in the process of pursuing those arrangements which are ineffective under the law. In this regard I refer the honourable Senator to the relevant pages in the ATO’s 1999/2000 annual report.

On 30 June 2000 the Assistant Treasurer announced amendments to address aggressively marketed employee benefit arrangements following advice from the ATO that these arrangements were still being actively promoted. These legislative amendments were introduced into the Parliament in September 2000.

**Department of the Environment and Heritage: Programs and Grants to the Electorate of Richmond**

(Question No. 2993)

**Senator Mackay** asked the Minister for the Environment and Heritage, upon notice, on 5 October 2000:

(1) What programs and/or grants administered by the department provide assistance to people living in the electorate of Richmond.

(2) What was the level of funding provided through these programs and grants for the 1996-97, 1997-98 and 1998-99 financial years.

(3) What is the level of funding provided through programs and grants that has been appropriated for the 1999-2000 financial year.

**Senator Hill**—The answer to the honourable senator’s question is as follows:

The following table relates to particular grants that are being delivered to the electorate of Richmond.

(1) and (3)

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<tr>
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<tbody>
<tr>
<td>Cultural Heritage Projects Program</td>
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<td>Clean Seas (Commonwealth component)</td>
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<td>Air Pollution in Major Cities Program – Breathe the Benefits Woodsmoke Awareness Project</td>
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</tbody>
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* This amount represents the total allocation for Australia rather than for Richmond.

** This amount represents approved funding rather than appropriated funding.
Coastcare is jointly funded by the Commonwealth and NSW Governments. The figure above denotes both the Commonwealth and the NSW funding contribution. Commonwealth contributions for all NSW Coastcare projects are provided by a single grant for each funding year for the whole of NSW and not for individual projects.

It is not possible to identify how much of these funds were/are being spent within the electorate of Richmond as the funding covers the whole of NSW.

NB: The GLOBE Australia Program provides in-kind support to 4 schools in the electorate of Richmond. The GLOBE Australia Program is jointly funded through the Department of the Environment and Heritage and the Department of Education, Training and Youth Affairs. Each department provides $50,000 per annum. The current funding period is from July 1995 until December 2000.

Department of the Environment and Heritage: Programs and Grants to the Cowper Electorate
(Question No. 3005)

Senator Mackay asked the Minister for the Environment and Heritage, upon notice, on 5 October 2000:

(1) What programs and/or grants administered by the department provide assistance to people living in the electorate of Cowper.

(2) What was the level of funding provided through these programs and grants for the 1996-97, 1997-98 and 1998-99 financial years.

(3) What is the level of funding provided through programs and grants that has been appropriated for the 1999-2000 financial year.

Senator Hill—The answer to the honourable senator’s question is as follows:

The following table relates to particular grants that are being delivered to the electorate of Cowper.

(1) and (3)

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<th></th>
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<tbody>
<tr>
<td>Cultural Heritage Projects Program</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
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<td>Commemoration of Historic Events and Famous People Program</td>
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<td>Air Pollution in Major Cities Program – Breathe the Benefits</td>
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<td>Nil</td>
<td>Nil</td>
<td>***27,007</td>
</tr>
</tbody>
</table>

* This amount represents the total allocation for Australia rather than for Cowper.
** This amount represents approved funding rather than appropriated funding.
*** Coastcare is jointly funded by the Commonwealth and NSW Governments. The figure above denotes both the Commonwealth and the NSW funding contribution. Commonwealth contributions for all NSW Coastcare projects are provided by a single grant for each funding year for the whole of NSW and not for individual projects.
**** It is not possible to identify how much of these funds were/are being spent within the electorate of Cowper as the funding covers the whole of NSW.
NB: The GLOBE Australia Program provides in-kind support to 3 schools in the electorate of Cowper. The GLOBE Australia Program is jointly funded through the Department of the Environment and Heritage and the Department of Education, Training and Youth Affairs. Each department provides $50,000 per annum. The current funding period is from July 1995 until December 2000.

**Department of the Environment and Heritage: Programs and Grants to the Page Electorate**

(Question No. 3017)

Senator Mackay asked the Minister for the Environment and Heritage, upon notice, on 5 October 2000:

(1) What programs and/or grants administered by the department provide assistance to people living in the electorate of Page.

(2) What was the level of funding provided through these programs and grants for the 1996-97, 1997-98 and 1998-99 financial years.

(3) What is the level of funding provided through programs and grants that has been appropriated for the 1999-2000 financial year.

Senator Hill—The answer to the honourable senator’s question is as follows:

The following table relates to particular grants that are being delivered to the electorate of Page.

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Grants to Voluntary Environment and Heritage Organisations</td>
<td>15,800</td>
<td>14,000</td>
<td>14,000</td>
<td>11,250</td>
</tr>
<tr>
<td>Cultural Heritage Projects Program</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>*4.1m</td>
</tr>
<tr>
<td>Commemoration of Historic Events and Famous People</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>*19,000</td>
</tr>
<tr>
<td>National Estate Grants Program – Cultural Landscapes of the Clarence</td>
<td>44,775</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Natural Heritage Trust Projects</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bushcare</td>
<td>Nil</td>
<td>32,305</td>
<td>91,351</td>
<td>76,091</td>
</tr>
<tr>
<td>Clean Seas Program</td>
<td>Nil</td>
<td>Nil</td>
<td>346,023</td>
<td>**474,500</td>
</tr>
<tr>
<td>Coastal Monitoring Program</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>**48,600</td>
</tr>
<tr>
<td>Coastcare***</td>
<td>140,945</td>
<td>77,828</td>
<td>48,460</td>
<td>**76,631</td>
</tr>
<tr>
<td>Air Pollution in Major Cities Program – Breathe the Benefits Woodsmoke Awareness Project</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>****27,007</td>
</tr>
</tbody>
</table>

* This amount represents the total allocation for Australia rather than for Page.

** This amount represents approved funding rather than appropriated funding.

*** Coastcare is jointly funded by the Commonwealth and NSW Governments. The figure above denotes both the Commonwealth and the NSW funding contribution. Commonwealth contributions for
all NSW Coastcare projects are provided by a single grant for each funding year for the whole of NSW and not for individual projects.

**** It is not possible to identify how much of these funds were/are being spent within the electorate of Page as the funding covers the whole of NSW.

NB: The GLOBE Australia Program provides in-kind support to 2 schools in the electorate of Page. The GLOBE Australia Program is jointly funded through the Department of the Environment and Heritage and the Department of Education, Training and Youth Affairs. Each department provides $50,000 per annum. The current funding period is from July 1995 until December 2000.

Department of the Environment and Heritage: Programs and Grants to the Bass Electorate

(Question No. 3029)

Senator Mackay asked the Minister for the Environment and Heritage, upon notice, on 5 October 2000:

(1) What programs and/or grants administered by the department provide assistance to people living in the electorate of Bass.

(2) What was the level of funding provided through these programs and grants for the 1996-97, 1997-98 and 1998-99 financial years.

(3) What is the level of funding provided through programs and grants that has been appropriated for the 1999-2000 financial year.

Senator Hill—The answer to the honourable senator’s question is as follows:

The following table relates to particular grants that are being delivered to the electorate of Bass.

