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**Contents**

1	Meeting of Senate.....	3971
2	Parliamentary Zone—Approval of Works Proposal.....	3971
3	Sydney Harbour Federation Trust Bill 2000 [2001] .....	3971
4	Workplace Relations Amendment (Tallies and Picnic Days) Bill 2000 .....	3973
5	Classification (Publications, Films and Computer Games) Amendment Bill (No. 2) 2000 .....	3973
6	Matters of Public Interest .....	3976
7	Questions .....	3976
8	Taxation—Fuel Excise—Answers to Questions.....	3976
9	Environment—Hydro-generators—Answer to Question .....	3977
10	Notices .....	3977
11	Selection of Bills—Standing Committee—Report No. 2 of 2001 .....	3979
12	Rural and Regional Affairs and Transport Legislation Committee—Leave to Meet During Sitting .....	3980
13	Postponements .....	3980
14	Privileges—Standing Committee—Reference.....	3980
15	Foreign Affairs, Defence and Trade References Committee—Extension of Time to Report.....	3980
16	Routine of Business—Variation .....	3980
17	Discussion of Matter of Public Importance.....	3981
18	Scrutiny of Bills—Standing Committee—2nd Report and Alert Digest No. 2 of 2001 .....	3981
19	Regulations and Ordinances—Standing Committee—Document .....	3981
20	Auditor-General—Audit Report No. 29 of 2000-2001—Document .....	3981
21	Documents .....	3981
22	Classification (Publications, Films and Computer Games) Amendment Bill (No. 2) 2000 .....	3981

23	Therapeutic Goods Amendment Bill (No. 4) 2000 [2001].....	3983
24	Adjournment.....	3984
25	Attendance .....	3985

**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 PARLIAMENTARY ZONE—APPROVAL OF WORKS PROPOSAL**

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell), at the request of the Minister for Communications, Information Technology and the Arts (Senator Alston) and pursuant to notice, moved—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the Joint House Department to construct a permanent crowd safety rail at Parliament Drive, in front of Parliament House.

Debate ensued.

Question put and passed.

**3 SYDNEY HARBOUR FEDERATION TRUST BILL 2000 [2001]**

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

Message no. 640, dated 27 February 2001—Sydney Harbour Federation Trust Bill 2000 [2001], agreeing to amendments nos 1 to 21, 25, 28 to 30 and 32 made by the Senate to amendments made by the House, disagreeing to amendments nos 22, 23, 24, 26, 27 and 31 and making amendments in place of amendments nos 27 and 31.

Ordered, on the motion of the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell), that the message be considered in committee of the whole immediately.

The Senate resolved itself into committee for the consideration of the message.

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*In the committee*

Message read.

SCHEDULE OF THE SENATE AMENDMENTS MADE TO AMENDMENTS  
BY THE HOUSE OF REPRESENTATIVES, TO WHICH THE  
HOUSE OF REPRESENTATIVES HAS DISAGREED

**Senate amendments to House of Representatives amendment (13)**

(22) *Opp (16) [Sheet 2109]*

Subclause 63(2), omit paragraph (a) and “or”.

(23) *Opp (17) [Sheet 2109]*

Paragraph 64(1)(b), omit “for a period that ends after the end of 10 years from the commencement of this Act”.

(24) *Opp (18) [Sheet 2109]*

Omit the heading to clause 64A, substitute:

**64A Leases beyond the life of the Trust**

(26) *Opp (19) [Sheet 2109]*

Subclause 64A(1), omit “for a period of longer than 25 years”, substitute “for a period that ends after the end of 10 years from the commencement of this Act”.

SCHEDULE OF AMENDMENTS MADE BY THE SENATE  
TO WHICH THE HOUSE OF REPRESENTATIVES HAS DISAGREED,  
BUT MADE AMENDMENTS IN PLACE THEREOF

**Senate amendment to House of Representatives amendment (16)**(27) *Govt (15) [Sheet EB246]*

Omit the heading to column 3 of the table in Schedule 1, substitute “**Site description in plan lodged under the *Conveyancing Act 1919* of New South Wales**”.

