

1998-2001

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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**1 MEETING OF SENATE**

The Senate met at 9.30 am. The President (Senator the Honourable Margaret Reid) took the chair and read prayers.

**2 PETITIONS**

The following 5 petitions, lodged with the Clerk by the senators indicated, were received:

The President and Senator McLucas, 2 petitions similar in wording, from 89 and 236 petitioners, respectively, requesting that the Senate take action to ensure the independence of the Australian Broadcasting Corporation and to increase its funding.

Senator Conroy, from 233 petitioners, requesting that the Senate reject the proposal to abolish the Administrative Appeals Tribunal.

Senator Lundy, from 202 petitioners, requesting that the Senate support the re-instatement of an environment topic group to future National Youth Roundtable programs.

Senator McLucas, from 14 petitioners, requesting that the Senate call upon the Government to ratify the Optional Protocol to the Convention on the Elimination of all forms of Discrimination Against Women and to seek reform of the United Nations Human Rights Treaty System without restricting Australia's participation in it.

**3 NOTICE**

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

- (a) notes the report in the *Sydney Morning Herald* of 8 February 2001 that Special Air Service troops were deployed in plain clothes and without ministerial authority at the Sydney Olympics; and
- (b) calls:
  - (i) on the Government for an explanation as to why, and
  - (ii) for the release of the new operations manual for Defence forces deployment in the civilian domain, which the Government has stated was to have replaced the Australian Army Manual of Land Warfare Part 1, Volume 3, Pamphlet no. 2, Aid to the Civil Power.

**4 ORDER OF BUSINESS—REARRANGEMENT**

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) moved—That the following government business orders of the day be considered from 12.45 pm till not later than 2 pm today:

No. 7 National Museum of Australia Amendment Bill 2000 [2001].

No. 8 Environment and Heritage Legislation Amendment (Application of Criminal Code) Bill 2000 [2001].

No. 9 International Monetary Agreements Amendment Bill (No. 1) 2000.

Question put and passed.

Senator Ian Campbell moved—That government business notice of motion no. 2 standing in the name of the Minister for the Environment and Heritage (Senator Hill), relating to the allocation of departments to legislative and general purpose standing committees, be postponed till a later hour.

Question put and passed.

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

- (a) general business order of the day no. 92 (Excise Tariff Amendment (Petrol Tax Cut) Bill 2001 and a related bill); and
- (b) consideration of government documents.

Question put and passed.

## 5 POSTPONEMENTS

Items of business were postponed as follows:

General business notice of motion no. 786 standing in the name of Senators Bourne and Allison for today, relating to nuclear weapons, postponed till 27 February 2001.

General business notice of motion no. 798 standing in the name of the Leader of the Opposition in the Senate (Senator Faulkner) for today, relating to outsourcing in the Defence organisation, postponed till 26 February 2001.

General business notice of motion no. 807 standing in the name of Senator Evans for today, proposing an order for the production of documents by the Minister representing the Minister for Health and Aged Care (Senator Vanstone), postponed till 26 February 2001.

## 6 ECONOMICS REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

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 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 March 2001.

Question put and passed.

## 7 AUSTRALIAN COMPETITION AND CONSUMER COMMISSION—AUSTRALIAN GROCERY RETAILERS—ORDER FOR PRODUCTION OF DOCUMENT

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

- (1) That there be laid on the table, as soon as practicable after 30 June 2001, a report by the Australian Competition and Consumer Commission on the prices paid to suppliers by Australian grocery retailers for the goods that they re-sell, and whether retailers and wholesalers of a similar scale, as customers of suppliers, are offered goods on like terms and conditions, and including:
  - (a) an assessment, based on a sampling of key suppliers and major retailers of:
    - (i) the extent of any price differences,
    - (ii) the impact of any such price differences on competition in the relevant markets, and
    - (iii) whether there is public benefit in the existence of price differences;
  - (b) subject to paragraph (2)(b), identification of any conduct found by the commission in the course of preparing the report that is likely to be in breach of the *Trade Practices Act 1974*, together with an account of action taken or proposed to be taken by the commission in respect of such conduct; and

- (c) an outline of the circumstances in which, in the commission's view, differences in prices paid to suppliers by the various industry participants would amount to a breach of the anti-competitive conduct provisions of the Act.
- (2) That, in carrying out the requirements of paragraph (1), the commission:
  - (a) is to take 'prices' to include all aspects of the terms and conditions of dealings between retailers or wholesalers and their suppliers, including the total funding support given by suppliers to the major retailers and wholesalers; and
  - (b) may withhold genuinely commercially sensitive information from the report provided that the withholding of such information does not prevent the commission from giving the Senate a clear account of the matters mentioned in paragraph (1).