(1) and (3)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Grants to Voluntary Environment and Heritage Organisations</td>
<td>15,000</td>
<td>15,000</td>
<td>10,000</td>
<td>7,500</td>
</tr>
<tr>
<td>Funding via the Antarctic Science Advisory Committee Grants Scheme was paid to the Grants Office of the University of Tasmania (Hobart – Electorate of Denison) for a researcher based at the University of Tasmania’s Launceston campus (Electorate of Bass)</td>
<td>14,533</td>
<td>11,030</td>
<td>*16,650</td>
<td></td>
</tr>
<tr>
<td>World Education Fellowship Conference</td>
<td>Nil</td>
<td>Nil</td>
<td>3,200</td>
<td>Nil</td>
</tr>
<tr>
<td>Cultural Heritage Projects</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>**4.1m</td>
</tr>
<tr>
<td>Federation Cultural and Heritage Program</td>
<td>Nil</td>
<td>Nil</td>
<td>460,000</td>
<td>Nil</td>
</tr>
<tr>
<td>Commemoration of Historic Events and Famous People Program</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>**19,000</td>
</tr>
<tr>
<td>National Estate Grants Program – Launceston Railway Workshops Interpretation Plan</td>
<td>Nil</td>
<td>30,000</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td>National Estate Grants Program – Deal Island Superintendent’s Cottages – maintenance</td>
<td>Nil</td>
<td>Nil</td>
<td>17,000</td>
<td>Nil</td>
</tr>
<tr>
<td>National Estate Grants Program – St John’s Anglican Church Tower - conservation works</td>
<td>Nil</td>
<td>Nil</td>
<td>45,000</td>
<td>Nil</td>
</tr>
<tr>
<td>National Estate Grants Program – Franklin House – conservation works</td>
<td>Nil</td>
<td>Nil</td>
<td>23,485</td>
<td>Nil</td>
</tr>
<tr>
<td>National Estate Grants Program – Clarendon Woolshed – urgent conservation works</td>
<td>Nil</td>
<td>Nil</td>
<td>40,000</td>
<td>Nil</td>
</tr>
<tr>
<td>Natural Heritage Trust Projects Coastal and Marine Planning Program</td>
<td>Nil</td>
<td>Nil</td>
<td>150,000</td>
<td>Nil</td>
</tr>
<tr>
<td>Clean Seas Program</td>
<td>Nil</td>
<td>3,354</td>
<td>Nil</td>
<td>***6,565</td>
</tr>
<tr>
<td>Coastcare****</td>
<td>16,910</td>
<td>39,783</td>
<td>23,845</td>
<td>***19,856</td>
</tr>
<tr>
<td>One Billion Trees</td>
<td>5,700</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Save The Bush</td>
<td>8,900</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Bushcare</td>
<td>Nil</td>
<td>40,545</td>
<td>132,990</td>
<td>500,147</td>
</tr>
<tr>
<td>Feral Animal Control Program</td>
<td>Nil</td>
<td>23,550</td>
<td>Nil</td>
<td>6,000</td>
</tr>
<tr>
<td>Waterwatch</td>
<td>Nil</td>
<td>62,600</td>
<td>50,399</td>
<td>84,842</td>
</tr>
<tr>
<td>National Wetlands Program</td>
<td>Nil</td>
<td>Nil</td>
<td>31,376</td>
<td>7,900</td>
</tr>
<tr>
<td>Air Pollution in Major Cities Program – Breathe the Benefits Woodsmoke Awareness Project</td>
<td>*****63,721</td>
<td>*****13,775</td>
<td>*****26,855</td>
<td>*****55,654</td>
</tr>
<tr>
<td>Riverworks</td>
<td>417,500</td>
<td>324,000</td>
<td>460,000</td>
<td>Nil</td>
</tr>
</tbody>
</table>

* Funding is not appropriated for specific electorates, however, a payment of $16,650 was made in 1999-2000.

** This amount represents the total allocation for Australia rather than for Bass.

*** This amount represents approved funding rather than appropriated funding.

**** Coastcare is jointly funded by the Commonwealth and Tasmanian Governments. The figure above denotes both the Commonwealth and the Tasmanian funding contribution. Commonwealth contributions for all Tasmanian Coastcare projects are provided by a single grant for each funding year for the whole of Tasmania and not for individual projects.

***** It is not possible to identify how much of these funds were/are being spent within the electorate of Bass as the funding covers the whole of Tasmania.

NB: The GLOBE Australia Program provides in-kind support to 3 schools in the electorate of Bass. The GLOBE Australia Program is jointly funded through the Department of the Environment and Heritage and the Department of Education, Training and Youth Affairs. Each department provides $50,000 per annum. The current funding period is from July 1995 until December 2000.

Department of the Environment and Heritage: Programs and Grants to the Hinkler Electorate

(Question No. 3041)

Senator Mackay asked the Minister for the Environment and Heritage, upon notice, on 5 October 2000:
(1) What programs and/or grants administered by the department provide assistance to people living in the electorate of Hinkler.

(2) What was the level of funding provided through these programs and grants for the 1996-97, 1997-98 and 1998-99 financial years.

(3) What is the level of funding provided through programs and grants that has been appropriated for the 1999-2000 financial year.

Senator Hill—The answer to the honourable senator’s question is as follows:
The following table relates to particular grants that are being delivered to the electorate of Hinkler.

(1) and (3)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural Heritage Projects Program</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>*4.1m</td>
</tr>
<tr>
<td>Commemoration of Historic Events and Famous People Program</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>*19,000</td>
</tr>
<tr>
<td>Natural Heritage Trust Projects</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coastal and Marine Planning Program</td>
<td>Nil</td>
<td>200,000</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Clean Seas Program</td>
<td>Nil</td>
<td>19,011</td>
<td>Nil</td>
<td>**23,000</td>
</tr>
<tr>
<td>Coastal Monitoring Program</td>
<td>Nil</td>
<td>39,825</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Coasctcare***</td>
<td>26,095</td>
<td>26,695</td>
<td>78,469</td>
<td>**72,074</td>
</tr>
<tr>
<td>Save The Bush</td>
<td>53,250</td>
<td>Nil</td>
<td>58,898</td>
<td>Nil</td>
</tr>
<tr>
<td>Bushcare</td>
<td>Nil</td>
<td>56,115</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Waterwatch</td>
<td>Nil</td>
<td>15,000</td>
<td>15,000</td>
<td>15,563</td>
</tr>
<tr>
<td>Air Pollution in Major Cities Program – Breathe the Benefits Woodsmoke</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>****27,007</td>
</tr>
</tbody>
</table>

* This amount represents the total allocation for Australia rather than for Hinkler.
** This amount represents approved funding rather than appropriated funding.
*** Coastcare is jointly funded by the Commonwealth and Queensland Governments. The figure above denotes both the Commonwealth and the Queensland funding contribution. Commonwealth contributions for all Queensland Coastcare projects are provided by a single grant for each funding year for the whole of Queensland and not for individual projects.
It is not possible to identify how much of these funds were/are being spent within the electorate of Hinkler as the funding covers the whole of Queensland.

NB: The GLOBE Australia Program provides in-kind support to one school in the electorate of Hinkler. The GLOBE Australia Program is jointly funded through the Department of the Environment and Heritage and the Department of Education, Training and Youth Affairs. Each department provides $50,000 per annum. The current funding period is from July 1995 until December 2000.

