THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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1 **MEETING OF SENATE**

The Senate met at 2 pm. The President (Senator the Honourable Margaret Reid) took the chair and read prayers.

2 **GOVERNMENT DOCUMENTS**

The following government documents were tabled:

Military Superannuation and Benefits Board of Trustees No. 1—Report for 1998-99.
National Science and Technology Centre (Questacon)—Report for 1998-99.
Productivity Commission—Report—No. 8—Impact of competition policy reforms on rural and regional Australia, 8 September 1999.
Repatriation Commission, Department of Veterans’ Affairs and National Treatment Monitoring Committee—Reports for 1998-99, including reports pursuant to the Defence Service Homes Act 1918 and the War Graves Act 1980.
Sugar Research and Development Corporation and Sugar Research and Development Corporation Selection Committee—Reports for 1998-99.

3 Questions
Questions without notice were answered.
4 HEALTH—MAGNETIC RESONANCE IMAGING SERVICES—ANSWERS TO QUESTIONS
Senator Evans moved—That the Senate take note of the answers given by the Minister for Aboriginal and Torres Strait Islander Affairs (Senator Herron), to questions without notice asked by Senator Cook and the Leader of the Opposition in the Senate (Senator Faulkner) today, relating to magnetic resonance imaging services.
Debate ensued.
Question put and passed.

5 NOTICES
Notices of motion:
The Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Crane): To move on the next day of sitting—That the time for the presentation of the report of the Rural and Regional Affairs and Transport Legislation Committee on the Australian Quarantine and Inspection Service and the importation of salmon be extended to 7 December 1999.
Senator Allison: To move on the next day of sitting—
(1) That the Senate:
   (a) notes that:
      (i) the failure of the United States Senate to ratify the Comprehensive Nuclear Test Ban Treaty sends a strong negative signal to the global community regarding progress toward nuclear weapons disarmament and international security, and
      (ii) Agenda Item 76(R) of the First Committee of the United Nations (UN) General Assembly calls on nuclear weapons states to discharge their Article 6 Nuclear Non-Proliferation Treaty obligations without delay, and calls on all nations that have not done so to sign and ratify the Nuclear Comprehensive Test Ban Treaty; and
   (b) calls on the Australian Government to strongly support Agenda Item 76(R) presented by Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden, particularly in light of the above.
(2) That the text of this resolution be conveyed to the Minister for Foreign Affairs (Mr Downer), to the Australian Ambassador to the UN and to other UN delegations.
Senator Carr: To move on the next day of sitting—that there be laid on the table, no later than 3 pm on 21 October 1999, by the Minister representing the Minister for Education, Training and Youth Affairs (Senator Ellison):
   (a) the agenda and minutes of all meetings of the department’s Higher Education Reform Group in 1999;
   (b) all papers produced by the department’s Higher Education Reform Project in 1999;
   (c) all documents containing any assessment of the New Zealand Higher Education funding system undertaken in 1998 or 1999;
   (d) all sector-wide assessments undertaken in 1998 or 1999 of the financial position of higher education institutions in Australia; and
(e) a copy of the final report, and any other papers produced during the inquiry, of the consultancy undertaken by Mr Raoul Mortley of Delacroix Press examining industrial relations issues in Australian higher education institutions.

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

(a) notes:

(i) two initiatives being developed by Melbourne’s City of Darebin, in conjunction with local aid agencies,

(ii) that the first project would facilitate direct involvement of Australian local government personnel in East Timor’s reconstruction and the second project would provide training and mentoring in local government settings to East Timorese living in Australia who have indicated a desire to return to East Timor,

(iii) the unique pool of skills and human resources available in local government to assist with the reconstruction of East Timor, including accountants, engineers, social workers, project managers, logisticians and mechanics, and

(iv) that several other councils such as the Cities of Yarra, Casey, Port Phillip and Moreland have expressed interest in the projects;

(b) congratulates the City of Darebin for these initiatives, which aim at empowering East Timorese with the skills and knowledge necessary to rebuild their society and physical environment; and

(c) urges the Government to encourage and assist local government to participate in the healing and reconstruction of East Timor’s physical environment and civil society.