Question put and passed.

#### 8 MANDATORY SENTENCING LAWS—NORTHERN TERRITORY

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

- (a) notes:
  - (i) that 9 February 2001 is the anniversary of the death of the 15-year old boy from Groote Eylandt at the Don Dale Detention Centre in Darwin, while serving a mandatory sentence,
  - (ii) the events being held in Darwin to celebrate the life of this young man and to call for changes to Northern Territory law that will prevent a tragedy like this happening again, and
  - (iii) the continuing harm, injustice, expense and discrimination being caused by the Northern Territory's mandatory sentencing laws; and
- (b) calls on the Federal Government to override these laws.

Question put and passed.

#### 9 SUPERANNUATION AND FINANCIAL SERVICES—SELECT COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Calvert, at the request of the Chair of the Select Committee on Superannuation and Financial Services (Senator Watson) 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 Select Committee on Superannuation and Financial Services on the provisions of the Family Law Legislation Amendment (Superannuation) Bill 2000 be extended to 8 March 2001.

Question put and passed.

#### 10 AUSTRALIA NEW ZEALAND FOOD AUTHORITY AMENDMENT BILL 2001

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 following bill be introduced:

A Bill for an Act to amend the *Australia New Zealand Food Authority Act 1991*, and for other purposes.

Question put and passed.

Senator Ian Campbell presented the bill and moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

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

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*Explanatory memorandum:* Senator Ian Campbell tabled an explanatory memorandum relating to the bill.

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*Consideration of legislation:* Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the first day of the 2001 winter sittings.

#### 11 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 Australia New Zealand Food Authority Amendment Bill 2001, allowing it to be considered during this period of sittings.

Question put and passed.

#### 12 EMPLOYMENT, WORKPLACE RELATIONS, SMALL BUSINESS AND EDUCATION LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ESTIMATES 2000-01

Senator Calvert, at the request of the Chair of the Employment, Workplace Relations, Small Business and Education Legislation Committee (Senator Tierney), tabled *Hansard* record of the committee's proceedings (Estimates (Supplementary) 2000-01) and additional information (Estimates (Supplementary) 2000-01—vol. 9).

#### 13 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ESTIMATES 2000-01

Senator Calvert, at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), tabled additional information (Estimates (Supplementary) 2000-01—vols 4-6).

#### 14 PUBLICATIONS—STANDING COMMITTEE—22ND REPORT

The Chair of the Standing Committee on Publications (Senator Lightfoot) tabled the following report:

PUBLICATIONS COMMITTEE  
22ND REPORT

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

The Committee, having considered documents presented to Parliament since 7 December 2000, recommends that the following be printed:

*Aged Care Act 1997*—Report for 1999-2000 on the operation of the Act.

Anglo-Australian Telescope Board—Report for 1999-2000.

Australian Sports Drug Agency—Report for 1999-2000.

Centrelink and the Data-Matching Agency—Data-matching program—Report for 1999-2000.

Christmas Island Casino Surveillance Authority—Report for 1999-2000.

Companies Auditors and Liquidators Disciplinary Board—Report for 1999-2000.

Corporations and Securities Panel—Report for 1999-2000.

Department of the Environment and Heritage—Report for 1999-200, including the report of the Supervising Scientist for the Alligator Rivers Region and reports on the operation of the *Hazardous Waste (Regulation of Exports and Imports) Act 1989* and the *Ozone Protection Act 1989*—Corrigendum.

Family Court of Australia—Report for 1999-2000—Addendum.

Foreign Investment Review Board—Report for 1999-2000.

Great Barrier Reef Marine Park Authority—Report for 1999-2000.

Medibank Private—Report for 1999-2000.

Migration Agents Registration Authority—Report for 1999-2000—Errata.

National Crime Authority—Report for 1999-2000.

Official Establishments Trust—Report for 1999-2000.

Productivity Commission—Report—No. 12—Review of Australia's general tariff arrangements, 22 July 2000.

*War Crimes Act 1945*—Report for 1999-2000 on the operation of the Act.

Wheat Export Authority—Report for 1 October 1999 to 30 September 2000.

Senator Ross Lightfoot

Chairman

8 February 2001.

Senator Lightfoot moved—That the report be adopted.

