SENATE

Centenary of Federation
Commemorative Sittings

Melbourne

10 May 2001

Official Hansard No. 6, 2001

THIRTY-NINTH PARLIAMENT
FIRST SESSION—EIGHTH PERIOD

BY AUTHORITY OF THE SENATE
THIRTY-NINTH PARLIAMENT
FIRST SESSION—EIGHTH PERIOD

Governor-General

His Excellency the Hon. Sir William Patrick Deane, Companion of the Order of Australia, Knight Commander of the Order of the British Empire

Senate Officeholders

President—Senator the Hon. Margaret Elizabeth Reid
Deputy President and Chairman of Committees—Senator Suzanne Margaret West
Temporary Chairmen of Committees—Senators Andrew Julian Bartlett, Paul Henry Calvert, George Campbell, Hedley Grant Pearson Chapman, Hon. Rosemary Anne Crowley, Alan Baird Ferguson, John Joseph Hogg, Susan Christine Knowles, Philip Ross Lightfoot, James Philip McKiernan, Shayne Michael Murphy, Hon. Nicholas John Sherry and John Odin Wentworth Watson

Leader of the Government in the Senate—Senator the Hon. Robert Murray Hill
Deputy Leader of the Government in the Senate—Senator the Hon. Richard Kenneth Robert Alston
Leader of the Opposition—Senator the Hon. John Philip Faulkner
Deputy Leader of the Opposition—Senator the Hon. Peter Francis Salmon Cook
Manager of Government Business in the Senate—Senator the Hon. Ian Gordon Campbell
Manager of Opposition Business in the Senate—Senator Kim John Carr

Senate Party Leaders

Leader of the Liberal Party of Australia—Senator the Hon. Robert Murray Hill
Deputy Leader of the Liberal Party of Australia—Senator the Hon. Richard Kenneth Robert Alston
Leader of the National Party of Australia—Senator the Hon. Ronald Leslie Doyle Boswell
Deputy Leader of the National Party of Australia—Senator the Hon. Grant Ernest John Tambling
Leader of the Australian Labor Party—Senator the Hon. John Philip Faulkner
Deputy Leader of the Australian Labor Party—Senator the Hon. Peter Francis Salmon Cook
Leader of the Australian Democrats—Senator Natasha Jessica Stott Despoja
Deputy Leader of the Australian Democrats—Senator Aden Derek Ridgeway

Printed by authority of the Senate
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<th>State or Territory</th>
<th>Term expires</th>
<th>Party</th>
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<td>Abetz, Hon. Eric</td>
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### Members of the Senate

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</table>

(1) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.
(2) Chosen by the Parliament of South Australia to fill a casual vacancy caused by her resignation.
(3) Chosen by the Parliament of New South Wales vice Robert Leslie Woods, resigned.
(4) Chosen by the Parliament of Western Australia vice John Horace Panizza, deceased.
(5) Chosen by the Parliament of New South Wales vice Bruce Kenneth Childs, resigned.
(6) Chosen by the Parliament of Queensland vice Cheryl Kernot, resigned.
(7) Chosen by the Parliament of Queensland vice Warwick Raymond Parer, resigned.
(8) Chosen by the Parliament of South Australia vice John Andrew Quirke, resigned

**PARTY ABBREVIATIONS**
AD—Australian Democrats; AG—Australian Greens; ALP—Australian Labor Party; CLP—Country Liberal Party; Ind.—Independent; LP—Liberal Party of Australia; NP—National Party of Australia; PHON—Pauline Hanson’s One Nation

**Heads of Parliamentary Departments**
Clerk of the Senate—H. Evans
Clerk of the House of Representatives—I. C. Harris
Departmental Secretary, Parliamentary Library—J. W. Templeton
Departmental Secretary, Parliamentary Reporting Staff—J. W. Templeton
Departmental Secretary, Joint House Department—M. W. Bolton
HOWARD MINISTRY

Prime Minister
Minister for Transport and Regional Services and Deputy Prime Minister
Treasurer
Minister for Trade
Minister for Foreign Affairs
Minister for the Environment and Heritage and Leader of the Government in the Senate
Minister for Communications, Information Technology and the Arts and Deputy Leader of the Government in the Senate
Minister for Defence and Leader of the House
Minister for Health and Aged Care
Minister for Finance and Administration
Minister for Education, Training and Youth Affairs and Minister Assisting the Prime Minister for the Public Service
Minister for Industry, Science and Resources
Attorney-General
Minister for Immigration and Multicultural Affairs and Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs
Minister for Agriculture, Fisheries and Forestry
Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women
Minister for Employment, Workplace Relations and Small Business
Minister for Employment Services