Senator Brown: To move on 23 November 1999—That the Senate—

(a) notes that:

(i) 19 November 1999 was the 30th anniversary of the United Nations (UN) Resolution to remove West Papua from its list of non-self-governing territories of the UN Decolonisation Commission,

(ii) documents released in 1999 show that Australian and United States intelligence surmised that 95 per cent of West Papuans wanted independence in 1969, and

(iii) the recent protests against Indonesian rule, involving 1500 youths and other civilians in Jayapura, condemned the government’s move to split the province; and

(b) resolves that the 1969 ‘vote’ in West Papua was neither free nor democratic and the UN should now act to provide West Papuans with a genuine act of self-determination.

Senator Calvert, at the request of the Chairman of the Standing Committee on Regulations and Ordinances (Senator Coonan): To move 15 sitting days after today—That the Superannuation (PSS) Membership Exclusion Amendment Declaration 1999 (No. 1), as contained in Statutory Rules 1999 No. 168 and made under the Superannuation Act 1990, be disallowed.

Senator Calvert, by leave, made a statement relating to the notice of motion.
Notices of motion withdrawn: Senator Calvert, at the request of the Chairman of the Standing Committee on Regulations and Ordinances (Senator Coonan) and pursuant to notice of intention given on 18 October 1999, withdrew business of the Senate notices of motion nos 3 and 5 standing in the name of Senator Coonan for 5 sitting days after today for the disallowance the following instruments:

- Determination No. 1/1999—Determination of Education and Courses, made under subsections 3(1) and 5D(1) of the Student Assistance Act 1973.

6 Postponements

Items of business were postponed as follows:

- General business notice of motion no. 291 standing in the name of Senator Bolkus for 20 October 1999, relating to compensation for the stolen generation, postponed till 24 November 1999.

7 Consideration of Legislation

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell), pursuant to notice of motion not objected to as a formal motion, moved—That the provisions of paragraphs (5) to (7) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

- Equal Opportunity for Women in the Workplace Amendment Bill 1999
- International Tax Agreements Amendment Bill 1999

Question put and passed.

8 Welfare Reform—Order for Production of Documents

Senator Evans, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that, in the interests of an open and informed public debate on social welfare reform, the Minister for Family and Community Services (Senator Newman) should provide all documents relating to the proposed social welfare changes outlined in the discussion paper that she was to have released during her speech on 29 September 1999; and

(b) requires that the Minister lay on the table, no later than 3 pm on 20 October 1999, all documents prepared by the Department of Family and Community Services relating to the social welfare changes outlined in the discussion paper or the paper itself, including:

(i) any assessment of the impact of the proposed social welfare changes on each federal electorate,
(ii) any assessment of the impact of the proposed social welfare changes on various socio-economic groups, and

(iii) any costings or modelling done on the proposed social welfare changes.

Question put.

The Senate divided—

AYES, 35

Senators—

Allison Conroy Greig O’Brien (Teller)
Bartlett Cook Harradine Quirke
Bishop Cooney Lees Ridgeway
Bolkus Crossin Ludwig Schacht
Bourne Crowley Lundy Sherry
Brown Denman Mackay Stott Despoja
Campbell, George Evans McLucas West
Carr Forshaw Murphy Woodley
Collins Gibbs Murray

NOES, 30

Senators—

Abetz Crane Kemp Payne
Alston Eggleston Knowles Reid
Boswell Ellison Lightfoot Tchen
Brownhill Ferguson Mason Tierney
Calvert (Teller) Ferris McGauran Vanstone
Campbell, Ian Gibson Newman Watson
Chapman Heffernan Parer
Coonan Herron Patterson

Question agreed to.

9 QUESTION TIME—COMPLIANCE WITH ORDERS FOR PRODUCTION OF DOCUMENTS

Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved—

(1) That the Senate:

(a) notes the failure by the Minister for Family and Community Services (Senator Newman) to comply with the orders of the Senate of 30 September 1999 and 13 October 1999 to table the welfare reform discussion paper originally prepared for her Press Club speech on 29 September 1999; and

(b) resolves that, until such time as the Minister purges the contempt in which she has held the Senate by tabling the document, question time on each day is to continue until 8 opposition and 3 Democrats questions, not including supplementary questions, have been asked.

(2) This resolution is to remain in force until either the document is tabled or until the last sitting day in 1999, whichever is earlier.