Question put and passed.

**15 CORPORATIONS AND SECURITIES—JOINT STATUTORY COMMITTEE—REPORT—FEES  
ON ELECTRONIC AND TELEPHONE BANKING**

The Chair of the Parliamentary Joint Committee on Corporations and Securities (Senator Chapman) tabled the following report and documents:

Fees on electronic and telephone banking, dated February 2001, *Hansard* record of the committee's proceedings and submissions [29].

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

Senator Chapman moved—That the Senate take note of the report.

Debate ensued.

On the motion of Senator Carr the debate was adjourned till the next day of sitting.

**16 COMMUNICATIONS AND THE ARTS LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) BILL 2000**

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

Message no. 634, dated 7 February 2001—A Bill for an Act relating to the application of the *Criminal Code* to certain offences, and for related purposes.

The Assistant Treasurer (Senator Kemp) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

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

On the motion of Senator Ludwig the debate was adjourned till the next day of sitting.

**17 TAXATION LAWS AMENDMENT (SUPERANNUATION CONTRIBUTIONS) BILL 2000**

Order of the day read for the further consideration of the bill in committee of the whole.

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*In the committee*

Consideration resumed of the bill—and of the amendment moved by Senator Sherry:

Schedule 1, item 11, page 6 (line 6), omit “30 June 2000”, substitute “28 October 1998”.

Debate resumed.

Question—That the amendment be agreed to—put.

The committee divided—

**AYES, 24**

Senators—

Bishop	Cook	Gibbs	McLucas
Brown	Crossin	Hutchins	O'Brien
Buckland	Crowley	Ludwig (Teller)	Ray
Campbell, George	Denman	Lundy	Schacht
Carr	Faulkner	Mackay	Sherry
Collins	Forshaw	McKiernan	West

**NOES, 38**

Senators—

Abetz	Eggleston	Knowles	Payne
Allison	Ellison	Lees	Reid
Bartlett	Ferguson	Lightfoot	Tambling
Bourne	Ferris	Macdonald, Ian	Tchen
Brandis	Gibson	Macdonald, Sandy	Tierney
Calvert	Greig	Mason	Troeth
Campbell, Ian	Heffernan	McGauran	Vanstone
Chapman	Herron	Minchin	Woodley
Coonan (Teller)	Hill	Murray	
Crane	Kemp	Newman	



Question negatived.

On the motion of Senator Allison the following amendment was debated and agreed to:

Schedule 1, item 11, page 6 (lines 4 to 6), omit subitem (1), substitute:

- (1) The amendment made by item 3 of this Schedule applies to contributions made after 4 pm (by legal time in the Australian Capital Territory) on 19 May 1999.
- (1A) The amendments made by items 1, 2 and 4 and Part 2 of this Schedule apply to contributions made after 4 pm (by legal time in the Australian Capital Territory) on 30 June 2000.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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

On the motion of the Assistant Treasurer (Senator Kemp) the report from the committee was adopted and the bill read a third time.

**18 LEGISLATION AND GENERAL PURPOSE STANDING COMMITTEES—ALLOCATION OF DEPARTMENTS**

The Assistant Treasurer (Senator Kemp), at the request of the Minister for the Environment and Heritage (Senator Hill) and pursuant to notice, moved—That the continuing order of the Senate of 1 May 1996 relating to the allocation of departments to legislative and general purpose standing committees be amended as follows:

Under Finance and Public Administration, insert ‘Reconciliation and Aboriginal and Torres Strait Islander Affairs’.

Debate ensued.

On the motion of the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) the debate was adjourned till a later hour.

**19 AUSTRALIAN RESEARCH COUNCIL BILL 2000  
AUSTRALIAN RESEARCH COUNCIL (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS)  
BILL 2000**

Order of the day read for the consideration of messages nos 616 and 617 from the House of Representatives in committee of the whole (*see entry no. 51, 7 December 2000*).

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*In the committee*

Messages read.

The Minister for Justice and Customs (Senator Ellison) moved—That the committee does not insist on its amendments to which the House of Representatives has disagreed in respect of each bill.

Debate ensued.

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*Documents:* Senator Carr, by leave, tabled the following documents:

Higher education—Copies of documents [5] relating to possible conflicts of interest in the Department of Accounting and Finance, University of Melbourne.

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Debate continued.

The question was divided—

Question—That the committee does not insist on amendments nos 1, 2, 8 and 9 to the Australian Research Council Bill 2000 to which the House has disagreed—put and passed.