Department of the Environment and Heritage: Programs and Grants to the Gwydir Electorate
(Question No. 3053)

Senator Mackay asked the Minister for the Environment and Heritage, upon notice, on 5 October 2000:

(1) What programs and/or grants administered by the department provide assistance to people living in the electorate of Gwydir.

(2) What was the level of funding provided through these programs and grants for the 1996-97, 1997-98 and 1998-99 financial years.

(3) What is the level of funding provided through programs and grants that has been appropriated for the 1999-2000 financial year.

Senator Hill—The answer to the honourable senator’s question is as follows:

The following table relates to particular grants that are being delivered to the electorate of Gwydir.

(1) and (3)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural Heritage Projects Program</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>*4.1m</td>
</tr>
<tr>
<td>Commemoration of Historic Events and Famous People Program</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>*19,000</td>
</tr>
<tr>
<td>Natural Heritage Trust Projects</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>One Billion Trees</td>
<td>25,000</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Bushcare</td>
<td>Nil</td>
<td>171,786</td>
<td>307,022</td>
<td>530,100</td>
</tr>
<tr>
<td>National Wetlands</td>
<td>Nil</td>
<td>Nil</td>
<td>62,335</td>
<td>79,710</td>
</tr>
<tr>
<td>Air Pollution in Major Cities Program – Breathe the benefits Woodsmoke Awareness Project</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td><strong>27,007</strong></td>
</tr>
</tbody>
</table>

* This amount represents the total allocation for Australia rather than for Gwydir.

** It is not possible to identify how much of these funds were/are being spent within the electorate of Gwydir as the funding covers the whole of NSW.

NB: The GLOBE Australia Program provides in-kind support to one school in the electorate of Gwydir. The GLOBE Australia Program is jointly funded through the Department of the Environment and Heritage and the Department of Education, Training and Youth Affairs. Each department provides $50,000 per annum. The current funding period is from July 1995 until December 2000.

Department of the Environment and Heritage: Programs and Grants to the Eden-Monaro Electorate
(Question No. 3065)

Senator Mackay asked the Minister for the Environment and Heritage, upon notice, on 5 October 2000:
(1) What programs and/or grants administered by the department provide assistance to people living in the electorate of Eden-Monaro.

(2) What was the level of funding provided through these programs and grants for the 1996-97, 1997-98 and 1998-99 financial years.

(3) What is the level of funding provided through programs and grants that has been appropriated for the 1999-2000 financial year.

Senator Hill—The answer to the honourable senator’s question is as follows:
The following table relates to particular grants that are being delivered to the electorate of Eden-Monaro.

(1) and (3)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural Heritage Projects Program</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>*4.1m</td>
</tr>
<tr>
<td>Commemoration of Historic Events and Famous People Program</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>*19,000</td>
</tr>
<tr>
<td>National Estate Grants Program – London Bridge homestead – restoration</td>
<td>Nil</td>
<td>Nil</td>
<td>45,000</td>
<td>Nil</td>
</tr>
<tr>
<td>Natural Heritage Trust Projects</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coastal and Marine Planning Program</td>
<td>Nil</td>
<td>Nil</td>
<td>250,000</td>
<td>Nil</td>
</tr>
<tr>
<td>National River Health Program</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>**271,700</td>
</tr>
<tr>
<td>Clean Seas Program</td>
<td>Nil</td>
<td>Nil</td>
<td>200,000</td>
<td>**510,000</td>
</tr>
<tr>
<td>Marine Species Protection Program</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>**58,080</td>
</tr>
<tr>
<td>Coastal Monitoring Program</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>**79,770</td>
</tr>
<tr>
<td>Coasstcare***</td>
<td>72,991</td>
<td>72,825</td>
<td>139,666</td>
<td>**44,939</td>
</tr>
<tr>
<td>One Billion Trees</td>
<td>14,900</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Save the Bush</td>
<td>64,750</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Bushcare</td>
<td>Nil</td>
<td>43,328</td>
<td>412,123</td>
<td>645,840</td>
</tr>
<tr>
<td>Endangered Species</td>
<td>Nil</td>
<td>41,000</td>
<td>15,100</td>
<td>Nil</td>
</tr>
<tr>
<td>Air Pollution in Major Cities Program – Breathe the Benefits Woodsmoke Awareness Project</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>***27,007</td>
</tr>
</tbody>
</table>

* This amount represents the total allocation for Australia rather than for Eden-Monaro.

** This amount represents approved funding rather than appropriated funding.

*** Coasstcare is jointly funded by the Commonwealth and NSW Governments. The figure above denotes both the Commonwealth and the NSW funding contribution. Commonwealth contributions for all NSW Coasstcare projects are provided by a single grant for each funding year for the whole of NSW and not for individual projects.
It is not possible to identify how much of these funds were/are being spent within the electorate of Eden-Monaro as the funding covers the whole of NSW.

**Sydney West Letters Facility: Suspicious Parcel**

(Question No. 3079)

Senator Hutchins asked the Minister for Communications, Information Technology and the Arts, upon notice, on 5 October 2000:

1. Is the Minister aware of an incident at the Sydney West Letters Facility on 1 October 2000 that led to an item of mail being identified as a suspected mail bomb; if so, when was the Minister notified of the incident.

2. Has an investigation been conducted into the incident; if so, what were the conclusions of the investigation.

3. Was the course of action taken by the facility’s management at the time of the incident consistent with Australia Post’s fire safety and emergency procedures.

4. What proportion of Australia Post staff who could be potentially exposed to the dangers of letter bombs and other dangerous mail items have received fire safety and emergency procedures training.

5. Is the Minister aware of representations being made to the management of the New South Wales division of Australia Post that raised concerns regarding the lack of training for Australia Post employees who could be potentially exposed to the dangers of mail bombs and other dangerous items.

6. Will Australia Post be proceeding with its intention to deduct 30 minutes of pay from the salaries of employees who participated in a workplace meeting called to discuss the threat of mail bombs and other dangerous items to employees of Australia Post.

Senator Alston—The answer to the honourable senator’s question, based on advice received from Australia Post, is as follows:

1. An incident did occur at the Sydney West Letters Facility (SWLF) at approximately 10.30pm on Sunday, 1 October 2000, when a suspicious parcel (which turned out to contain a smoke detector) was identified among mail awaiting return to sender.

2. Australia Post’s Corporate Security Group staff investigated the incident. They concluded that the incident was handled in accordance with the procedures outlined in Australia Post’s Fire Safety and Emergency Procedures Manual.

3. Yes.

4. Australia Post has an induction program in place for staff at the SWLF which includes training on fire safety and emergency procedures and the identification of suspect mail items. The first training session takes place during each employee’s induction program.

   Refresher training is included in the State Occupational Health and Safety Plan for 2000/2001. Additional briefing sessions and documentation on emergency procedures is currently being provided to all staff at the SWLF to ensure they have been updated on this important topic.

5. I am advised that the Communications, Electrical and Plumbing Union (CEPU) raised the issue of fire safety and emergency procedures training by facsimile on 18 September 2000, and subsequently in a meeting with Australia Post management on 27 September 2000.

6. On 28 September 2000, the NSW State Secretary of the CEPU and a number of union officials entered the SWLF without prior notification, and subsequently encouraged approximately 180 workers to cease work for 30 minutes.