**Senate amendment to House of Representatives amendment (17)**(31) *Govt (19) [Sheet EB246]*

Omit the heading to column 3 of the table in Schedule 2, substitute “**Site description in plan lodged under the *Conveyancing Act 1919* of New South Wales**”.

HOUSE OF REPRESENTATIVES AMENDMENTS  
MADE IN PLACE OF SENATE AMENDMENTS NOS. 27 AND 31

- (1) Senate amendment (27) (proposed heading to column 3 of the table in Schedule 1), omit the proposed heading, substitute “**Site description in plan lodged under the relevant law of New South Wales**”.
- (2) Senate amendment (31) (proposed heading to column 3 of the table in Schedule 2), omit the proposed heading, substitute “**Site description in plan lodged under the relevant law of New South Wales**”.

The Minister for the Environment and Heritage (Senator Hill) moved—That the committee does not insist on its amendments nos 22, 23, 24, 26, 27 and 31 made to amendments made by the House of Representatives to which the House has disagreed and agrees to the amendments made by the House in place of amendments nos 27 and 31.

Debate ensued.

Question put.

The committee divided—

AYES, 39

Senators—

Abetz	Crane	Knowles	Reid
Allison	Eggleston	Lightfoot	Ridgeway
Bartlett	Ellison	Macdonald, Ian	Stott Despoja
Boswell	Ferguson	Macdonald, Sandy	Tchen
Bourne	Ferris	Mason	Tierney
Brandis	Gibson	McGauran	Troeth
Calvert	Greig	Murray	Vanstone
Campbell, Ian	Herron	Newman	Watson
Chapman	Hill	Patterson	Woodley
Coonan (Teller)	Kemp	Payne	

## NOES, 25

## Senators—

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

Question agreed to.

Resolution to be reported.

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The President resumed the chair and the Chair of Committees (Senator West) reported that the committee had considered message no. 640 from the House of Representatives relating to the Sydney Harbour Federation Trust Bill 2000 [2001] and had resolved not to insist on amendments nos 22, 23, 24, 26, 27 and 31 made by the Senate to amendments made by the House of Representatives to which the House had disagreed and had agreed to amendments made by the House in place of amendments nos 27 and 31.

On the motion of Senator Ian Campbell the report from the committee was adopted.

**4 WORKPLACE RELATIONS AMENDMENT (TALLIES AND PICNIC DAYS) BILL 2000**

Order of the day read for the adjourned debate on the motion of the Minister for Justice and Customs (Senator Ellison)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

On the motion of the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) consideration of the bill in committee of the whole was made an order of the day for a later hour.

**5 CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT BILL (NO. 2) 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.

*Statement by President:* The President made a statement relating to remarks made by Senator Greig during debate on the Classification (Publications, Films and Computer Games) Amendment Bill (No. 2) 2000 on 27 February 2001.

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*

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Bill taken as a whole by leave.

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

Law and Justice—Copies of—

Application for compensation—Edward Stals—Claims 97/30987, 97/30988, 97/30990, 97/30993, 97/30998, 97/31003—Victims Compensation Tribunal—Judgment, dated 10 December 1999.

“Victim compensated for alleged underage sex assaults by John Marsden”, *Justinian*, 5 February 2001 [online].

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Senator Greig moved the following amendments together by leave:

Schedule 1, item 5, page 4 (line 4), after “39”, insert “, 41A”.

Schedule 1, page 8 (after line 14), after item 13, insert:

**14 Subsection 7(2)**

Omit “X (Restricted)”, substitute “NVE (Non-violent Erotica)”.

Schedule 1, item 16, page 8 (lines 28 to 30), omit subsection (2), substitute:

(2) Subsection (1) does not require an application for:

(a) a reclassification of a publication, film or computer game under section 39 or a reclassification of a publication or film under section 97A; or

(b) a reclassification of a film classified X that the Board makes under section 41A at the request of the Minister or on its own initiative.