Question—That the committee does not insist on amendments nos 3 to 7, 10 and 11 to the Australian Research Council Bill 2000 to which the House has disagreed—put and negatived.

Question—That the committee does not insist on its amendments to the Australian Research Council (Consequential and Transitional Provisions) Bill 2000 to which the House has disagreed—put and negatived.

On the motion of Senator Carr the following amendment to the Australian Research Council Bill 2000 was debated and agreed to:

Clause 3, page 2 (after line 19), at the end of paragraph (a), add:

- (iv) that may, on its own initiative, conduct inquiries into matters related to research and research education and publish the results, provided that the performance of this function does not prejudice the performance of its functions under subparagraph (i), (ii) or (iii); and

On the motion of Senator Greig the following amendments to the Australian Research Council Bill 2000, taken together by leave, were debated and agreed to:

Clause 12, page 8 (line 17), omit paragraph (c), substitute:

- (c) 9 other persons, including one higher degree research student.

Note: The heading to clause 14 is altered by omitting “8” and substituting “9”.

Clause 14, page 9 (line 2), omit “The 8 Board members”, substitute “The 8 non-student Board members”.

Clause 14, page 9 (line 6), omit “this section”, substitute “subsection (1)”.

Clause 14, page 9 (after line 12), at the end of the clause, add:

- (4) The higher degree research student referred to in paragraph 12(c) is to be appointed by the Minister by written instrument for a period of one year from a list of at least three nominations made by the Council of Australian Postgraduate Associations.

Debate continued.

Resolutions to be reported.

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The Acting Deputy President (Senator Chapman) resumed the chair and the Chair of Committees (Senator West) reported that the committee had considered messages nos 616 and 617 from the House of Representatives relating to the Australian Research Council Bill 2000 and the Australian Research Council (Consequential and Transitional Provisions) Bill 2000, and:

- (a) in respect of the Australian Research Council Bill 2000:
  - (i) had resolved not to insist on amendments nos 1, 2, 8 and 9 made by the Senate to which the House of Representatives had disagreed and had made amendments in place of amendments nos 1, 8 and 9, and
  - (ii) had resolved to insist on amendments nos 3 to 7, 10 and 11 made by the Senate to which the House of Representatives had disagreed; and
- (b) in respect of the Australian Research Council (Consequential and Transitional Provisions) Bill 2000, had resolved to insist on the amendments made by the Senate to which the House of Representatives had disagreed.

On the motion of Senator Ellison the report from the committee was adopted.

## 20 **BROADCASTING LEGISLATION AMENDMENT BILL 2000 [2001]**

Order of the day read for the adjourned debate on the motion of the Minister for Communications, Information Technology and the Arts (Senator Alston)—That this bill be now read a second time.

Debate resumed.

Senator Bishop moved the following amendment:

At the end of the motion, add “but the Senate calls on the Government:

- (a) to suspend the auction of datacasting spectrum until the Parliament has completed its consideration of the bill while still allowing the auction process to be completed in the 2000-01 financial year; and
- (b) to rectify its failure to adequately resource the Australian Broadcasting Corporation to effect the national public broadcaster’s transition to the digital world”.

On the motion of the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) the debate was adjourned till the next day of sitting.

## 21 **LEGISLATION AND GENERAL PURPOSE STANDING COMMITTEES—ALLOCATION OF DEPARTMENTS**

Order read for the adjourned debate on the motion of the Minister for the Environment and Heritage (Senator Hill) (*see entry no. 18*).

Debate resumed.

Question put and passed.

**22 PRIVILEGES—HOUSE OF REPRESENTATIVES STANDING COMMITTEE—ATTENDANCE OF SENATORS BEFORE COMMITTEE**

A message from the House of Representatives was reported as follows:

Message no. 635, dated 8 February 2001—House of Representatives Committee of Privileges, requesting that the Senate give leave to certain senators to attend before the committee.

On the motion of the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) consideration of the message was made an order of the day for the next day of sitting.

**23 NATIONAL MUSEUM OF AUSTRALIA AMENDMENT BILL 2000 [2001]**

Order of the day read for the adjourned debate on the motion of the Minister for Communications, Information Technology and the Arts (Senator Alston)—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.

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*In the committee*

Bill taken as a whole by leave.

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*Explanatory memorandum:* The Parliamentary Secretary to Cabinet (Senator Heffernan) tabled a supplementary explanatory memorandum relating to the government amendment to be moved to the bill.