The Hon. John Winston Howard MP
The Hon. John Duncan Anderson MP
The Hon. Peter Howard Costello MP
The Hon. Mark Anthony James Vaile MP
The Hon. Alexander John Gosse Downer MP
Senator the Hon. Robert Murray Hill
Senator the Hon. Richard Kenneth Robert Alston
The Hon. Peter Keaston Reith MP
The Hon. Dr Michael Richard Lewis Wooldridge MP
The Hon. John Joseph Fahey MP
The Hon. Dr David Alistair Kemp MP
Senator the Hon. Nicholas Hugh Minchin
The Hon. Daryl Robert Williams AM, QC, MP
The Hon. Philip Maxwell Ruddock MP
The Hon. Warren Errol Truss MP
Senator the Hon. Amanda Eloise Vanstone
The Hon. Anthony John Abbot MP
The Hon. Mal Brough MP

(The above ministers constitute the cabinet)
HOWARD MINISTRY—continued

Assistant Treasurer
Minister for Financial Services and Regulation
Minister for Regional Services, Territories and Local Government
Minister for the Arts and the Centenary of Federation and Deputy Leader of the House
Minister for Community Services
Minister for Veterans’ Affairs and Minister Assisting the Minister for Defence
Minister for Aged Care
Special Minister of State
Minister for Sport and Tourism
Minister for Justice and Customs
Minister for Forestry and Conservation and Minister Assisting the Prime Minister
Minister for Small Business
Parliamentary Secretary to Cabinet
Parliamentary Secretary to the Minister for Transport and Regional Services
Parliamentary Secretary to the Minister for Foreign Affairs and Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs
Parliamentary Secretary to the Minister for the Environment and Heritage
Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts and Manager of Government Business in the Senate
Parliamentary Secretary to the Minister for Defence
Parliamentary Secretary to the Minister for Health and Aged Care
Parliamentary Secretary to the Minister for Finance and Administration
Parliamentary Secretary to the Minister for Education, Training and Youth Affairs
Parliamentary Secretary to the Minister for Industry, Science and Resources
Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry
Parliamentary Secretary to the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs

Senator the Hon. Charles Roderick Kemp
The Hon. Joseph Benedict Hockey MP
Senator the Hon. Ian Douglas Macdonald
The Hon. Peter John McGauran MP
The Hon. Lawrence James Anthony MP
The Hon. Bruce Craig Scott MP
The Hon. Bronwyn Kathleen Bishop MP
Senator the Hon. Eric Abetz
The Hon. Jackie Marie Kelly MP
Senator the Hon. Christopher Martain Ellison
The Hon. Charles Wilson Tuckey MP
The Hon. Ian Elgin Macfarlane
Senator the Hon. William Daniel Heffernan
Senator the Hon. Ronald Leslie Doyle Boswell
Senator the Hon. Kay Christine Lesley Patterson
The Hon. Sharman Nancy Stone MP
Senator the Hon. Ian Gordon Campbell
The Hon. Dr Brendan John Nelson
Senator the Hon. Grant Ernest John Tambling
The Hon. Peter Neil Slipper MP
The Hon. Patricia Mary Worth MP
The Hon. Warren George Entsch MP
Senator the Hon. Judith Mary Troeth
The Hon. Christine Ann Gallus
SHADOW MINISTRY

Leader of the Opposition
The Hon. Kim Christian Beazley MP

Deputy Leader of the Opposition and Shadow Treasurer
The Hon. Simon Findlay Crean MP

Leader of the Opposition in the Senate, Shadow Minister for Public Administration and Government Services and Shadow Minister for Olympic Coordination and the Centenary of Federation
Senator the Hon. John Philip Faulkner

Deputy Leader of the Opposition in the Senate and Shadow Minister for Trade
Senator the Hon. Peter Francis Salmon Cook

(The following members of the Shadow Ministry are listed in alphabetical order)

Shadow Minister for Industrial Relations
The Hon. Archibald Ronald Bevis MP

Shadow Minister for Environment and Heritage
Senator the Hon. Nick Bolkus

Shadow Minister for Foreign Affairs
The Hon. Laurence John Brereton MP

Shadow Minister for Financial Services and Regulation
Senator Stephen Michael Conroy

Shadow Minister for Family Services and the Aged
Senator Christopher Vaughan Evans

Shadow Minister for Science and Resources
The Hon. Martyn John Evans MP

Shadow Minister for Defence Science and Personnel and Shadow Minister for Forestry and Conservation
Mr Laurie Donald Thomas Ferguson MP

Shadow Minister for Regional Development, Infrastructure, Transport, Regional Services and Population
Mr Martin John Ferguson MP

Shadow Minister for Small Business and Tourism
Mr Joel Andrew Fitzgibbon MP

Shadow Minister for Employment and Training
Ms Cheryl Kernot MP

Shadow Minister for Justice and Customs and Shadow Minister Assisting the Shadow Minister for Population
The Hon. Duncan James Colquhoun Kerr MP