   Australia Post considers that this action constituted industrial action as defined by section 4 of the Workplace Relations Act 1996 and that in accordance with sections 187 AA and 187 AB of the Act Australia Post is prohibited from making payments to the employees involved in the stop work meeting. Section 187 AA of the Act prohibits payment in relation to periods of industrial action and section 187 AB prohibits organisations taking action for payment in relation to periods of industrial action.
Department of Foreign Affairs and Trade: Motor Vehicle Fuel Expenditure
(Question No. 3084 and 3089)

Senator Cook asked the Minister representing the Minister for Foreign Affairs and the
Minister for Trade, upon notice, on 9 October 2000:

(1) For the financial year ended 30 June 2000, what was the total of monies expended by the
department and each of its agencies on fuel purchased for motor vehicles which the department and its
agencies are responsible for maintaining (please provide a breakdown by each month of the financial
year).

(2) What has been the total amount of monies expended to date for the 2000-01 financial year on fuel
for motor vehicles which the department and its agencies are responsible for maintaining (please
provide a breakdown for each month up to and including September 2000).

(3) Has the department and its agencies budgeted for fuel bills; if so: (a) what is the budget for the
current financial year; and (b) how much has been spent to date.

(4) How does this year’s fuel expenditure budget compare to last years fuel expenditure budget for
the department and each of its agencies.

(5) How did the last financial year’s fuel expenditure budget compare to the actual outcome for the
financial year for the department and each of its agencies.

(6) (a) What is this financial year’s fuel expenditure budget for both the department and each of its
agencies; and (b) how much has been spent to date.

Senator Hill—The answer to the honourable senator’s question is as follows:

Department of Foreign Affairs and Trade (DFAT)

(1) In respect of the Department in Canberra, State Offices and overseas posts for which the
Department is responsible, the total monies expended were as follows:

<table>
<thead>
<tr>
<th>Month</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>53,522.25</td>
</tr>
<tr>
<td>August</td>
<td>66,750.71</td>
</tr>
<tr>
<td>September</td>
<td>64,293.77</td>
</tr>
<tr>
<td>October</td>
<td>68,906.55</td>
</tr>
<tr>
<td>November</td>
<td>63,698.03</td>
</tr>
<tr>
<td>December</td>
<td>51,725.27</td>
</tr>
<tr>
<td>January</td>
<td>68,495.67</td>
</tr>
<tr>
<td>February</td>
<td>75,481.65</td>
</tr>
<tr>
<td>March</td>
<td>61,803.73</td>
</tr>
<tr>
<td>April</td>
<td>66,670.08</td>
</tr>
<tr>
<td>May</td>
<td>71,647.86</td>
</tr>
<tr>
<td>June</td>
<td>72,849.03</td>
</tr>
<tr>
<td>Grand total</td>
<td>785,844.60</td>
</tr>
</tbody>
</table>

(2) Cost centres within the department do not budget specifically for fuel bills. Fuel costs are
charged to Motor Vehicles, non-asset purchases, overseas and Repairs and Maintenance, domestically.
These are a component of each cost centre’s administrative budget. Cost centres are obliged to absorb
any increase in fuel costs by seeking offsets from elsewhere in their administrative budget.

(4) Not applicable, see answer to question (3).

(5) Not applicable, see answer to question (3).

(6) Not applicable, see answer to question (3).
### AusAID

Total expenditure for financial year to 30 June 2000

<table>
<thead>
<tr>
<th>Month</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>2563.10</td>
</tr>
<tr>
<td>August</td>
<td>3012.73</td>
</tr>
<tr>
<td>September</td>
<td>3248.53</td>
</tr>
<tr>
<td>October</td>
<td>2629.42</td>
</tr>
<tr>
<td>November</td>
<td>2492.53</td>
</tr>
<tr>
<td>December</td>
<td>2338.52</td>
</tr>
<tr>
<td>January</td>
<td>4930.85</td>
</tr>
<tr>
<td>February</td>
<td>2651.48</td>
</tr>
<tr>
<td>March</td>
<td>1208.25</td>
</tr>
<tr>
<td>April</td>
<td>4128.89</td>
</tr>
<tr>
<td>May</td>
<td>3826.56</td>
</tr>
<tr>
<td>June</td>
<td>3662.08</td>
</tr>
<tr>
<td>Grand total</td>
<td>36692.90</td>
</tr>
</tbody>
</table>

Note 1: Includes all Australian based SES vehicles, one SES vehicle in PNG and all State Office vehicles.

Note 2: Fuel costs associated with vehicles used as part of development assistance projects overseas have been excluded from the above calculations. These vehicles are purchased from administered funds and the Australian managing contractor implementing the project is generally responsible for maintaining them.

#### Expenditure for Current Financial Year to 30 September 2000

<table>
<thead>
<tr>
<th>Month</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>892.09</td>
</tr>
<tr>
<td>August</td>
<td>5117.33</td>
</tr>
<tr>
<td>September</td>
<td>4381.65</td>
</tr>
<tr>
<td>Total</td>
<td>10391.07</td>
</tr>
</tbody>
</table>

Note 1: July expenditure is unusually low due to invoicing issues associated with the implementation of the GST.

Note 2: Includes vehicles in WA and SA which are funded under the new Outreach Program.

(6) AusAID manages a small vehicle fleet and does not make a separate budget estimate for fuel. Fuel costs form a minor part of total lease costs for SES and other vehicles.

### Austrade

#### (1)

**Austrade - 1999/00 Fuel Summary**

<table>
<thead>
<tr>
<th>Date</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/07/1999</td>
<td>$5,511.65</td>
</tr>
<tr>
<td>1/08/1999</td>
<td>$8,242.24</td>
</tr>
<tr>
<td>1/09/1999</td>
<td>$8,844.00</td>
</tr>
<tr>
<td>1/10/1999</td>
<td>$7,284.40</td>
</tr>
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<td>1/11/1999</td>
<td>$7,631.92</td>
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<td>1/12/1999</td>
<td>$3,029.42</td>
</tr>
<tr>
<td>1/01/2000</td>
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<td>1/02/2000</td>
<td>$8,689.12</td>
</tr>
<tr>
<td>1/03/2000</td>
<td>$6,514.40</td>
</tr>
<tr>
<td>1/04/2000</td>
<td>$13,176.58</td>
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<td>1/05/2000</td>
<td>$10,228.55</td>
</tr>
<tr>
<td>1/06/2000</td>
<td>$9,375.15</td>
</tr>
<tr>
<td>Grand Total</td>
<td>$102,300.83</td>
</tr>
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</table>
(2)

<table>
<thead>
<tr>
<th>Month</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/07/2000</td>
<td>$3,151.14</td>
</tr>
<tr>
<td>1/08/2000</td>
<td>$13,343.49</td>
</tr>
<tr>
<td>1/09/2000</td>
<td>$11,780.75</td>
</tr>
<tr>
<td>Grand Total</td>
<td>$28,275.38</td>
</tr>
</tbody>
</table>

(3) to (6) In respect of Austrade’s domestic operations, Austrade does not budget for fuel costs as it does not maintain a corporate vehicle fleet. Where an officer chooses to enter into a vehicle lease arrangement, the associated fuel costs are the private responsibility of that officer.