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On the motion of Senator Heffernan the following amendment was agreed to:

Schedule 1, item 7, page 3 (line 28), omit “sections 27F to”, substitute “section 27F or”.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

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

On the motion of Senator Heffernan the report from the committee was adopted and the bill read a third time.

24 **ENVIRONMENT AND HERITAGE LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) BILL 2000 [2001]**

Order of the day read for the adjourned debate on the motion of the Minister for Communications, Information Technology and the Arts (Senator Alston)—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.

---

*In the committee*

Bill, taken as a whole by leave, debated and agreed to.

Bill to be reported without amendment.

---

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

On the motion of the Parliamentary Secretary to Cabinet (Senator Heffernan) the report from the committee was adopted and the bill read a third time.

25 **INTERNATIONAL MONETARY AGREEMENTS AMENDMENT BILL (NO. 1) 2000**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell)—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.

---

*In the committee*

Bill, taken as a whole by leave, agreed to.

Bill to be reported without amendment.

---

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

On the motion of the Parliamentary Secretary to Cabinet (Senator Heffernan) the report from the committee was adopted and the bill read a third time.

*Suspension of sitting:* On the motion of Senator Heffernan the sitting of the Senate was suspended till 2 pm.

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At 2 pm—

**26 QUESTIONS**

Questions without notice were answered.

**27 ELECTORAL FUNDING AND DISCLOSURE—ANSWER TO QUESTION**

The Leader of the Opposition in the Senate (Senator Faulkner) moved—That the Senate take note of the answer given by the Special Minister of State (Senator Abetz) to a question without notice asked by Senator Ferris today relating to electoral funding and disclosure.

Debate ensued.

Question put and passed.

**28 NOTICE OF MOTION**

Senator Brown, by leave, gave a notice of motion as follows: To move on 27 February 2001—That regulation 8 of the Renewable Energy (Electricity) Regulations 2001, as contained in Statutory Rules 2001 No. 2 and made under the *Renewable Energy (Electricity) Act 2000*, be disallowed.

**29 LUCAS HEIGHTS—NUCLEAR REACTOR—ORDER FOR THE PRODUCTION OF DOCUMENTS—DOCUMENTS**

The Minister for Justice and Customs (Senator Ellison), by leave, made a statement relating to the order of the Senate of 6 February 2001 for the production of documents relating to the new reactor at Lucas Heights and tabled the following documents:

Lucas Heights—Nuclear reactor—Copies of documents relating to the design and construction of a new nuclear reactor at Lucas Heights [13] and list of tabled documents.

Senator Forshaw, by leave, moved—That the Senate take note of the statement.

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

**30 EMPLOYMENT, WORKPLACE RELATIONS, SMALL BUSINESS AND EDUCATION REFERENCES COMMITTEE—GOVERNMENT RESPONSE—REGIONAL EMPLOYMENT AND UNEMPLOYMENT**

The Minister for Justice and Customs (Senator Ellison) tabled the following document:

Employment, Workplace Relations, Small Business and Education References Committee—Report—Regional employment and unemployment—Government response, dated February 2001.

Senator Collins, by leave, moved—That the Senate take note of the document.

Debate ensued.

Question put and passed.

**31 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS  
REFERENCES COMMITTEE—GOVERNMENT RESPONSE—HINCHINBROOK CHANNEL**

The Minister for Justice and Customs (Senator Ellison) tabled the following document:

Environment, Communications, Information Technology and the Arts References  
Committee—Report—The Hinchinbrook Channel inquiry—Government response.

Senator Bartlett, by leave, moved—That the Senate take note of the document.

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

**32 FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—GOVERNMENT  
RESPONSE—FORMAT OF PORTFOLIO BUDGET STATEMENTS**

The Minister for Justice and Customs (Senator Ellison) tabled the following document:

Finance and Public Administration Legislation Committee—Third report—Format of  
portfolio budget statements—Government response.

**33 LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—GOVERNMENT RESPONSE—  
OPERATION OF AUSTRALIA'S REFUGEE AND HUMANITARIAN PROGRAM**

The Minister for Justice and Customs (Senator Ellison) tabled the following document:

Legal and Constitutional References Committee—Report—A sanctuary under review:  
An examination of Australia's refugee and humanitarian determination processes—  
Government response.