Question put.
The Senate divided—

**AYES, 33**

Senators—

- Allison
- Bartlett
- Bishop
- Bolkus
- Bourne
- Campbell, George
- Carr
- Collins
- Conroy
- Cook
- Cooney
- Crowley
- Denman
- Evans
- Forshaw
- Gibbs
- Greig
- Lees
- Ludwig
- Lundy
- Mackay
- McLucas
- Murphy
- O'Brien (Teller)
- Quirke
- Ridgeway
- Schacht
- Sherry
- Stott Despoja
- West
- Woodley

**NOES, 30**

Senators—

- Abetz
- Alston
- Boswell
- Brownhill
- Calvert (Teller)
- Campbell, Ian
- Chapman
- Coonan
- Crane
- Eggleston
- Ellison
- Ferguson
- Ferris
- Gibson
- Heffernan
- Herron
- Kemp
- Knowles
- Lightfoot
- Mason
- McGauran
- Newman
- Parer
- Patterson
- Payne
- Reid
- Tchen
- Tierney
- Vanstone
- Watson

Question agreed to.

10 **SCRUTINY OF BILLS—STANDING COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator O'Brien, at the request of the Chairman of the Standing Committee for the Scrutiny of Bills (Senator Cooney) and pursuant to notice of motion not objected to as a formal motion, moved—that the time for the presentation of the report of the Standing Committee for the Scrutiny of Bills on search and entry provisions in Commonwealth legislation be extended to 8 December 1999.

Question put and passed.

11 **NATIVE TITLE AND THE ABORIGINAL AND TORRES STRAIT ISLANDER LAND FUND—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Calvert, at the request of the Chair of the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund (Senator Ferris) and pursuant to notice of motion not objected to as a formal motion, moved—that the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund be authorised to hold a public meeting during the sitting of the Senate on 20 October 1999, from 3.30 pm, to take evidence for the committee's inquiry under section 206(d) of the Native Title Act.

Question put and passed.
12 ECONOMICS REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING
Senator O’Brien, at the request of the Chair of the Economics References Committee (Senator Murphy) and pursuant to notice of motion not objected to as a formal motion, moved—That the Economics References Committee be authorised to hold a public meeting during the sitting of the Senate on 20 October 1999, from 3.30 pm, to take evidence for the committee’s inquiry into the operation of the Australian Taxation Office. Question put and passed.

13 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING
Senator Calvert, at the request of the Chair of the Community Affairs Legislation Committee (Senator Knowles) and pursuant to notice of motion not objected to as a formal motion, moved—That the Community Affairs Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on 21 October 1999, from 3 pm till 7 pm, to take evidence for the committee’s inquiry into the Social Security Amendment (Disposal of Assets) Bill 1999. Question put and passed.

14 NORTHERN TERRITORY LEGISLATIVE ASSEMBLY
Senator Calvert, at the request of Senator Tambling and pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—
(a) notes that 19 October 1999 is the 25th anniversary of the election of the first fully-elected Parliament of the Northern Territory;
(b) commends the Northern Territory Legislative Assembly for its continuous advocacy and responsibility in parliamentary matters of debate and constitutional achievement;
(c) recognises the contribution to the Northern Territory made by the Northern Territory Country Liberal Party, the majority party since 1974, the Northern Territory Australian Labor Party, the opposition party since 1977, and various minor party and independent members of the Legislative Assembly;
(d) appreciates the ongoing need for close partnership between the Federal and Northern Territory parliaments and governments to achieve further economic advancements and social development for the Northern Territory community; and
(e) congratulates the people of the Northern Territory on the significant progress that has been made since 1974, both economically and socially, but recognises the ongoing disadvantage of some sectors of the community, particularly Aboriginal people.
Question put and passed.

15 WORLD POPULATION
Statement by leave: Senator Crowley, by leave, made a statement relating to general business notice of motion no. 329 standing in the names of Senators Crowley, Bourne and Payne for today, relating to world population.
Motion determined as not formal: Senator Crowley, also on behalf of Senators Bourne and Payne, requested that the motion be taken as formal.
Statement by leave: Senator Harradine, by leave, made a statement relating to the motion. An objection was raised and the motion was not proceeded with as a formal motion.

Motion determined as not formal: Senator Brown requested that general business notice of motion no. 334 standing in his name for today, relating to world population, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

Proposed suspension of standing orders: Senator Brown, pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent him moving a motion relating to the conduct of the business of the Senate, namely a motion to give precedence to general business notice of motion no. 334. Debate ensued. Question put and negatived.