Shadow Minister for Industry, Innovation and Technology and Shadow Minister for the Status of Women
The Hon. Dr Carmen Mary Lawrence MP

Shadow Minister for Education
The Hon. Michael John Lee MP

Shadow Minister for Sport and Youth Affairs and Shadow Minister Assisting the Shadow Minister for Industry, Innovation and Technology on Information Technology
Senator Kate Alexandra Lundy
## Shadow Ministry—continued

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<th>Role</th>
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<tr>
<td>Shadow Attorney-General</td>
<td>Mr Robert Bruce McClelland MP</td>
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<tr>
<td>Shadow Minister for Regional Services, Territories and Local Government</td>
<td>Senator Susan Mary Mackay</td>
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<tr>
<td>Shadow Minister for Aboriginal and Torres Strait Islander Affairs, Shadow Minister for Reconciliation, Shadow Minister for the Arts and Manager of Opposition Business</td>
<td>The Hon. Robert Francis McMullan MP</td>
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<tr>
<td>Shadow Minister for Health</td>
<td>Ms Jennifer Louise Macklin MP</td>
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<td>Shadow Minister for Defence</td>
<td>The Hon. Dr Stephen Paul Martin MP</td>
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<td>Shadow Minister for Agriculture, Fisheries and Forestry</td>
<td>Mr Gavan Michael O’Connor MP</td>
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<td>Shadow Minister for Veterans’ Affairs</td>
<td>Senator the Hon. Christopher Cleland Schacht</td>
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<td>Shadow Minister for Immigration and Shadow Minister Assisting the Leader of the Opposition on Multicultural Affairs</td>
<td>The Hon. Con Sciacca MP</td>
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<td>Shadow Minister for Communications</td>
<td>Mr Stephen Francis Smith MP</td>
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<td>Shadow Minister for Finance and Shadow Minister for Consumer Affairs</td>
<td>Mr Lindsay James Tanner MP</td>
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<td>Shadow Assistant Treasurer</td>
<td>Mr Kelvin John Thomson MP</td>
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(The following Parliamentary Secretaries are listed in alphabetical order)

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<th>Member Name</th>
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<tr>
<td>Parliamentary Secretary to the Shadow Minister for Family and Community Services</td>
<td>Mr Anthony Albanese MP</td>
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<td>Parliamentary Secretary to the Shadow Minister for Communications</td>
<td>Senator Thomas Mark Bishop</td>
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<tr>
<td>Manager of Opposition Business in the Senate and Parliamentary Secretary to the Shadow Minister for Education</td>
<td>Senator Kim John Carr</td>
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<tr>
<td>Parliamentary Secretary to the Shadow Ministers for Industrial Relations and Employment, Training and Population</td>
<td>Senator Jacinta Mary Ann Collins</td>
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<tr>
<td>Parliamentary Secretary to the Shadow Minister for Agriculture, Fisheries and Forestry</td>
<td>Senator Michael George Forshaw</td>
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<tr>
<td>Parliamentary Secretary to the Shadow Minister for Health</td>
<td>Mr Alan Peter Griffin MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Shadow Minister for Regional Development, Infrastructure, Transport and Regional Services</td>
<td>Mr Robert Horne MP</td>
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Thursday, 10 May 2001

The President (Senator the Hon. Margaret Reid) took the chair at 10.04 a.m., in the Legislative Council chamber of the Victorian parliament, and read prayers.

CENTENARY OF FEDERATION COMMEMORATIVE MEETING

The President (10.05 a.m.)—I am privileged as President of the Australian Senate to welcome my colleagues to this commemorative meeting of the Senate today. I acknowledge our debt to the parliament and the people of Victoria for being our hosts for this once in a century occasion. Their generosity echoes the hospitality shown 100 years ago. I acknowledge particularly the President of the Legislative Council of Victoria, the Hon. Bruce Chamberlain MLC, who normally presides over this beautiful chamber. With the concurrence of honourable senators, I propose to invite Mr President to take a seat on the floor of the chamber.

Mr President Chamberlain was thereupon seated accordingly.

CONDOLENCES

Nugent, Mr Peter Edward

The President (10.06 a.m.)—It is with deep regret that I inform the Senate of the death, on 24 April 2001, of Peter Edward Nugent, a member of the House of Representatives for the division of Aston, Victoria, since 1990. I advise senators that remarks relating to Mr Nugent may be made at an appropriate opportunity when the Senate next meets in Canberra, on 22 May 2001. But at this time I ask honourable senators to stand in silence in memory of Peter.

Honourable senators thereupon stood in their places.