**34 RURAL AND REGIONAL AND TRANSPORT REFERENCES COMMITTEE—GOVERNMENT  
RESPONSE—AUSTRALIAN DAIRY INDUSTRY**

The Minister for Justice and Customs (Senator Ellison) tabled the following document:

Rural and Regional and Transport References Committee—Report—Deregulation of  
the Australian dairy industry—Government response.

Senator Forshaw, by leave, moved—That the Senate take note of the document.

Debate ensued.

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

**35 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—GOVERNMENT  
RESPONSE—368TH REPORT**

The Minister for Justice and Customs (Senator Ellison) tabled the following document:

Public Accounts and Audit—Joint Statutory Committee—368th report—Government  
response.

**36 TREATIES—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—20TH REPORT**

The Minister for Justice and Customs (Senator Ellison) tabled the following document:

Treaties—Joint Standing Committee—20th report—Government response, dated  
February 2001.

*General business was called on.*

**37 EXCISE TARIFF AMENDMENT (PETROL TAX CUT) BILL 2001 (NO. 2)**  
**CUSTOMS TARIFF AMENDMENT (PETROL TAX CUT) BILL 2001 (NO. 2)**

Order of the day read for the adjourned debate on the motion of Senator Cook—That these bills be now read a second time.

Debate resumed.

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

**38 GOVERNMENT DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION**

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

Australian Tourist Commission—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Department of the Environment and Heritage—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Dairy Research and Development Corporation—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Australian Wool Research and Promotion Organisation—Report for 1999-2000. Motion of Senator Forshaw to take note of document agreed to.

National Oceans Office—Report for the period 22 December 1999 to 30 June 2000. Motion of Senator Bartlett to take note of document agreed to.

Pig Research and Development Corporation and Pig Research and Development Corporation Board Selection Committee—Reports for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Australian Institute of Family Studies—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Superannuation Complaints Tribunal—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Centrelink—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Department of Immigration and Multicultural Affairs—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Department of Agriculture, Fisheries and Forestry—Report for 1999-2000. Motion of Senator Forshaw to take note of document agreed to.

Remuneration Tribunal—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Administrative Appeals Tribunal—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Australian Dairy Corporation—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Australia New Zealand Food Authority—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.



Australian Radiation Protection and Nuclear Safety Agency—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Australian Pork Corporation—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Department of Employment, Workplace Relations and Small Business—Report for 1999-2000. Motion of Senator Forshaw to take note of document agreed to.

Forest and Wood Products Research and Development Corporation and Forest and Wood Products Research and Development Corporation Selection Committee—Reports for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Office of Parliamentary Counsel—Report for 1999-2000. Motion of Senator Cooney to take note of document agreed to.

Australian Competition and Consumer Commission—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Australian Greenhouse Office—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Australian Heritage Commission—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Australian Institute of Criminology and Criminology Research Council—Reports for 1999-2000. Motion of Senator Cooney to take note of document agreed to.

Australian Research Council—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Companies and Securities Advisory Committee—Report for 1999-2000. Motion of Senator Cooney to take note of document agreed to.

Equal Opportunity for Women in the Workplace Agency—Report for the period 1 June 1999 to 31 May 2000. Motion of Senator Cooney to take note of document agreed to.

Family Court of Australia—Report for 1999-2000. Motion of Senator Cooney to take note of document agreed to.

Federal Court of Australia—Report for 1999-2000. Motion of Senator Cooney to take note of document agreed to.

High Court of Australia—Report for 1999-2000. Motion of Senator Cooney to take note of document agreed to.

Inspector-General of Intelligence and Security—Report for 1999-2000. Motion of Senator Cooney to take note of document agreed to.

Sugar Research and Development Corporation and Sugar Research and Development Corporation Selection Committee—Reports for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Veterans' Review Board—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Australian Industrial Relations Commission and Australian Industrial Registry—Reports for 1999-2000. Motion of Senator Cook to take note of document agreed to.

Department of Health and Aged Care—Report for 1999-2000. Motion of Senator O'Brien to take note of document agreed to.

Industrial Relations Court of Australia—Report for 1999-2000. Motion of Senator Forshaw to take note of document agreed to.

Migration Review Tribunal—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Sydney Airports Corporation Limited—Report for 1999-2000. Motion of Senator O'Brien to take note of document agreed to.

Essendon Airport Limited—Report for 1999-2000. Motion of Senator O'Brien to take note of document agreed to.

Employment National Limited—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Medibank Private—Statement of corporate intent 2000-01 to 2002-03. Motion of Senator Forshaw to take note of document agreed to.

