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**1 MEETING OF SENATE**

The Senate met at 12.30 pm. The President (Senator the Honourable Margaret Reid) took the chair and read prayers.

**2 PIG INDUSTRY BILL 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.

On the motion of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth) consideration of the bill in committee of the whole was made an order of the day for a later hour.

**3 NEW ZEALAND PARLIAMENT—GIFT—STATEMENT BY PRESIDENT**

The President made a statement relating to a gift received by the Australian Parliament from the New Zealand Parliament.

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*At 2 pm—*

**4 QUESTIONS**

Questions without notice were answered.

**5 ECONOMY—ANSWERS TO QUESTIONS**

Senator Cook moved—That the Senate take note of the answers given by the Assistant Treasurer (Senator Kemp) to questions without notice asked by Senators Cook, Conroy and Bishop today relating to the economy.

Debate ensued.

Question put and passed.

**6 HUMAN CLONING—ANSWER TO QUESTION**

Senator Harradine moved—That the Senate take note of the answer given by the Minister for Family and Community Services (Senator Vanstone) to a question without notice asked by Senator Harradine today relating to human cloning.

Question put and passed.

**7 NATIONAL PARTY OF AUSTRALIA—PERSONAL EXPLANATION**

The Leader of the National Party of Australia in the Senate (Senator Boswell), by leave, made a personal explanation relating to an article in the *Australian* on 26 March 2001 concerning the National Party.

## 8 PETITIONS

The following 4 petitions, lodged with the Clerk by the senators indicated, were received:

The President, from 51 petitioners, requesting that the Senate take action to support the rights of Afghan women and call upon the international community to hold the Taliban accountable for the human, civil and political rights of the people of Afghanistan.

The President and Senator Bourne, from 401 and 1 119 petitioners, respectively, requesting that the Senate take action to ensure the independence of the Australian Broadcasting Corporation and to increase its funding.

Senator Bourne, from 1 petitioner, requesting that the Senate call on the Human Rights and Equal Opportunity Commission to address certain issues relating to Ms Bernadette Faure.

## 9 NOTICES

*Notices of motion:*

The Chair of the Community Affairs Legislation Committee (Senator Knowles): To move on the next day of sitting—That the time for the presentation of the report of the Community Affairs Legislation Committee on the Australia New Zealand Food Authority Amendment Bill 2001 be extended to 3 April 2001.

The Chair of the Community Affairs Legislation Committee (Senator Knowles): To move on the next day of sitting—That the Community Affairs Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on 29 March 2001, from 3.30 pm, to take evidence for the committee's inquiry into the Australia New Zealand Food Authority Amendment Bill 2001.

The Chair of the Legal and Constitutional Legislation Committee (Senator Payne): To move on the next day of sitting—That the time for the presentation of the report of the Legal and Constitutional Legislation Committee on the Freedom of Information Amendment (Open Government) Bill 2000 be extended to 5 April 2001.

The Chair of the Select Committee on Superannuation and Financial Services (Senator Watson): To move on the next day of sitting—That the following matter be referred to the Select Committee on Superannuation and Financial Services for inquiry and report by 24 May 2001:

Issues arising from the committee's report on the Taxation Laws Amendment (Superannuation Contributions) Bill 2000.

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 consideration of the Advance to the Finance Minister for the year ended 30 June 2000 in committee of the whole be made an order of the day for the next day of sitting, and be taken together with the government business order of the day relating to the consideration of the Advance to the President of the Senate for 1999-2000.

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

- (a) notes the announcement by Rio Tinto in the week beginning 18 March 2001 that it would not support mine owner Energy Resources of Australia's development of Jabiluka in the short term;
- (b) advises the Government that it is unacceptable for this major mine site including retention dams, mine construction and associated works to remain in this state for any length of time; and

- (c) calls on the Government to commence discussions with Rio Tinto immediately with a view to an early rehabilitation of the site and for it to be handed back to the traditional owners as soon as possible.