CENTENARY OF THE FIRST MEETINGS OF THE HOUSES OF THE COMMONWEALTH PARLIAMENT

The President (10.07 a.m.)—Our original senators quickly recognised the symbolism of the Senate as uniquely a fully elected upper house of a bicameral legislature—perhaps our first truly Australian institution and today only one of 15 national upper houses which are fully elected. That sense of the Senate’s distinctive structure and culture was manifested as early as its first sitting as a separate house of the Commonwealth parliament. The first item of business was the election of the President. The motion originally moved—that the practice of the House of Commons be followed, with some variations—was vigorously debated and specifically repudiated. The vote for the three candidates for President was conducted by secret ballot following Senate designed procedures, as it has in all contested elections since.

It was no coincidence that the Senate continued this pattern of differentiation from its counterpart upper houses. Fully a quarter of the Senate—nine of the 36 senators—had participated in the constitutional conventions and Senator Sir Richard Baker, the first President, was engaged in the federating process from the 1891 convention. Their confidence and assertiveness as senators was underpinned by their knowledge that they were directly and democratically elected members of an upper house. As representatives of the six original states, they were aware of their legislative powers and responsibilities and determinedly rejected any attempted imposition of executive supremacy or inappropriate legislative and procedural processes.

Thus it was from the earliest debates on appropriation bills that senators elected on the same franchise as their House of Representatives counterparts insisted on their right to be equal partners in measures to appropriate public money. In keeping with their refusal to follow House of Commons practice, in the very first vote they took in the Senate they turned their backs on the common practice in the state legislatures and in the House of Representatives of following House of Commons procedures and precedents not otherwise covered by their own rules. To this day, rulings of the President have provided appropriate guidance for the Senate when the standing and other orders are silent.

The early Senate quickly established what has become the norm of Senate processes in the last quarter century: committees as adjuncts to the full Senate body. These committees have assisted in the task of informing senators and the Senate of matters within
their legislative competence. However, and to me most importantly, the committees have made genuine opportunities available for members of the Australian public, in the cities and in the remote parts of this continent, to participate in the work of the Senate. The committee hearings have been especially important for the smaller states and territories, and their work has often underlined the original blueprint of the Senate as providing for equal representation from all the states.

Another dominant theme of the Senate in the past century has been its vigilance to see that the executive government of the day is accountable, through the houses of parliament, to the Australian people. The Senate in particular, especially since the advent of proportional representation in the 1949 elections, has ensured that the executive does not dominate parliament. It has called ministers and public servants to account both within the chamber and through extensive use of the committee system, demanding of them the provision of information on government administration. Committees have also enhanced the legislative process by insisting on detailed answers to questions on policy proposals for enactment by the parliament, often leading to substantial changes, adaptations and improvements to both policy and the technical provisions of bills.

Underlying the Senate’s demand for accountability and due process has been its understanding of its duty to protect the civil liberties of people who live in Australia. Vitaly important but unheralded, the work has been done by senators who for decades have persevered on the Regulations and Ordinances Committee and Scrutiny of Bills Committee to ensure that the rights of individuals are not impinged.

This is a very special day. We are part of one of the most important parts of the Australian body politic. On its 100th birthday I think we can take stock and say that the first century of the Australian Senate has been one of which Australians can be justly proud. We remember today that, including ourselves, 482 Australians have been senators and have contributed to the Senate’s growth during the past century. One, Sir George Pearce, was the longest serving senator ever. A carpenter from Western Australia, he was elected in 1901 and served until 1938—over a third of the life of the Senate. Our present longest serving senator, Brian Harradine, has served for just more than a quarter of the Senate’s 100 years. I hope, when our successors are celebrating the bicentenary of Federation, they may be able to look back on us with at least something of the admiration with which we remember our earliest feisty committed senators whose endeavours we commemorate today.

I call the Leader of the Government in the Senate, Senator Hill.

Senator HILL (South Australia—Leader of the Government in the Senate) (10.13 a.m.)—Thank you, Madam President. This sitting is, as you say, to celebrate those who forged the Constitution of Australia, in particular those who designed and fashioned the Australian Senate as a unique parliamentary institution in response to unique Australian circumstances, those who have served in the Senate and those who have served the Senate over the last 100 years. It is also a celebration of democracy Australian style, of the success of a peaceful participatory governance through all the difficulties and challenges of an evolving nation. It is also a time to remember the sacrifice of those Australian service men and women who have helped preserve that democracy. And, finally, it is an opportunity for us to reflect, from the basis of experience of the last 100 years, upon the responsibility and role of this institution in the future.

Madam President, the Senate sat for the first time 100 years ago at 10 past one in the afternoon—and I regret to advise you that you missed the first debate because the first motion that was moved by the new Leader of the Government in the Senate, Senator O’Connor, was that the sitting should be suspended for lunch. After a brief debate, the motion was carried. It might seem that business was more leisurely in those days, but if one looks at today’s Notice Paper, perhaps not much has changed.