16 TRADE—AFTA-CER MEETING, SINGAPORE AND VISIT TO JAPAN—MINISTERIAL STATEMENT—DOCUMENT
The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell), by leave, made a statement relating to the 4th AFTA-CER ministerial meeting, Singapore and the visit to Japan by the Minister for Trade (Mr Vaile) and tabled the following document:

Trade—AFTA-CER meeting and visit to Japan—Ministerial statement by the Minister for Trade (Mr Vaile) on the 4th AFTA-CER ministerial meeting, Singapore and his visit to Japan (1-5 October 1999).

Senator Cook, by leave, moved—That the Senate take note of the document. Question put and passed.

17 AUSTRALIAN NATIONAL AUDIT OFFICE—REPORT FOR 1998-99—DOCUMENT
The Acting Deputy President (Senator Ferguson) tabled the following document:


18 DOCUMENTS
The following documents were tabled by the Clerk:


National Health Act—
   National Health (Loyalty Bonus Scheme) Guidelines 1999.
   National Health (Maximum Percentage of Discounting of Contributions to Organisations) Determination 1999.

19 COMMITTEES—CHANGES IN MEMBERSHIP
The Acting Deputy President (Senator Ferguson) informed the Senate that the President had received letters requesting changes in the membership of various committees. The Minister for Regional Services, Territories and Local Government (Senator Macdonald), by leave, moved—That senators be discharged from and appointed to committees as follows:
Employment, Workplace Relations, Small Business and Education Legislation Committee—
Substitute member: Senator Cook to replace Senator Carr on 25 October 1999 for
the consideration of the provisions of the Workplace Relations Legislation
Amendment (More Jobs, Better Pay) Bill 1999
Finance and Public Administration References Committee—
Substitute members: Senators Chapman and Gibson to replace Senators Lightfoot
and Watson for the committee’s inquiry into business taxation reform
Foreign Affairs, Defence and Trade References Committee—
Participating members: Senators Allison and Bartlett for the committee’s inquiry
into the economic, social and political conditions in East Timor.

Question put and passed.

20 GOVERNOR-GENERAL’S MESSAGES—ASSENT TO LAWS
Messages from His Excellency the Governor-General were reported, informing the Senate
that he had assented to the following laws:
13 October 1999—Message No.—

38—
Broadcasting Services Amendment Act (No. 2) 1999 (Act No. 122, 1999)
Crimes Amendment (Fine Enforcement) Act 1999 (Act No. 123, 1999)
Customs Tariff Amendment Act (No. 2) 1999 (Act No. 124, 1999)
Law and Justice Legislation Amendment Act 1999 (Act No. 125, 1999)
States Grants (General Purposes) Amendment Act 1999 (Act No. 126, 1999)
Superannuation (Unclaimed Money and Lost Members) Act 1999 (Act No. 127, 1999)
Superannuation (Unclaimed Money and Lost Members) Consequential and
Transitional Act 1999 (Act No. 128, 1999)
Television Licence Fees Amendment Act 1999 (Act No. 129, 1999)
National Health Amendment (Lifetime Health Cover) Act 1999 (Act No. 130, 1999)

39—
Superannuation Contributions and Termination Payments Taxes Legislation
Amendment Act 1999 (Act No. 131, 1999)
Aged Care Amendment (Omnibus) Act 1999 (Act No. 132, 1999)
Human Rights Legislation Amendment Act (No. 1) 1999 (Act No. 133, 1999)
Electoral and Referendum Amendment Act (No. 1) 1999 (Act No. 134, 1999).

21 STEVEDORING LEVY (COLLECTION) AMENDMENT BILL 1999
Order of the day read for the adjourned debate on the motion of the Special Minister of
State (Senator Ellison)—That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
The Senate resolved itself into committee for the consideration of the bill.
Bill, taken as a whole by leave, debated.

Senator O’Brien moved the following amendments together by leave:

No. 1—Schedule 1, page 3 (after line 4), before item 1, insert:

1A Paragraphs 18(1)(b) and (c)
   Repeal the paragraphs.

1B Paragraph 18(1)(d)
   Omit “, (b) or (c)”.

No. 2—Schedule 1, page 3 (after line 6), at the end of the Schedule, add:

2 Subsection 18(4)
   Repeal the subsection.

Debate ensued.