In terms of Austrade’s offshore operations, an operational motor vehicle is allocated to each A-Based Officer in a particular post. In this instance, each post maintains a “Motor Vehicle Expenses” general ledger which includes actual fuel, repairs, maintenance and other running costs. To provide details on fuel expenditure would require data currently held at each Austrade post to be obtained, desegregated and summarised. Therefore, to extract the relevant data would be an unreasonable diversion of resources.

Export Finance and Insurance Corporation (EFIC)

(1)

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<thead>
<tr>
<th>Month</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
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<td>1,331</td>
</tr>
<tr>
<td>August</td>
<td>1,220</td>
</tr>
<tr>
<td>September</td>
<td>1,271</td>
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<td>1,045</td>
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<td>November</td>
<td>1,613</td>
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<tr>
<td>December</td>
<td>1,298</td>
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<tr>
<td>January</td>
<td>1,125</td>
</tr>
<tr>
<td>February</td>
<td>1,186</td>
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<td>March</td>
<td>1,303</td>
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<td>April</td>
<td>1,133</td>
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<tr>
<td>May</td>
<td>1,177</td>
</tr>
<tr>
<td>June</td>
<td>1,247</td>
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<td>Grand total</td>
<td>14,949</td>
</tr>
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</table>

(2)

<table>
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</thead>
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<td>July</td>
<td>727</td>
</tr>
<tr>
<td>August</td>
<td>1,073</td>
</tr>
<tr>
<td>September</td>
<td>1,046</td>
</tr>
<tr>
<td>Grand total</td>
<td>2,846</td>
</tr>
</tbody>
</table>

(3) Yes
(a) $15,900
(b) $2,846

(4) This year’s fuel expenditure budget: $15,900
Last year’s fuel expenditure budget: $20,700

(5) Last year’s fuel expenditure budget: $20,700
Actual expenditure outcome: $14,949

(6) (a) $15,900
(b) $2,846

Department of Employment, Workplace Relations and Small Business: Motor Vehicle Fuel Expenditure

(Question No. 3087)
Senator Cook asked the Minister representing the Minister for Employment, Workplace Relations and Small Business, upon notice, on 10 October 2000:

(1) For the financial year ended 30 June 2000, what was the total of monies expended by the department and each of its agencies on fuel purchased for motor vehicles which the department and its agencies are responsible for maintaining (please provide a breakdown by each month of the financial year).

(2) What has been the total amount of monies expended to date for the 2000-01 financial year on fuel for motor vehicles which the department and its agencies are responsible for maintaining (please provide a breakdown for each month up to and including September 2000).

(3) Has the department and its agencies budgeted for fuel bills; if so: (a) what is the budget for the current financial year; and (b) how much has been spent to date.

(4) How does this year’s fuel expenditure budget compare to last year’s fuel expenditure budget for the department and each of its agencies.

(5) How did the last financial year’s fuel expenditure budget compare to the actual outcome for the financial year for the department and each of its agencies.

(6) (a) What is this financial year’s fuel expenditure budget for both the department and each of its agencies; and (b) how much has been spent to date.

Senator Alston—The Minister for Employment, Workplace Relations and Small Business has provided the following answer to the honourable senator’s question:

(1) For the financial year ended 30 June 2000, the total of monies expended by the department and its agencies – Office of Employment Advocate (OEA), Equal Opportunity for Women in the Workplace Agency (EOWA), Australian Industrial Registry (AIR), National Occupational Health and Safety Commission (NOHSC) and Comcare (COM) – on fuel purchased for motor vehicles for which the department and its agencies are responsible for maintaining are set out in the table below.

<table>
<thead>
<tr>
<th>Department</th>
<th>OEA</th>
<th>EOWA</th>
<th>AIR</th>
<th>NOHSC</th>
<th>COM</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>20 128.30</td>
<td>42.00</td>
<td>133.63</td>
<td>5 892.86</td>
<td>495.93</td>
</tr>
<tr>
<td>August</td>
<td>25 461.01</td>
<td>52.00</td>
<td>136.23</td>
<td>7 475.69</td>
<td>549.37</td>
</tr>
<tr>
<td>September</td>
<td>23 059.54</td>
<td>8.00</td>
<td>231.92</td>
<td>8 031.20</td>
<td>457.06</td>
</tr>
<tr>
<td>October</td>
<td>18 411.00</td>
<td>1 658.00</td>
<td>189.86</td>
<td>6 367.00</td>
<td>434.36</td>
</tr>
<tr>
<td>November</td>
<td>18 887.55</td>
<td>1 850.00</td>
<td>48.40</td>
<td>7 113.49</td>
<td>419.38</td>
</tr>
<tr>
<td>December</td>
<td>22 401.00</td>
<td>663.00</td>
<td>124.23</td>
<td>3 833.01</td>
<td>477.17</td>
</tr>
<tr>
<td>January</td>
<td>41 955.65</td>
<td>4 066.00</td>
<td>Nil</td>
<td>10 621.26</td>
<td>434.22</td>
</tr>
<tr>
<td>February</td>
<td>28 002.53</td>
<td>2 766.00</td>
<td>282.75</td>
<td>7 570.38</td>
<td>828.87</td>
</tr>
<tr>
<td>March</td>
<td>19 091.49</td>
<td>1 317.00</td>
<td>173.08</td>
<td>3 160.47</td>
<td>108.00</td>
</tr>
<tr>
<td>April</td>
<td>46 307.59</td>
<td>4 653.00</td>
<td>41.61</td>
<td>11 295.12</td>
<td>934.43</td>
</tr>
<tr>
<td>May</td>
<td>31 794.04</td>
<td>3 529.00</td>
<td>218.64</td>
<td>7 934.93</td>
<td>747.00</td>
</tr>
<tr>
<td>June</td>
<td>36 180.26</td>
<td>4 821.00</td>
<td>301.32</td>
<td>9 693.83</td>
<td>525.29</td>
</tr>
<tr>
<td>TOTAL</td>
<td>331 679.96</td>
<td>25 426.00</td>
<td>1 881.67</td>
<td>989.24</td>
<td>6 411.08</td>
</tr>
</tbody>
</table>

(2) The total amount of monies expended for the 2000-01 financial year, until end September 2000, on fuel for motor vehicles for which the department and its agencies are responsible for maintaining are set out in the table below.

<table>
<thead>
<tr>
<th>Department</th>
<th>OEA</th>
<th>EOWA</th>
<th>AIR</th>
<th>NOHSC</th>
<th>COM</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>8 565.81</td>
<td>895.00</td>
<td>244.53</td>
<td>1 731.26</td>
<td>409.31</td>
</tr>
<tr>
<td>August</td>
<td>44 000.50</td>
<td>5 166.00</td>
<td>88.34</td>
<td>11 602.50</td>
<td>Nil</td>
</tr>
<tr>
<td>September</td>
<td>38 360.20</td>
<td>4 480.00</td>
<td>291.45</td>
<td>9 686.34</td>
<td>533.19</td>
</tr>
<tr>
<td>TOTAL</td>
<td>90 926.51</td>
<td>10 542.00</td>
<td>624.32</td>
<td>23 020.10</td>
<td>942.50</td>
</tr>
</tbody>
</table>

(3) The Department, Comcare and OEA do not budget separately for fuel, it is funded from the general operating budget of the Group, State or agency responsible for each vehicle.