Labor had, of course, opposed the Federation and for many years afterwards would seek the abolition of the Senate. No doubt Senator Faulkner will explain today! How-
ever, in a spirit of compromise, I concede that it was the Chifley government in 1948 that changed the Senate voting system to proportional representation and thus can claim the credit for the finely balanced Senate we experience these days! The parties that now comprise the coalition—the Liberal Party and the National Party—who share a philosophical bias towards personal freedom and a deep suspicion of too much central authority, always have supported, and will continue to support, the place of the Senate in Australia’s democratic structure.

The convention debates that led to Federation were illuminating. In 1881, for example, Baker, who was to become the first President of the Senate, argued for coequal powers between the chambers. Downer, also to become a founding senator, leapt to the defence of his fellow South Australian. Playford, yet another founding senator, took the contrary view and, in turn, he was supported by another South Australian, Kingston. So even in those days South Australians could not agree! But it is interesting to note the number of leading political thinkers produced by that small state.

Honourable senators interjecting—Senator HILL—Interjections are unruly, Madam President. Some things never change. For example, Sir John Downer was perturbed that the word ‘Commonwealth’ might be associated with republicanism. These were some of the men who forged the Constitution and a nation. What comes through the history is a sense of excitement that this was more than just a contract between states but was a union of peoples. The difficulties lay in the detail, and that took a long time to settle. Even then, there was a lesson in the benefits of patience, persistence and creative compromise. The secret was the politicians sharing responsibility with the people. In the end, it was the people who saw it as their achievement.

The Senate, of course, was the keystone. The Senate was to ensure a geographical spread of elected representatives. It was finally agreed that it was to be directly elected and that it was to be as strong and secure from the influence of the executive as any second chamber in the world. Federation could not have been achieved without it. Whether the Senate has met the expectations of its architects is, of course, a matter for debate. It has had to withstand the strengthening of party discipline and the pervasive and persuasive influence of the executive. It has had to withstand lopsided majorities, government minorities and a disproportionate influence of minorities. The Senate has also had to withstand moments of crisis, usually instigated by those who have never accepted the modification of responsible government that the Senate represents.

Interestingly, at a time when politicians are not held in particularly high esteem, the Senate is still regarded as valuable as a check and a balance. The unique model which, in effect, gives the Senate coequal powers is not much argued about today. What is debated more often is whether the sharing of powers between the Commonwealth and the states adequately reflects the needs of the contemporary nation. Natural resource management was then and continues to be debated as such an issue today. What is also debated is how enlightened men could have been so determined that the new nation had to be white. Even today it remains an ongoing challenge to ensure that we are a racially tolerant and accommodating society. There are fears and misunderstandings that we must continually work to overcome.

In relation to the Aboriginal people, there was no such preoccupation; rather, they were all but ignored. The first Australians rarely rated a mention in the constitutional debates. That they were denied for so long both the right to be counted as part of the Australian nation and the right to vote is perhaps the most unacceptable part of our constitutional history. We still have a long way to go in redressing these injustices and overcoming Aboriginal disadvantage, but it must be part of our commitment on this occasion. It is interesting that the late Senator Neville Bonner’s election to this chamber is still identified as a significant milestone in a changing national attitude.

Another reflection of changing attitudes over the past 100 years is the increased involvement of women in the parliament. It was to be more than 40 years before we had
our first female senator, Dorothy Tangney. Now we enjoy a fairer representation of women in the Senate, and it is fitting that our first female President of the Senate should be presiding over today’s ceremonies.

In relation to the contemporary role of the Senate, there is no doubt that the Senate does provide legislative scrutiny, particularly through its legislative committees. Through that process, it has also sought to engage the community in the legislative process. Through the estimates process the Senate provides financial and administrative scrutiny—and, I would say, more effectively than any other chamber in the country. It is the only real glimpse that the Australian people have of the administration of government. The Senate has led the democratic world in surveillance over the executive regulation making powers, particularly to protect personal rights and liberties, and it has contributed to public debate on the issues of the time.

But I sound a note of caution. There will always be others who take up the big issues—globalisation, bioethics, conflict resolution and extinction of species, to name but a few—but no other body quite has the same responsibility or authority as the voice of the people through their elected representatives. I think there has been a trend in the Senate for some years to sacrifice this responsibility to the demands of the day, and I believe this is something we need to reassess.

In summary, the Senate can and will continue to play an important role in Australian democracy and in the wellbeing of the people of Australia as long as there are senators committed to such objectives.

Finally, I want to refer to those who serve the Senate. The Biographical Dictionary of the Australian Senate, Volume 1, includes the first three clerks. It is good that, as principal advisers to senators, they are included, but they represent just a small fraction of those men and women over the last 100 years who have served this institution and its elected representatives. Without their commitment, the Senate could not have functioned and, on this day of celebration, I believe it is important that we acknowledge their contribution.