Rural Adjustment Scheme Advisory Council and National Rural Advisory Council—Reports for 1999-2000. Motion of Senator Forshaw to take note of document agreed to.

Human Rights and Equal Opportunity Commission—Sex Discrimination Commissioner—National Pregnancy and Work Inquiry—Report—Pregnant and productive—Government response. Motion of Senator Crossin to take note of document agreed to.

Civil Aviation Safety Authority Australia—Report for 1999-2000. Motion of Senator Forshaw to take note of document agreed to.

Refugee Review Tribunal—Report for 1999-2000—Erratum. Motion of Senator Bartlett to take note of document agreed to.

Wet Tropics Management Authority—Report for 1999-2000. Motion of Senator Ludwig to take note of document agreed to.

Australian Centre for International Agricultural Research—Report for 1999-2000. Motion of Senator Denman to take note of document agreed to.

Airservices Australia—Sydney Airport—Maximum movement limit compliance statement for the period 1 July to 30 September 2000. Motion of Senator Sandy Macdonald to take note of document agreed to.

Victorian Regional Forests Agreements—Report for 1999. Motion of Senator Forshaw to take note of the document agreed to.

General business orders of the day nos 49-93 and 95-126 relating to government documents were called on but no motion was moved.

*General business concluded.*

**39 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—ORDERS OF THE DAY—  
CONSIDERATION**

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

Foreign Affairs, Defence and Trade References Committee—Interim report—Disposal of defence property: Artillery Barracks, Fremantle. Motion of Senator West to take note of report agreed to.

Foreign Affairs, Defence and Trade References Committee—Report—East Timor: Final report. Motion of the chair of the committee (Senator Hogg) to take note of report agreed to.

Information Technologies—Select Committee—Final report. Motion of the chair of the committee (Senator Ferris) to take note of report agreed to.

Community Affairs References Committee—Report—Healing our hospitals: Report on public hospital funding. Motion of the chair of the committee (Senator Crowley) to take note of report agreed to.

Rural and Regional Affairs and Transport Legislation Committee—Report—Northern Prawn Fishery Amendment Management Plan 1999—Government response. Motion of Senator Crane to take note of document agreed to.

Legal and Constitutional References Committee—Report—Healing: A legacy of generations: Report of the inquiry into the Federal Government's implementation of recommendations made by the Human Rights and Equal Opportunity Commission in *Bringing Them Home*. Motion of the chair of the committee (Senator McKiernan) to take note of report agreed to.

Finance and Public Administration Legislation Committee—Report—Format of the Portfolio Budget Statements: Third report. Motion of Senator Calvert to take note of report agreed to.

Information Technologies—Select Committee—Report—Cookie monster? Privacy in the information society. Motion of the chair of the committee (Senator Ferris) to take note of report agreed to.

Employment, Workplace Relations, Small Business and Education References Committee—Report—Aspiring to excellence: Report into the quality of vocational education and training in Australia. Motion of the chair of the committee (Senator Collins) to take note of report agreed to.

Environment, Communications, Information Technology and the Arts References Committee—Report—The heat is on: Australia's greenhouse future: Report on global warming and the Convention on Climate Change (Implementation) Bill 1999. Motion of Senator Bolkus to take note of report agreed to.

Public Accounts and Audit—Joint Statutory Committee—379th report—Contract management in the Australian Public Service. Motion of Senator Calvert to take note of report agreed to.

Community Affairs References Committee—Report—A cautionary tale: Fish don't lay tomatoes: Report on the Gene Technology Bill 2000. Motion of the chair of the committee (Senator Crowley) to take note of report agreed to.

Treaties—Joint Standing Committee—36th report—An Extradition Agreement with Latvia and an Agreement with the United States of America on Space Vehicle Tracking and Communication. Motion of Senator Cooney to take note of report agreed to.

**40 AUDITOR-GENERAL'S REPORTS—ORDERS OF THE DAY—CONSIDERATION**

Orders of the day relating to reports of the Auditor-General were called on but no motion was moved.

**41 AUDITOR-GENERAL—AUDIT REPORT NO. 21 OF 2000-2001—DOCUMENT**

The Acting Deputy President (Senator Knowles) tabled the following document:

Auditor-General—Performance audit—Management of the National Highways System Program—Department of Transport and Regional Services (Report No. 21 of 2000-2001).