(a) The EOWA, AIR and NOHSC budget for fuel and the amounts for the current financial year are $2 600, $85 000 and $7 000 respectively.

(b) See answer to question (2)
(4) This question is not applicable to the Department, Comcare and OEA. The EOWA’s and NOHSC’s fuel expenditure budget is slightly higher this financial year. The AIR did not budget for fuel in 1999-00.

(5) The NOHSC fuel budget for the 1999-2000 financial year was $5 500 and the actual expenditure outcome for the financial year was $6 411.08 (a variance of $911.08). The EOWA fuel budget for the 1999-00 financial and the actual expenditure outcome were equal. This question is not applicable to the Department, Comcare, AIR and OEA.

(6) See answer to question (3)

Department of Industry, Science and Research: Motor Vehicle Fuel Expenditure
(Question No. 3094)

Senator Cook asked the Minister for Industry, Science and Resources, upon notice, on 9 October 2000:

(1) For the financial year ended 30 June 2000, what was the total of monies expended by the department and each of its agencies on fuel purchased for motor vehicles which the department and its agencies are responsible for maintaining (please provide a breakdown by each month of the financial year).

(2) What has been the total amount of monies expended to date for the 2000-01 financial year on fuel for motor vehicles which the department and its agencies are responsible for maintaining (please provide a breakdown for each month up to and including September 2000).

(3) Has the department and its agencies budgeted for fuel bills; if so: (a) what is the budget for the current financial year; and (b) how much has been spent to date.

(4) How does this year’s fuel expenditure budget compare to last year’s fuel expenditure budget for the department and each of its agencies.

(5) How did the last financial year’s fuel expenditure budget compare to the actual outcome for the financial year for the department and each of its agencies.

(6) (a) What is this financial year’s fuel expenditure budget for both the department and each of its agencies; and (b) how much has been spent to date.

Senator Minchin—The answer to the honourable senator’s question is as follows:

1  Department of Industry, Science and Resources
2  Australian Geological Survey Office
3  Australian Institute of Marine Science
4  Australian Nuclear Science and Technology Organisation
5  Australian Sports Commission
6  Australian Sports Drug Agency
Australian Tourist Commission. The ATC is not responsible for the operation of any motor vehicles.

Commonwealth Scientific and Industrial Research Organisation. In the CSIRO Chart of Accounts motor vehicle fuel expenditure is incorporated with all motor vehicle expenses, other than hire cars and car lease payments, in a single category. Locating and examining every single transaction for every single motor vehicle would be prohibitively time consuming and expensive. Further it would not always be possible to isolate the expenditure on fuel from expenditure on other items. CSIRO’s motor vehicle fleet comprises not only cars but utilities, four-wheel drives used for field work and farm vehicles. The above fuel expenditure estimates are derived by applying the known annual average motor vehicle usage levels (20,600 km p.a) for a substantial component of the fleet, to the entire fleet. The monthly pattern was assumed to be influenced by weekends and public holidays but otherwise constant and a pattern of typical fuel price movements was extracted from fuel card records. The assumptions did not take account of possible monthly variations for seasonal work or changes in usage patterns in reaction to price movements.

Department of Industry, Science and Resources
(a) The Department does not have a separate budget for fuel purchases. Such costs are included under Dasfleet leasing arrangements for vehicles acquired by the Department.
(b) Refer to the ISR column in (2).

Australian Geological Survey Organisation
(a) The AGSO budget for fuel in the current financial year is $112,274.
(b) Refer to the AGSO column in (2).

Australian Institute of Marine Science
(a) The AIMS budget for fuel in the current financial year is $100,000.
(b) Refer to the AIMS column in (2).

Australian Nuclear Science and Technology Organisation
(a) The ANSTO budget for fuel in the current financial year is $150,000.
(b) Refer to the ANSTO column in (2).

Australian Sports Commission
(a) The ASC budget is not disaggregated to the level requested.
(b) Refer to the ASC column in (2).

Australian Sports Drug Agency
(a) The ASDA budget for fuel in the current financial year is $13,360.
(b) Refer to the ASDA column in (2).

Commonwealth Scientific and Industrial Research Organisation
(a) CSIRO does not budget for fuel at the organisational level. Motor vehicle expenses, which include fuel costs, are dealt with in research and other program budgets.
(b) Refer to the CSIRO column in (2).

IP Australia
(a) The IP Australia budget for fuel in the current financial year is $17,600.
(b) Refer to the IP Australia column in (2).
National Standards Commission
(a) Because of the small amount involved, the NSC does not prepare a fuel budget.
(b) Refer to the NSC column in (2).

Snowy Mountains Hydro-Electric Authority
(a) The SMHEA budget for fuel in the current financial year is $400,000
(b) Refer to the SMHEA column in (2).

Australian Geological Survey Organisation
2000-01 - $112,274; 1999-2000 - $80,103

Australian Institute of Marine Science
2000-01 - $100,000; 1999-2000 - $100,000

Australian Nuclear Science and Technology Organisation
2000-01 - $150,000; 1999-2000 - $140,000

Australian Sports Commission
Refer to response to (3).

Australian Sports Drug Agency
Comparison of fuel budgets between 1999-2000 and 2000-01 is not possible because in the earlier year, fuel costs were included in total motor vehicle expenses.

Australian Tourist Commission
Not applicable.

Commonwealth Scientific and Industrial Research Organisation
CSIRO does not budget for fuel at the organisational level. Motor vehicle expenses, which include fuel costs, are dealt with in research and other program budgets.

IP Australia
2000-01 - $17,600; 1999-2000 - $16,000

National Standards Commission
Not applicable

Snowy Mountains Hydro-Electric Authority
2000-01 - $400,000; 1999-2000 - $400,000

Department of Industry, Science and Resources
Refer to response to (3).

Australian Geological Survey Organisation
1999-2000: expenditure, $107,090; budget $80,103.

Australian Institute of Marine Science
1999-2000: expenditure, $101,905; budget $100,000

Australian Nuclear Science and Technology Organisation
1999-2000: expenditure, $154,930; budget $140,000.

Australian Sports Commission
Refer to response to (3).

**Australian Sports Drug Agency**
1999-2000: expenditure, $12,297; budget - not applicable. Refer to response to (4).

**Australian Tourist Commission**
Not applicable.

**Commonwealth Scientific and Industrial Research Organisation**
CSIRO does not budget for fuel at the organisational level. Motor vehicle expenses, which include fuel costs, are dealt with in research and other program budgets.

**IP Australia**
1999-2000: expenditure, $14,941; budget $16,000.

**National Standards Commission**
Not applicable.

**Snowy Mountains Hydro-Electric Authority**
1999-2000: expenditure, $325,000; budget $400,000.

Refer to responses to (3).

**Aboriginal and Torres Strait Islander Commission: Motor Vehicle Fuel Expenditure**
(Question No. 3099)

Senator Cook asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 9 October 2000:

(1) For the financial year ended 30 June 2000, what was the total of monies expended by the department and each of its agencies on fuel purchased for motor vehicles which the department and its agencies are responsible for maintaining (please provide a breakdown by each month of the financial year).

(2) What has been the total amount of monies expended to date for the 2000-01 financial year on fuel for motor vehicles which the department and its agencies are responsible for maintaining (please provide a breakdown for each month up to and including September 2000).