Senator FAULKNER (New South Wales—Leader of the Opposition in the Senate) (10.23 a.m.)—Today we look back on a century of representative government and parliamentary democracy. Our federal parliament has seen a century of passion, of hard-fought adversarial politics, and of bitterness and recrimination. It has also seen dignity under pressure, commitment, strength and self-sacrifice. But in Australia, no matter the intensity of feeling, the transfer of power from one government to another has always been orderly and has never been challenged. In these 100 years, the democratic will of the Australian people has never been questioned. Nothing says more about the strength and stability of the Commonwealth of Australia.

The first Commonwealth parliament enacted federal laws for the conduct of federal elections—laws which were the most comprehensive and advanced of any democracy of the time. Still today, in the United States of America, the President, senators and representatives are elected under varying state electoral laws administered by state and local government officials.

We also remember the first Commonwealth Franchise Act of 1902, foreshadowed by the Governor-General precisely 100 years ago in this chamber. It enfranchised men and women of European descent, but simultaneously disenfranchised Australia’s Aboriginal people. It took 60 years to right that wrong. As we celebrate the Centenary of Federation, reconciliation with our indigenous peoples is yet to be achieved. This remains a responsibility of the highest priority for our parliament as it enters its second century.

By the 1890s Labor had established itself as a permanent part of the political scene. Wary of Federation and inexperienced at the beginning, the Labor parties were learning very quickly. The new Australian Constitution was imperfect in the eyes of the Labor movement. Of most concern was the composition and powers of the Senate, equal representation of the states regardless of their population, and fears that the Senate might thwart the will of a popularly elected government. But whatever the doubts, Labor immediately recognised the national opportunities Federation offered. Fair industrial
laws were the priority for Labor, just as protection versus free trade was the major issue dominating conservative politics, in the early years of the Commonwealth. The pioneers of the Australian Labor Party realised that the federal parliament was going to be and should be the pre-eminent political institution of the new Commonwealth. Labor was soon reconciled to Federation and then—I am sure you will be interested to know, Senator Hill—Labor became the champion of enhanced Commonwealth power.

This week members of the Australian Labor Party have another reason to celebrate. Tuesday marked 100 years of the party’s continuous presence in the Commonwealth parliament. There were 24 members of that first Labor caucus. They too first met in this building in its basement—‘Steering from the steerage,’ as Sir George Reid was to say. That meeting on 8 May 1901 resolved to form a federal Labor Party—three words that said it all. One hundred years and two days later, the Australian Labor Party is the only political party to have survived the century intact.

In 1901 Labor had representatives in both houses, as it has had in every parliament since Federation. In the Senate in 1901, it held the balance of power with eight out of 36 senators—only three fewer than the governing protectionists. Labor was led by Gregor McGregor—Senator Hill, he was a fine South Australian—a near blind but formidable Scottish highlander, described by Chris Watson as ‘a powerful force in our party because of his political sagacity and perfect loyalty’. Eat your heart out! His physical defect in no way dulled his splendid intellect; on the contrary, it appeared to sharpen his faculties and, though he never saw them, he knew the standing orders by rote.

Another of the eight was Anderson Dawson from Queensland: orphaned in childhood with little formal education, a man who went from mining to bullock driving to the union movement and then to the Queensland parliament, a man who in 1899 led the world’s first Labor government. Both McGregor and Dawson would be ministers in the world’s first national Labor government under Chris Watson in 1904.

Learning from their experiences in the colonial parliaments of the 1890s, the early Labor parliamentarians established a party with a unique system of internal democracy. They pledged support for the party’s policy, democratically determined by the membership. They adopted the principles of caucus solidarity. Though bitterly resented and ferociously attacked by conservatives for decades, Labor’s parliamentary opponents have themselves now effectively embraced the caucus system.

The Senate itself has changed markedly over its 100 years of existence. It was originally based on a winner take all voting system. It tended to be a rubber stamp for incumbent governments or, in the case of the Scullin government, a mindless and partisan vandal. We must acknowledge that, although conceived as a states house, the Senate has rarely behaved as a states house. Political affiliations have always been more important than geography here. But the Senate has become an effective house of review and best functions in that role when the party of government does not control a majority on the floor. The mission of the Senate and its voting system have been questioned by Labor and non-Labor governments alike when frustrated by a hostile Senate. The introduction of proportional representation in 1949 enhanced the Senate’s status and popular legitimacy. That legitimacy has in turn fortified the Senate’s sense of independence, consciousness of its powers and preparedness to exercise them.

In Labor’s view, constitutional reform is a live and pressing issue in the early 21st century. We need change. We believe the Senate’s power to reject, defer or block money bills should be removed. We will never forget 1975, when the Senate’s powers were abused to bring down the Whitlam government. In a century of existence, the events of 1975 were the low point for the Senate, the low point for the Australian parliament and the low point for the Australian Constitution. Labor remains committed to increasing the term of the House of Representatives from three to four years, notwithstanding the resistance of many to the consequential increase in Senate terms to eight years. But, most importantly, we must become a nation with our own head
of state. The Labor Party stands for an Australian republic.