Schedule 1, page 12 (after line 28), after item 32, insert:

**33 Paragraph 20(1)(a)**

Omit “X”, substitute “NVE”.

Schedule 1, page 18 (after line 14), after item 46, insert:

**47 Subsection 33(2)**

Omit “X”, substitute “NVE”.

Schedule 1, page 19 (after line 3), after item 49, insert:

**50 After section 41**

Insert:

**41A Reclassification of films classified X**

(1) Sections 38, 39, 40 and 41 do not apply to a film classified X (a classification that could be applied to films before the commencement of this section).

- (2) The Board may, at any time, reclassify a film classified X.
- (3) The Board may act under subsection (2):
  - (a) at the request of the Minister or on its own initiative; or
  - (b) on an application by a person under section 14.
- (4) If the Minister requests the Board to act under subsection (2), the Board must do so.
- (5) If a participating Minister asks the Minister, in writing, to make a request under this section, the Minister must do so.

#### **41B Notice of intention to reclassify films classified X**

- (1) If the Board proposes to reclassify a film under subsection 41A(2):
  - (a) at the request of the Minister or on its own initiative; or
  - (b) on an application by a person who is not the person (the *former applicant*) on whose application the former classification was made;
 

the Director must, if practicable, give notice of that intention to the former applicant at least 30 days before the Board proposes to consider the matter.
- (2) The notice must:
  - (a) specify the day on which the Board proposes to consider the matter; and
  - (b) invite submissions about the matter.
- (3) The matters that the Board is to take into account in reclassifying a film classified X include issues raised in those submissions.

Schedule 1, item 51, page 19 (line 30), omit “X”, substitute “NVE”.

Schedule 1, item 57, page 21 (line 19), omit “16, 42, 49”, substitute “14, 16, 33, 42, 47, 49”.

Schedule 1, page 21 (after line 24), at the end of the Schedule, add:

#### **58 Films classified X before commencement**

A film that was classified X before the commencement of this Act retains that classification unless it is reclassified under section 41A of the *Classification (Publications, Films and Computer Games) Act 1995* as amended by this Act.

#### **59 Decisions after commencement**

- (1) If an application for classification of a film was pending at the commencement of this Act, the Board must deal with the application using one of the types of classification for films specified in subsection 7(2) of the *Classification (Publications, Films and Computer Games) Act 1995* as amended by this Act.
- (2) The Review Board must deal with an application (including an application pending at the commencement of this Act) for review of a decision of the Board on the classification or reclassification of a film using one of the types of classification for films specified in subsection 7(2) of the *Classification (Publications, Films and Computer Games) Act 1995* as amended by this Act.

Schedule 2, item 2, page 22 (line 13), omit “or X”, substitute “, X or NVE”.

Schedule 2, item 3, page 22 (line 17), omit “or X”, substitute “, X or NVE”.

Schedule 2, item 4, page 22 (line 21), omit “or X”, substitute “, X or NVE”.

Schedule 2, item 6, page 22 (line 28), omit “or X”, substitute “, X or NVE”.

Schedule 2, item 7, page 23 (line 4), omit “or X”, substitute “, X or NVE”.

Schedule 2, page 23 (after line 4), after item 7, insert:

**8 Clause 2 of Schedule 5**

Omit “or X” (wherever occurring), substitute “, X or NVE”.

**9 Clause 6 of Schedule 5**

Repeal the clause.

**10 Paragraph 10(1)(a) of Schedule 5**

Omit “or X”, substitute “, X or NVE”.

**11 Subclause 10(2) of Schedule 5**

Omit “or X”, substitute “, X or NVE”.

Schedule 2, item 12, page 23 (line 29), omit “X”, substitute “NVE”.

Schedule 2, page 24 (after line 1), at the end of the Schedule, add:

**15 Paragraph 30(2)(a) of Schedule 5**

Omit “X”, substitute “NVE”.

Debate ensued.

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*At 12.45 pm:* The Deputy President (Senator West) resumed the chair and the Temporary Chair of Committees (Senator George Campbell) reported progress.