**42 WORK OF COMMITTEES—1 JULY TO 31 DECEMBER 2000—DOCUMENT**

The Acting Deputy President (Senator Knowles) tabled the following document:

Work of Committees—1 July to 31 December 2000 and consolidated statistics for 1 January to 31 December 2000.

Document ordered to be printed on the motion of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth).

**43 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ESTIMATES 2000-01**

Senator McGauran, at the request of the Chair of the Environment, Communications, Information Technology and the Arts Legislation Committee (Senator Eggleston), tabled additional information received by the committee (Estimates 2000-01—vol. 5).

**44 COMMITTEES—CHANGES IN MEMBERSHIP**

The Acting Deputy President (Senator Knowles) informed the Senate that the President had received letters requesting changes in the membership of various committees.

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth), by leave, moved—That senators be discharged from and appointed to committees as follows:

Economics Legislation Committee—

Substitute member: Senator Calvert to replace Senator Chapman on 21 February 2001 for the consideration of the 2000-01 additional estimates

Environment, Communications, Information Technology and the Arts Legislation Committee—

Substitute member: Senator Lundy to replace Senator Bishop for the consideration of the 2000-01 additional estimates for matters relating to information technology

Finance and Public Administration References Committee—

Participating member: Senator Watson for the committee's inquiry into the Government's information technology outsourcing initiative

Foreign Affairs, Defence and Trade Legislation Committee—

Substitute members:

Senator Mason to replace Senator Payne for 21 February and 22 February 2001 for the consideration of the 2000-01 additional estimates

Senator Calvert to replace Senator Ferguson on 22 February 2001 for the consideration of the 2000-01 additional estimates

Legal and Constitutional Legislation Committee—

Substitute members:

Senator Herron to replace Senator Coonan on 19 February 2001 for the consideration of the 2000-01 additional estimates

Senator McGauran to replace Senator Coonan on 20 February 2001 for the consideration of the 2000-01 additional estimates

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Joint Statutory Committee—

Appointed: Senator Mason, in place of Senator Abetz

Rural and Regional Affairs and Transport Legislation Committee—

Substitute members:

Senator Calvert to replace Senator McGauran for the committee's inquiry into the importation risk assessment on New Zealand apples on 12 February and from 14 February to 16 February 2001

Senator Buckland to replace Senator Forshaw for the committee's inquiry into the importation risk assessment on New Zealand apples on 13 February, 14 February and 16 February 2001

Senator McKiernan to replace Senator Mackay for the committee's inquiry into the importation risk assessment on New Zealand apples on 16 February 2001

Senators' Interests—Standing Committee—

Appointed: Senator Herron

Discharged: Senator Abetz.

Question put and passed.

45 DOCUMENTS

The following documents were tabled by the Clerk:

Broadcasting Services Act—

Determination under Clause 6 of Schedule 4 to the *Broadcasting Services Act 1992* (No. 1) 2000.

Determination under Clause 6 of Schedule 4 to the *Broadcasting Services Act 1992* (No. 1) 2001.

Commonwealth Places (Mirror Taxes) Act—Commonwealth Places (Mirror Taxes) (Modification of Applied Laws—Victoria) Notice 2001.

Fisheries Management Act—Regulations—Statutory Rules 2001 No. 3.

Health Insurance Act—Regulations—Statutory Rules 2001 No. 4.

Higher Education Funding Act—Determinations under section 15—

Determination No. T15 of 2000.

Determination No. T9 of 2001.

Lands Acquisition Act—Statements describing property acquired by agreement under sections 40 and 125 of the Act for specified public purposes [2].

Migration Act—Statements for the period 1 July to 31 December 2000 under section 33 [2].

Radiocommunications Act—

Radiocommunications (section 145(3) Certificates) Determination 2000.

Radiocommunications (Third Party Use—Spectrum Licence) Rules 2000 (No. 2).

Radiocommunications (Trading Rules for Spectrum Licences) Amendment Determination (No. 2) 2000.

Sydney Airport Curfew Act—Dispensations granted under section 20—Dispensation No. 5/01.

Telecommunications Act—Telecommunications (Carrier Licence Exemption) Determination No. 1 of 2001.

#### **46 ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 6.44 pm till Monday, 26 February 2001 at 12.30 pm.

#### **47 ATTENDANCE**

Present, all senators except Senators Boswell, Evans\*, Harris\*, Patterson, Ridgeway\* and Stott Despoja (\* on leave).

**HARRY EVANS**  
Clerk of the Senate