Labor does not support limiting or inhibiting the Senate’s power of scrutiny of the government of the day. It is here that the Australian Senate chamber is at its finest. Its committee system is sophisticated, its standing orders give wide powers to enforced transparency, and its accumulated conventions constitute a powerful restraint on executive arrogance. For all these strengths, the responsibility remains for the Australian Senate, considered along with the United States Senate to be the most powerful upper chamber in the world, to use its wide range of powers with restraint and moderation.

Today we pay tribute to all those men and women from all sides of politics who came before us. Some were in the Exhibition Building yesterday. Some are in the precincts today. We pay tribute to the staff who have served the parliament and sustained its members. This commemorative sitting honours all those who have helped preserve and build Australia’s great competitive parliamentary democracy.

Senator STOTT DESPOJA (South Australia—Leader of the Australian Democrats) (10.35 a.m.)—On behalf of the Australian Democrats, I acknowledge the traditional owners of this land, the Wurundjeri people. I thank the previous speakers for their contributions. On behalf of the Democrats, I congratulate the oldest party in the parliament, the Australian Labor Party, on the centenary of their caucus. It is worth noting that the Labor Party held the balance of power in 1901, yet they won government within a decade. This is a lesson for the Australian Democrats, who currently hold the balance of power, and we will study it with interest. The Liberal Party was formed in 1944, and I do look forward to congratulating them on their centenary in 43 years.

The Democrats have been the third force in Australian politics for nearly a quarter of a century, and we acknowledge the role of other minor parties and Independents who have also shared the balance of power since 1901. Even in the first federal parliament, the Prime Minister, Sir Edmund Barton, could not govern without the support of one of the other parties. In fact, as early as 1902, there were calls at a parliamentary level for proportional representation in the Senate. The Democrats are proud to honour the ideological legacy of political figures such as Alfred Deakin who promoted equality, a united nation and political cooperation. Today is an occasion for celebration, for reflection and for imagining the future—celebration of our democracy, reflection on the good and the bad of our political heritage, as well as an imagining of what will be.

A funny thing happened on the way to Federation. Six state governments agreed. Federation, the Constitution and even the choice of Canberra as our capital city were the results of compromise. There was no monument built at Federation, and it took over 26 years for a city to be built. It was named Canberra, probably a wise choice, given some of the options—Kanga Emu, New London and Democratia. We should celebrate that peaceful path that led to our Federation, created from debate, deliberation, public meetings and the ballot box instead of bullets and blood on the wattle.

From 1901 our nation was a leader in constitutional innovation, with universal suffrage, women’s suffrage, the secret ballot and postal voting introduced well before the UK and other democracies. Today our system of government is recognised as one of the most successful and enduring democracies. We should celebrate the fact that today we have fewer state and federal politicians per head of population than in 1901, yet increasingly diversity and difference are represented. Australia has continued to mature, and we are proud of the cultural diversity that characterises our nation. More than 2,000 Centenary of Federation events have been held around Australia—parades, exhibitions, festivals, souvenirs, essays, races and even a beard growing competition in Eden.

In 1901, schools across the nation simultaneously raised Australian flags, one of the biggest events of Federation. This year the event will be coordinated by email. The hundreds of registered events by and for community groups reflect a widespread belief that Federation was the way to go. They provide an opportunity to promote history, to educate,
to look at where we have come from, to reflect with honesty and to think about where we are going. There is an opportunity to recognise the richness and diversity of indigenous cultures and their ability to triumph over 200 years of dispossession, discrimination and injustice. In September this year, at Alice Springs, the Yeperenye Dreaming Festival will be held and Australia’s first nation peoples will welcome all Australians to their land in a gesture of reconciliation.

The centenary gives us reason to reflect on the past 100 years of nationhood with honesty and to acknowledge the errors of the past. The first parliament was not representative of the population. One hundred years ago there were no women sitting, standing or chairing, and almost a quarter of this current Senate would not have been eligible to vote. So a nation is a work in progress. Just as the original architect’s plans for this building are not reflected entirely in the final model, aspects of our government have been remodelled and the renovations are ongoing. The original blueprint for Federation, our Constitution, did not predict a nation which celebrates multiculturalism and yet still seeks to reconcile indigenous people with more than 200 years of migrants. With due respect to our founders, they could not predict the impact that we would have on our natural environment, or the importance of the United Nations, the evolution of international law, the rise of women’s liberation and the dominance of the party system. Or maybe they could foresee these things but they left it to future generations to work it out. Maybe that is why our Constitution is so silent in so many matters; maybe we are supposed to fill in those blank pages, because we can only wonder about the injustice of women and indigenous people being denied the vote 100 years ago.