**6 MATTERS OF PUBLIC INTEREST**

Matters of public interest were discussed.

*Suspension of sitting:* On the motion of the Parliamentary Secretary to the Minister for Transport and Regional Services (Senator Boswell) the sitting of the Senate was suspended till 2 pm.

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*At 2 pm—*

**7 QUESTIONS**

Questions without notice were answered.

**8 TAXATION—FUEL EXCISE—ANSWERS TO QUESTIONS**

Senator Cook moved—That the Senate take note of the answers given by the Minister for the Environment and Heritage (Senator Hill) to questions without notice asked by Senators Murphy and Cook today relating to fuel excise.

Debate ensued.

Question put and passed.



# 9 ENVIRONMENT—HYDRO-GENERATORS—ANSWER TO QUESTION

Senator Allison moved—That the Senate take note of the answer given by the Minister for the Environment and Heritage (Senator Hill) to a question without notice asked by Senator Allison today relating to hydro-generators.

Question put and passed.

# 10 NOTICES

*Notices of motion:*

Senator George Campbell: To move on the next day of sitting—That there be laid on the table by the Minister for Industry, Science and Resources (Senator Minchin), no later than immediately after taking note of answers to questions without notice on 26 March 2001, the list of all firms having eligible textile, clothing and footwear (TCF) activities which have been registered for the TCF Strategic Investment Program and which are therefore entitled to a grant under that program.

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

(a) notes that:

- (i) on 1 March to 4 March 2001, the Formula One Grand Prix will be held in a public park in Melbourne,
- (ii) more than 1 000 established trees were cut down to construct the track,
- (iii) for at least 5 months of the year, Grand Prix infrastructure interferes with public access to, and enjoyment of, the park, which comprises 60 per cent of the public open space in the City of Port Phillip,
- (iv) tobacco promotion and advertising in a park is abhorrent,
- (v) the park is progressively degraded each year by the event,
- (vi) each year more than 27 000 tonnes of infrastructure is trucked into the park and then out again, adding to the greenhouse gas problem, as well as polluting several suburbs en route, and
- (vii) the methodology of economic evaluations of the 1996 and 2000 Grand Prix events has not been peer-reviewed and is questioned by some mainstream economists; and

(b) calls on the Victorian State Government to transfer the race to a permanent, purpose-built venue elsewhere in Victoria, which will right the ethical, environmental and economic wrongs caused by the event being held in Albert Park.

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to approve the Lake Eyre Basin Intergovernmental Agreement, and for related purposes. ***Lake Eyre Basin Intergovernmental Agreement Bill 2001.***

Senator Carr: To move on the next day of sitting—That the Senate congratulates the Vice-Chancellor of the Australian National University (ANU), Professor Ian Chubb, for restoring funding of \$100 000 per annum to the Noel Butlin Archives at the university and, in so doing:

- (a) recognising the Noel Butlin Archives as Australia's most important repository of business and labour records;
- (b) honouring the obligations into which the university has entered by maintaining, for public use, this remarkable collection of the history of hundreds of businesses, unions and significant Australians, which constitutes Australia's most important source for the history of enterprise and working life;
- (c) acknowledging the critical position such archival resources occupy in Australian research programs; and
- (d) ensuring that, in respect to the Noel Butlin Archives, the ANU is implementing its unique statutory charter, one characterised by its national role in teaching, post-graduate study and research.

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

- (1) That the resolution of the Senate agreed to on 27 February 2001 in relation to the centenary sittings in Melbourne be modified as follows:
  - (a) After subparagraph (1)(b)(iii), insert:
    - (iiia) addresses by senators and members of the House of Representatives who are independent or members of minority political parties other than the Australian Democrats, for a maximum of 10 minutes each; and
  - (b) After subparagraph (2)(b)(ii), insert:
    - (iia) addresses by senators who are independent or members of minority political parties not mentioned in subparagraph (ii), for a maximum of 10 minutes each.
- (2) That a message be sent to the House of Representatives seeking its concurrence with the modification made by paragraph (1)(a) of this resolution.