On the motion of Senator O’Brien further consideration of the amendments was postponed.

On the motion of Senator O’Brien the following amendment was agreed to:

Schedule 1, item 1, page 3 (line 6), omit “$350 million”, substitute “$300 million”.

Consideration resumed of the amendments moved by Senator O’Brien and postponed earlier today.

Debate resumed.

The question for the amendments was divided—

Senator Murray moved the following amendment to Senator O’Brien’s proposed amendment no. 1:

Omit:

1A Paragraphs 18(1)(b) and (c)
   Repeal the paragraphs.

1B Paragraph 18(1)(d)
   Omit “, (b) or (c)”.

Substitute:

1A Paragraph 18(1)(b)
   Repeal the paragraph.

1B Paragraph 18(1)(d)
   Omit “, (b)”.

Debate ensued.

Question—That Senator Murray’s amendment to Senator O’Brien’s proposed amendment no. 1 be agreed to—put and passed.

Debate continued.
Question—That amendment no. 1, as amended, be agreed to—put.

The committee divided—

AYES, 34

Senators—

Allison            Conroy            Harradine            Quirke (Teller)
Bartlett          Cook              Lees               Ridgeway
Bishop            Crossin           Ludwig             Schacht
Bolkus            Crowley           Lundy              Sherry
Bourne            Denman            Mackay            Stott Despoja
Brown             Evans             McLucas            West
Campbell, George  Forshaw           Murphy            Woodley
Carr              Gibbs             Murray
Collins           Greig             O’Brien

NOES, 29

Senators—

Abetz             Eggleston          Lightfoot          Reid
Boswell           Ferguson           Macdonald         Tchen
Brownhill         Ferris             Mason              Tierney
Calvert           Gibson            McGauran (Teller)  Vanstone
Campbell, Ian     Heffernan          Newman            Watson
Chapman           Herron             Parer
Coonan            Kemp              Patterson
Crane             Knowles            Payne

Question agreed to.
Senator O’Brien, by leave, withdrew amendment no. 2.
Bill, as amended, agreed to.
Bill to be reported with amendments.

The Acting Deputy President (Senator Bartlett) resumed the chair and the Chair of Committees (Senator West) reported accordingly.

On the motion of the Minister for Regional Services, Territories and Local Government (Senator Macdonald) the report from the committee was adopted and the bill read a third time.

22 **States Grants (Primary and Secondary Education Assistance) Amendment Bill 1999**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs (Senator Patterson)—That this bill be now read a second time—and on the amendment moved by Senator Carr:

At the end of the motion, add “but the Senate condemns the Government for:

(a) using the important issue of literacy in a cynical political fashion; and

(b) failing to provide government schools with additional resources in line with its increased expenditure for the non-government sector”.

Debate ensued.

*At 6.50 pm:* Debate was interrupted while Senator Crossin was speaking.
23 **GOVERNMENT DOCUMENTS—CONSIDERATION**

The following government documents tabled earlier today (see entry no. 2) were considered:

Comcare Australia—Report for 1998-99, including the report of QWL Corporation Proprietary Limited. Motion to take note of document moved by Senator Cooney and agreed to.


Productivity Commission—Report—No. 8—Impact of competition policy reforms on rural and regional Australia, 8 September 1999. Motion to take note of document moved by Senator Ludwig, debated and agreed to.

Australian Film Commission—Report for 1998-99. Motion to take note of document moved by Senator Cooney and agreed to.

Australian Film, Television and Radio School—Report for 1998-99. Motion to take note of document moved by Senator Cooney and agreed to.


Military Superannuation and Benefits Board of Trustees No. 1—Report for 1998-99. Motion to take note of document moved by Senator Cooney and agreed to.


Repatriation Commission, Department of Veterans’ Affairs and National Treatment Monitoring Committee—Reports for 1998-99. Motion to take note of document moved by Senator Denman. Debate adjourned till Thursday at general business, Senator Denman in continuation.


At 7.20 pm—

24 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.59 pm till Wednesday, 20 October 1999 at 9.30 am.

25 ATTENDANCE

Present, all senators except Senators Harris, Hogg*, Hutchins, McKiernan*, Ray* and Tambling (* on leave).

HARRY EVANS
Clerk of the Senate

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