(3) Has the department and its agencies budgeted for fuel bills; if so: (a) what is the budget for the current financial year; and (b) how much has been spent to date.

(4) How does this year's fuel expenditure budget compare to last year's fuel expenditure budget for the department and each of its agencies.

(5) How did the last financial year's fuel expenditure budget compare to the actual outcome for the financial year for the department and each of its agencies.

(6) (a) What is this financial year's fuel expenditure budget for both the department and each of its agencies. and (b) how much has been spent to date.

Senator Herron—The Aboriginal and Torres Strait Islander Commission has provided the following information in response to the honourable senator's question:

(1) Listed at Attachment A is the total of monies expended by the Commission on fuel purchased for motor vehicles for the financial year ended 30 June 2000. The report provides a monthly breakdown by State and Territory.

(2) Listed at Attachment B is the total monies expended by the Commission on fuel purchased for motor vehicles for the financial year 2000/01. The report provides a monthly breakdown by State.

(3) to (5) Fuel Expenses are budgeted at a higher level (operational expenses) and this information is not available.
(6) Please refer above, this information is not available. The total expenditure to September 2000 is $143,275.65

<table>
<thead>
<tr>
<th>REGION</th>
<th>CATEGORY</th>
<th>MTH</th>
<th>Total</th>
</tr>
</thead>
<tbody>
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</tr>
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<td>ACT</td>
<td>Fuel</td>
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</tr>
<tr>
<td>ACT</td>
<td>Fuel</td>
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<td>Fuel</td>
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<td>Fuel</td>
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Department of Finance and Administration: Dividends
(Question No. 3107)

Senator Sherry asked the Minister representing the Minister for Finance and Administration, upon notice, on 12 October 2000.

(1) What were the estimates of dividends from associated entities at the time of the 2000-01 Budget for the 2001-02, 2002-03 and 2003-04 financial years.
Were these estimates included in the 2001-02 Budget papers, if so, where are these estimates
detailed in the 2000-01 Budget papers.

(3) (a) Do the estimates in (1) above include dividends from Telstra; and
(b) were these estimates incorporated into the 2000-01 Budget papers; if so, what were the dividend

Senator Ellison—The Minister for Finance and Administration has supplied the following
answer to the honourable senator’s question:

(1) The estimates of dividends from associated entities at the time of the 2000-01 Budget were:
(a) 2000-01 - $2197m
(b) 2001-02 - $2810m
(c) 2002-03 - $2610m
(d) 2003-04 - $2143m

(2) These estimates were included in the 2000-01 Budget papers and are detailed in these documents at:
(a) Budget paper 1, Statement 4, Part II: Primary Financial Statements, Table 4: Statement of Revenue and Expenses for the Commonwealth General Government Sector, page 4-8 (associate Note 5:
Interest and Dividends at page 4-15).
(b) Budget paper 1, Statement 5: Revenue, Non-Taxation Revenue, Table 9: Non-Taxation Revenue, page 5-18 (associated commentary on page 5-19).

(3) (a) Yes, the estimates in (1) above include estimated dividends from Telstra; and
(b) The specific Telstra dividend estimates included in the 2000-01 Budget papers cannot be provided. The estimates were provided on a confidential basis to the Government by Telstra under the Telstra Corporation Act 1991. The dividend estimates are market sensitive and public release of this information could potentially have an impact on the Telstra share price.

Colonial Limited: Authorised Deposit Taking Institution
(Question No. 3113)

Senator Mackay asked the Assistant Treasurer, upon notice, on 13 October 2000:

(1) With reference to the agreement between the Commonwealth Bank of Australia (CBA) and the
Treasurer concerning the acquisition of Colonial Limited, please define the term ‘authorised deposit
taking institution’.

(2) Would a Rural Transaction Centre (RTC) be deemed to be an authorised deposit taking institution
under the agreement between the CBA and the Treasurer.

(3) Would an RTC be considered to be a third party branch for the purposes of the agreement between
the CBA and the Treasurer.

(4) Would a community bank branch be defined as a third party branch for the purposes of the agreement
between the CBA and the Treasurer.

(5) Would a community bank branch be deemed to be an authorised deposit taking institution for the
purpose of the agreement between the CBA and the Treasurer.

(6) Would a Licensed Post Office providing the GiroPost service be defined as an authorised deposit
taking institution for the purpose of the agreement between the CBA and the Treasurer.

(7) Is a credit union defined as a third party branch for the purposes of the agreement between the
CBA and the Treasurer.

(8) In terms of the enforceable undertaking between the Australian Competition and Consumer
Commission and the CBA, define ‘enforceable undertaking’.
(9) (a) Based on the enforceable undertaking, how in practice would the provision by the CBA of a vacated CBA site to a new or small financial institution work; and (b) can the explicit details of this undertaking be provided.

(10) The enforceable undertaking also indicates that ‘independent monitors will be appointed in Tasmania and regional New South Wales to ensure that undertakings in relation to price, service quality and product range are complied with’: (a) how is this independent monitoring service functioning; (b) how does it work; (c) on what issues has it made rulings; (d) who are the independent monitors; (e) how were they appointed; (f) for what period have they been appointed; and (g) how is their role defined.

Senator Kemp—The Minister for Financial Services and Regulation has provided the following answer to the honourable senator’s question:

1. Authorised deposit-taking institution (ADI) has the same meaning in the agreement concerning the acquisition of Colonial Limited by the CBA as it has in the Banking Act 1959.

2. and 3. An ADI must be authorised as such under the Banking Act 1959. If an RTC is undertaking banking business then it would need to either be authorised as an ADI, operate as a third party branch or be exempted by the Australian Prudential Regulation Authority (APRA).

4. and 5. If a community bank is undertaking banking business then it would need to be either authorised as an ADI or exempted by APRA. Bendigo Bank is an ADI with its current community banks operating as third party branches.

6. No licensed post office has been authorised as an ADI.

7. If a credit union is undertaking banking business then it would need to be either an ADI or exempted by APRA. Two hundred and fourteen credit unions are currently ADIs so their branches would be captured as third party branches for the purposes of the agreement.

8. Enforceable undertakings refers to undertakings given under section 87B of the Trade Practices Act 1974. These undertakings are written and are in connection with a matter for which the Australian Competition and Consumer Commission has a power or function under the Act (other than under Part X). The person who has given the undertaking may withdraw or vary the undertaking, but only with the consent of the Commission.

9. (a), (b) The Undertaking is public and is available on the Commission’s website at http://www.accc.gov.au/.

10. (a) to (g) The independent monitoring is still in its early stages. Under the terms of the Undertaking, the function of the monitors is to report to the Commission once every six months stating whether they are of the view that the CBA has substantially complied with the price, service quality and product range clauses of the Undertaking.

Two independent monitors have now been appointed: the Government Prices Oversight Commission (GPOC) (Tasmania) to monitor the Undertaking in Tasmania and the Independent Competition and Regulatory Commission (ICRC) (ACT) to monitor the Undertaking in NSW. The Commission has agreed to both of these appointments. In addition, a Reporter, PriceWaterhouse Coopers, has also been appointed. The function of the Reporter is to collect and collate data which will assist the monitors to write their reports to the Commission.