Senator Allison: To move 7 sitting days after today—That item 3 of Schedule 3 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.

Senator Brown: To move on 7 March 2001—That the Senate, aware of the high cost of fuel, the continued availability of petroleum from a troubled middle-east, the necessity to employ Australians in growth industries, and the necessity of reducing Greenhouse emissions, calls on the Government to:

- (a) amend the Excise Tariff Act to grant biodiesel fuel the same excise-free status as fuel ethanol;
- (b) give the biodiesel fuel industry the same start-up status as the ethanol industry had with a new 'Biodiesel Bounty Act'; and
- (c) grant biodiesel the status of an alternative fuel under the Diesel and Alternative Fuels Grant Scheme Act.

*Contingent notice of motion:* Senator Bourne: To move (contingent on the order of the day for the further consideration of the Broadcasting Legislation Amendment Bill 2000 [2001] in committee of the whole being called on)—That it be an instruction to the committee of the whole that:

- (a) the committee divide the Broadcasting Legislation Amendment Bill 2000 [2001] to incorporate in a separate bill provisions relating to unrestricted multi-channelling for the Australian Broadcasting Corporation and the Special Broadcasting Service; and

- (b) the committee add to that bill enacting words and provisions for titles, commencement and schedules of amendments.

# 11 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 2 OF 2001

The Chairman of the Selection of Bills Committee (Senator Calvert) tabled the following report:

## SELECTION OF BILLS COMMITTEE REPORT NO. 2 OF 2001

1. The committee met on 27 February 2001.
2. The committee resolved to recommend—

- (a) That the following bill be *referred* to a committee as follows:

Bill title	Stage at which referred	Legislation committee	Reporting date
Australia New Zealand Food Authority Amendment Bill 2001	Immediately	Community Affairs	29 March 2001

- (b) That the following bills **not** be referred to committees:  
Foreign Affairs and Trade Legislation Amendment (Application of Criminal Code) Bill 2000  
Law and Justice Legislation Amendment (Application of Criminal Code) Bill 2000 [2001]  
Migration Legislation Amendment (Integrity of Regional Migration Schemes) Bill 2000  
Migration Legislation Amendment (Migration Agents) Bill 2000  
Petroleum (Submerged Lands) Legislation Amendment Bill (No. 3) 2000  
Petroleum (Submerged Lands) (Registration Fees) Amendment Bill 2000  
Pig Industry Bill 2000

*The committee recommends accordingly.*

3. The committee *deferred* consideration of the following bills to the next meeting:  
(*deferred from meeting of 15 August 2000*)  
Trade Practices Amendment Bill (No. 1) 2000  
Treasury Legislation Amendment (Application of Criminal Code) Bill 2000  
(*deferred from meeting of 5 September 2000*)  
Maritime Legislation Amendment Bill 2000  
(*deferred from meeting of 3 October 2000*)  
Human Rights (Mandatory Sentencing for Property Offences) Bill 2000  
(*deferred from meeting of 6 February 2001*)  
Customs Legislation Amendment and Repeal (International Trade Modernisation) Bill 2000  
Import Processing Charges Bill 2000  
Customs Depot Licensing Charges Amendment Bill 2000  
New Business Tax System (Simplified Tax System) Bill 2000  
Social Security Legislation Amendment (Concession Cards) Bill 2000  
Taxation Laws Amendment (Excise Arrangements) Bill 2000

Paul Calvert  
Chair  
28 February 2001.

Senator Calvert moved—That the report be adopted.

Question put and passed.

**12 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Calvert, by leave and at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Crane), moved—That the Rural and Regional Affairs and Transport Legislation Committee be authorised to hold a public meeting during the sitting of the Senate today from 4.30 pm to 6.30 pm, to take evidence for the committee's inquiry on the import risk assessment on New Zealand apples.

Question put and passed.

**13 POSTPONEMENTS**

Items of business were postponed as follows:

General business notice of motion no. 786 standing in the names of Senators Bourne and Allison for today, relating to nuclear weapons, postponed till 1 March 2001.