We must always ask how our actions will be judged, specifically at the bicentenary of Federation. What are the implications of our decisions for our children, our grandchildren and even their great-grandchildren? And while we may deplore the low percentage of voters who turned out 100 years ago, we should still remember that there are Australians who do not vote today. So the question of how to engage people in politics is ongoing. Being an Australian is more than voting, paying taxes, owning a passport or even knowing who the first Prime Minister was. Citizenship is not just a knowledge of the processes; it is also about having the confidence and the motivation to act on that knowledge. It is part of our democratic spirit to challenge, to debate and to protest against what is unjust.

Federation was not inevitable in 1901. It came about, as Alfred Deakin said, as a result of a series of miracles. Federation was talked about from the 1840s; there were children who were born and grew old amidst discussion as to whether or not the colonies would unite. But there was growing nationalism and a growing sense of Australian culture, literature and art—and, of course, at the first ever test match the Australian cricket team beat England by 45 runs, which helped. But when it happened it happened quickly, because there is nothing more powerful than an idea whose time has come. The creation of our nation on 1 January 1901, later the formation of the parliament and then the establishment of the High Court in 1903 were what constituted Australia as a democratic nation. But, as Senator Hill acknowledged, it was the passion of ordinary men and women that propelled Federation forward, even when politicians had lost hope. As the South Australian voting papers said at the time:

Every man and woman whose names are on the roll can exercise a vote as powerful as the highest in the land.

The story of Federation should give us all great hope for the possibility of social change, even if only for the link to women’s suffrage. In 1902, Australia became the second nation in the world to grant white women the right to vote and stand for parliament. But it took 42 years from Federation for the first woman to be elected and it was not until 1986 that we had a female Speaker in the House of Representatives; and there have only been two indigenous members of the federal parliament in 100 years. So it is a slow journey, but we are heading in the right direction.

The authors of our Constitution were concerned with states rights, not citizens rights.
There is no declaration of the objectives of nationhood or the rights of citizens, no mention of equality between the sexes, or indigenous Australians, or the pursuit of happiness. Our history books and laws have long ignored indigenous cultures and the fact that their people have been dispossessed for a long time, and our Constitution still does. The Constitution does not even mention the Prime Minister, even though it is the most powerful position in the land, and neither the Senate nor the House of Representatives has acted as envisaged by its constitutional authors. The House of Representatives is captive to the executive, and it is the Senate that has upheld the role of scrutinising legislation rather than functioning as a states house. The Constitution does mention, however, peace, order and good government.

A democracy is a work in progress, and we still have unfinished business. There are outstanding questions like: should we have fixed terms, should we address the issue of the power of the Senate to block supply, should we have voter initiated referenda, what would we put in a bill of rights and should we have a British monarch as our head of state? As Deakin said to those who argued for small degrees of change, ‘You will find you cannot creep the chasm; you must leap it.’ So the Constitution was only ever a starting point. In 1901 Australia had a British head of state; sang a national anthem, God Save the Queen; and flew the Union Jack. One hundred years later, the song has changed and our stars, the Southern Cross, share the flag—but we still have a British monarch as our head of state.

Federation is an important aspect of our history as a democratic, united nation. But Federation was only one landmark in our journey to being an independent nation. The journey does not end there. The Centenary of Federation offers all Australians the opportunity to come together, to learn from the past and to remember our collective achievements that we celebrate. The Centenary of Federation is a symbol of pride in our country, a reaffirmation of our faith in democracy and an opportunity to say, ‘What next?’

The PRESIDENT (10.07 a.m.)—In concluding this historic session, we do, of course, remember those who sat here 100 years ago. It was the culmination of the Federation debates and the activities that had gone on, and it was very much a beginning. I am very grateful indeed that the Presiding Officers of the Victorian parliament saw it as appropriate that we should meet here again today to remember the 36 who sat here at that time. I particularly want to thank Mr President and Mr Speaker, Mr Andrianopoulos, for the enthusiasm that they brought to making this possible. They gave the lead in Victoria, and the Speaker and I were delighted to be involved in the preparations. The details, as you would understand, have been put together by the clerks of each of the houses from the federal parliament and the clerks from this parliament. I thank the attendants and all of those from our Senate who have come here and participated, and I particularly thank the attendants and staff of the Victorian parliament. Without their commitment to this, it would not have happened in the way that it has today. It is a special day.

Before concluding, I would ask that senators remain in their places, because photographs are to be taken to mark the occasion. As I understand, some will be taken from the gallery. I know that on occasions people sit with their backs to the chair, and I am sure that they do it inadvertently! Today, if photographs are to be taken from the gallery, you do have the permission of the chair to face the cameras. Pursuant to the order of the Senate, the Senate stands adjourned until 2.00 p.m. on Tuesday, 22 May 2001, in Parliament House, Canberra. We will not be remaining here this time for 27 years.

Senate adjourned at 10.48 a.m.