The Commission is working closely with the monitors, the reporter and CBA to ensure that the monitors are able to properly assess whether the CBA has met its obligations under the Undertaking.

Pursuant to the Undertaking, the CBA will pay the costs of the monitors, and the CBA will provide the information required by the monitors to carry out their functions.

In verifying that the CBA has complied with the Undertaking, the monitors must have regard to the legitimate business interests of the CBA and Colonial Limited and the public interest (including the public interest in having competitive markets). They must also have regard to whether it is practically possible to provide the relevant products having regard to the level of demand from customers residing in Regional New South Wales and in Tasmania for that product and the skilled personnel or special infrastructure needed to deliver that product.
In assessing prices and product range, the monitor need only monitor those products listed in item 2 of the schedule to the Undertaking in order to establish the CBA’s compliance with the Undertaking. However, where a complaint is received about an unlisted product or the monitor identifies an unlisted product in respect of which the CBA appears to have failed to comply with the Undertaking, the CBA is obliged to provide information to establish whether or not it has complied with the Undertaking with regard to the unlisted product.

The monitors are due to report to the Commission in late December 2000 or early January 2001. No findings have been made at this time.

The Monitors have been appointed for the duration of the Undertaking. The Undertaking became effective on 1 June 2000 and continues for five years. However, the Undertaking will cease to have effect if, at the expiration of the first three years of operation, the Commission and the CBA agree that there have been no material breaches of any clauses of the Undertaking.

Alternatively, the Undertaking will terminate if the Commission forms the opinion that the state of competition in the relevant market in regional New South Wales or in Tasmania has changed to such an extent that continuance of the Undertaking will substantially lessen competition in that market.

In addition to the Undertaking given by the CBA to the ACCC under section 87B of the Trade Practices Act 1974, the CBA gave undertakings to the Treasurer which were a condition of his approval under the Financial Sector (Shareholdings) Act 1998 for the acquisition. These assurances require that where a branch of either CBA or Colonial State Bank is the last bank in a country town, that branch will be retained until at least June 2005 and where, in a country town, an amalgamation of a CBA branch and a Colonial State Bank branch occurs, the amalgamated branch will be retained until at least June 2005.

**Centrelink: Breaching**

(Question No. 3115)

Senator Brown asked the Minister for Family and Community Services, upon notice, on 16 October 2000:

With reference to ‘breaching’ in the context of mutual obligation:

(1) Given that, under the new guidelines for Centrelink there has been a toughening of the breaching rules, how will this effect the projected number of breaches per state.

(2) What is the national average for breaching.

(3) Has any state fallen under the national average.

(4) In regional areas, such as Tasmania, is it a fact that around 40 000 Tasmanians on benefits living close to the poverty line could be faced with breaches under the proposed extension of mutual obligation.

Senator Newman—The answer to the honourable senator’s question is as follows:

(1) There has been no change to breaching rules since July 1997, when the Senate introduced rate reduction periods to replace non-payment periods for first and second activity test breaches.

(2) The proportion of unemployed people on Newstart and Youth Allowance with breaches imposed in the 1999/2000 financial year was 14.5%. The breach rates for each State and Territory in 1999/2000 were:

<table>
<thead>
<tr>
<th>State</th>
<th>ACT</th>
<th>NSW</th>
<th>NT</th>
<th>QLD</th>
<th>SA</th>
<th>TAS</th>
<th>VIC</th>
<th>WA</th>
<th>National Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rate %</td>
<td>14.8</td>
<td>16.0</td>
<td>11.5</td>
<td>15.6</td>
<td>14.3</td>
<td>8.1</td>
<td>12.7</td>
<td>12.7</td>
<td>14.5</td>
</tr>
</tbody>
</table>

(3) Northern Territory, South Australia, Tasmania, Victoria and Western Australia all had breach rates below the National average in 1999/2000.

(4) It is not possible to answer this question. There is no single poverty line measure.

G & K O’Connor Meatworks: Fees and Charges
Senator O’Brien asked the Minister representing the Minister for Employment, Workplace Relations and Small Business, upon notice, on 30 October 2000:

1) Has G&K O’Connor meatworks paid all fees and charges owed to the Australian Quarantine and Inspection Service (AQIS) since 1 January 1999.

2) If there are any outstanding fees or charges owed by the above company to AQIS, what is the value of the outstanding fees or charges and how long have these fees been outstanding.

3) If there are outstanding fees or charges owed by G&K O’Connor meatworks to AQIS: (a) what action has been taken to recover these fees or charges; (b) when was the action taken; and (c) what has been the result of this action.

Senator Alston—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

1) Yes

2) No fees are currently outstanding

3) O’Connor are subject to the normal debt recovery processes where payment is late. This includes late payment penalties and follow-up contact.

Department of Defence: Harris-Daishowa (Australia) Pty Ltd

Senator Brown asked the Minister representing the Minister for Defence, upon notice, on 30 October 2000:

(1) What progress has the department made in negotiating a ‘first option’ to purchase the Harris-Daishowa (Australia) Pty Ltd woodchip mill premises at Eden, New South Wales, as foreshadowed in the Twofold Bay multi-purpose wharf and naval munitions storage facility supplement to the draft environmental impact statement, appendix D 5.6.

(2) What are the terms of any agreements entered into between Harris-Daishowa and the Royal Australian Navy or the department.

(3) What is the expected time of completion for each stage of the development of the facility.

(4) What further approvals, local, state or federal, are required.

Senator Newman—The Minister for Defence has provided the following answer to the honourable senator’s question:

(1) and (2) Defence has not yet progressed an agreement with Harris Daishowa (Australia) Pty Ltd.

(3) The current schedule plans for a contract for design and construction of the wharf/jetty and associated civil works to be awarded in May 2001, with commencement of construction in September 2001 for completion by the end of 2002. Construction of the on-shore depot is currently planned to commence in October 2001 for completion in October 2002.

(4) No further Commonwealth Government approvals are required. Property development approvals to comply with State and Local Government planning requirements are still to be addressed.

People with Disabilities: Supported Residential Services, Melbourne

Senator Allison asked the Minister for Family and Community Services, upon notice, on 6 November 2000:

With reference to the article in the Age, 8 October 2000, entitled ‘Disabled scandal forces resignation’ in which it is reported that a leading carer of disabled persons has resigned after more than a decade of futile protest about disabled people being forced to live in appalling conditions in supported residential services accommodation in Melbourne:

1) Is the Minister concerned that the State of Victoria is failing to properly direct Federal Government funding for these people who are unable to care for themselves; who are obliged to hand
over all of their pension to live in squalid conditions because they have nowhere else to go, and who are intimidated by proprietors if they complain.

(2) Will the Minister investigate the situation.

(3) Have representations been made to the Victorian State Government concerning the reported conditions in supported residential services; if so, when and what was the outcome; if not, why not.

Senator Newman—The answer to the honourable senator’s question is as follows:

(1) Supported Residential Services are private accommodation businesses that do not receive any Federal government funding. The Victorian Government is responsible for the registration and monitoring of these premises.

These services are not part of the Commonwealth/State Disability Agreement, under which State Governments are responsible for specialist disability accommodation support.

(2) No. The Federal Government has no powers to investigate. I understand that the Victorian State Government has conducted an inquiry into the matter.

(3) No. The Federal Government has no role in funding or monitoring Supported Residential Services.