**14 PRIVILEGES—STANDING COMMITTEE—REFERENCE**

Senator O'Brien, at the request of Senator Collins and pursuant to notice of motion not objected to as a formal motion, moved—That the following matter be referred to the Committee of Privileges:

In relation to evidence provided to the Employment, Workplace Relations, Small Business and Education Legislation Committee in the course of its estimates hearings:

- (a) whether false or misleading evidence was given in relation to the proposed provision of copies of Australian Workplace Agreements by the Employment Advocate; and
- (b) whether there was improper interference with witnesses, namely the Employment Advocate and the Acting Employment Advocate, in respect of their evidence.

Question put and passed.

**15 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator O'Brien, at the request of the Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Hogg) and pursuant to notice of motion not objected to as a formal motion, moved—That the time for the presentation of the second report of the Foreign Affairs, Defence and Trade References Committee on the examination of developments in contemporary Japan and the implications for Australia be extended to 24 May 2001.

Question put and passed.

**16 ROUTINE OF BUSINESS—VARIATION**

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell), by leave, moved—That consideration of government business continue from 6.50 pm to 7.20 pm today.

Question put and passed.

**17 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE**

The Deputy President (Senator West) informed the Senate that Senator Mackay had proposed that the following matter of public importance be submitted to the Senate for discussion:

The failure of the Government to ensure equitable access to services for people in rural, regional and remote Australia.

The proposal was supported by 4 senators and the matter was discussed.

**18 SCRUTINY OF BILLS—STANDING COMMITTEE—2ND REPORT AND ALERT DIGEST NO. 2 OF 2001**

Senator Denman, at the request of the Chairman of the Standing Committee for the Scrutiny of Bills (Senator Cooney), tabled the following report and document:

2nd report of 2001, dated 28 February 2001.

Alert Digest No. 2 of 2001, dated 28 February 2001.

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

**19 REGULATIONS AND ORDINANCES—STANDING COMMITTEE—DOCUMENT**

The Chairman of the Standing Committee on Regulations and Ordinances (Senator Coonan) tabled the following document:

Delegated legislation monitor—Regulations and disallowable instruments tabled in the Senate in 2000, dated February 2001.

Senator Coonan moved—That the Senate take note of the document.

Question put and passed.

**20 AUDITOR-GENERAL—AUDIT REPORT NO. 29 OF 2000-2001—DOCUMENT**

The President tabled the following document:

Auditor-General—Performance audit—Review of veterans' appeals against disability compensation entitlement decisions: Department of Veterans' Affairs, Veterans' Review Board (Report No. 29 of 2000-2001).

**21 DOCUMENTS**

The following documents were tabled by the Clerk:

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—Directives—Part—

105, dated 24 [5] January; and 2 [3], 6 [5], 8 [7] and 9 [6] February 2001.

106, dated 9 February 2001.

Fisheries Management Act—Northern Prawn Fishery Management Plan 1995—Directions Nos NPFD 47-NPFD 51.

Parliamentary Service Act—Determinations Nos 6, 7 and 8 of 2000.

**22 CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT BILL (No. 2) 2000**

Order 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 amendments moved by Senator Greig (see entry no. 5).

Debate resumed.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 10

Senators—

Allison	Brown	Murray	Stott Despoja
Bartlett	Greig	Ridgeway	Woodley
Bourne (Teller)	Lees		

NOES, 41

Senators—

Bishop	Evans	Knowles	Reid
Brandis	Ferguson	Lightfoot	Sherry
Buckland	Ferris	Ludwig (Teller)	Tambling
Calvert	Forshaw	Lundy	Tchen
Campbell, Ian	Gibbs	Mason	Tierney
Cooney	Gibson	McGauran	Troeth
Crossin	Harradine	McKiernan	Watson
Crowley	Herron	McLucas	West
Denman	Hogg	Patterson	
Eggleston	Hutchins	Payne	
Ellison	Kemp	Ray	

Question negatived.

Question—That the bill be agreed to—divided in respect of Schedule 1, item 51.

Schedule 1, item 51 debated.

Question—That Schedule 1, item 51 stand as printed—put.

The committee divided—

AYES, 35

Senators—

Bishop	Eggleston	Kemp	Ray
Bolkus	Ellison	Knowles	Schacht
Buckland	Ferguson	Ludwig	Tambling
Calvert (Teller)	Forshaw	Lundy	Tchen
Carr	Gibbs	McGauran	Troeth
Collins	Gibson	McKiernan	Vanstone
Cooney	Harradine	McLucas	Watson
Crossin	Hogg	Patterson	West
Denman	Hutchins	Payne	

## NOES, 9

Senators—

Allison	Greig	Murray	Stott Despoja
Bartlett	Lees	Ridgeway	Woodley
Bourne (Teller)			

Item agreed to.

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

Schedule 1, item 13, page 7 (at the end of the table of exempt films), add:

13	Community or cultural	A film wholly comprising a documentary record of a community or cultural activity or event
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Question—That the bill, as amended, be agreed to—put.

The committee divided—

## AYES, 37

Senators—

Bishop	Ferguson	Ludwig (Teller)	Schacht
Buckland	Ferris	Lundy	Sherry
Carr	Forshaw	Macdonald, Sandy	Tambling
Collins	Gibbs	McGauran	Tchen
Coonan	Gibson	McKiernan	Vanstone
Cooney	Harradine	Newman	Watson
Crossin	Hogg	O'Brien	West
Crowley	Hutchins	Patterson	
Denman	Kemp	Payne	
Ellison	Lightfoot	Ray	

## NOES, 9

Senators—

Allison	Greig	Murray	Stott Despoja
Bartlett	Lees	Ridgeway	Woodley
Bourne (Teller)			

Question agreed to.

Bill to be reported with an amendment.

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 Justice and Customs (Senator Ellison) the report from the committee was adopted and the bill read a third time.

**23 THERAPEUTIC GOODS AMENDMENT BILL (No. 4) 2000 [2001]**

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.

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*In the committee*

Bill taken as a whole by leave.

The Leader of the Australian Democrats (Senator Lees) moved the following amendments together by leave:

Clause 2, page 1 (lines 7 to 13), omit the clause, substitute:

**2 Commencement**

- (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.
- (2) Schedule 1 commences on a day to be fixed by Proclamation.
- (3) If Schedule 1 does not commence under subsection (2) within the period of 6 months beginning on the day on which this Act receives the Royal Assent, it commences on the first day after the end of that period.

Page 9 (after line 18), at the end of the bill, add:

**Schedule 2—Restricted goods**

***Therapeutic Goods Act 1989***

**1 Subsection 3(1) (definition of *restricted goods*)**

Repeal the definition.

**2 Section 6AA**

Repeal the section.

**3 Section 6AB**

Repeal the section.

**4 Section 23AA**

Repeal the section.

**5 Subsection 57(9)**

Repeal the subsection.

Debate ensued.

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*At 7.20 pm:* The Acting Deputy President (Senator Murphy) resumed the chair and the Chair of Committees (Senator West) reported progress.

**24 ADJOURNMENT**

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

Debate ensued.



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

Northern Territory—Copies of—

Development of the Northern Territory—Speech to the Fannie Bay CLP branch committee by the Minister for Resource Development (Mr Manzie), dated 28 February 2001.

Kenbi (Cox Peninsula) land claim—Ministerial statement by the Chief Minister of the Northern Territory (Mr Burke), dated 21 February 2001.

Recent developments in interactive gambling—Ministerial statement by the Minister for Racing, Gaming and Licensing (Mr Baldwin), February 2001.

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Debate continued.

The Senate adjourned at 7.36 pm till Thursday, 1 March 2001 at 9.30 am.

**25 ATTENDANCE**

Present, all senators except Senators Harris (on leave).

**HARRY EVANS**  
Clerk of the Senate