The Chair of the Environment, Communications, Information Technology and the Arts References Committee (Senator Allison): To move on the next day of sitting—That the time for the presentation of the report of the Environment, Communications, Information Technology and the Arts References Committee on the Environment and Heritage Legislation Amendment Bill (No. 2) 2000 [2001] and two related bills be extended to 4 April 2001.

The Chair of the Environment, Communications, Information Technology and the Arts References Committee (Senator Allison): To move on the next day of sitting—That the time for the presentation of the report of the Environment, Communications, Information Technology and the Arts References Committee on telecommunications and electro-magnetic emissions be extended to 5 April 2001.

The Leader of the Australian Democrats (Senator Lees): To move on the next day of sitting—That the Senate—

- (a) notes that:
  - (i) there has been a decrease in the number of general practitioners who bulk bill, particularly in rural and regional areas,
  - (ii) increases in co-payments for pharmaceuticals have made medication less affordable for people on low incomes,
  - (iii) the abolition of the Commonwealth Dental Health Program has left public dental services unable to cope with the demand for treatment, and
  - (iv) these increases have resulted in people on low incomes, in particular pensioners, being unable to pay for the medical and dental treatment that they need; and
- (b) calls on the Government to:
  - (i) act immediately to increase the rates of bulk billing,
  - (ii) restore funding to the Commonwealth Dental Health Program to reduce excessive waiting times for public dental treatment, and
  - (iii) implement a review of the combined effects of increased costs and co-payments for medical and dental services on people on low incomes.

The Chair of the Parliamentary Joint Committee on Corporations and Securities (Senator Chapman): To move on the next day of sitting—That the time for the presentation of the report of the Parliamentary Joint Committee on Corporations and Securities on the provisions of the Corporate Code of Conduct Bill 2000 be extended to 24 May 2001.

The Leader of the Australian Democrats (Senator Lees): To move on the next day of sitting—That the Senate notes that—

- (a) all forestry operations in Coupe LI 126C should be immediately halted due to breaches of the Forestry Practices Code 2000;
- (b) these breaches include:
  - (i) the hydrological survey was inadequate and streams in the coupe remained unidentified and have been significantly damaged,

- (ii) insufficient buffer zones in side stream reserves where waterways have been identified,
- (iii) the Mt Arthur Road has been inadequately constructed, leading to the increased likelihood of siltation problems in waterways;
- (iv) extensive logging has been undertaken without sufficient data and study despite the fact that the threatened crayfish species *Engaeus Orramukunna* is present in the coupe,
- (v) contamination of the water table with chemicals and fertiliser will result from the establishment of plantation operations, and that plantations will reduce the volume of water released from the catchment, and
- (vi) there are no machinery exclusion zones in Variation Area LI 126C; and
- (c) given the steep slopes and difficult nature of the terrain, the whole area should never have been initially approved for logging by Forestry Tasmania.

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

- (a) notes:
  - (i) the damage that the New South Wales Australian Labor Party Government's industry policies have caused the town of Gloucester, following the announcement of 36 job losses at the town's Dairy Farmers butter factory, and
  - (ii) that only 3 years ago, the town suffered 31 job cuts from the Boral Timbers sawmill, after the Carr Government bowed to pressure from city-centric lobby groups, under timber industry reforms;
- (b) condemns the industry policies of the New South Wales Government, which have failed the town of Gloucester and, as a result, will have a direct negative impact on the town's school, small businesses and clubs;
- (c) criticises the New South Wales Government for not following the path of the former Western Australian Government and installing a dairy assistance package, despite voting yes to deregulation, and its lack of interest in the recent job losses announcement by Dairy Farmers; and
- (d) calls on the New South Wales Government to change its industry policies to better suit country Australia, which is struggling to survive a Sydney-centric state government.

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

- (a) notes:
  - (i) the recent closure by the Channel 7 Network of Australia Television,
  - (ii) the problems caused by the sudden closure of Australia Television for Radio Australia, which has piggy-backed into Asia and the Pacific on Australia Television's leased Palapa satellite service, and
  - (iii) the importance of both Radio Australia and a quality television broadcasting service for Australia in the Asia/Pacific region in terms of promoting Australia's political and economic interests and providing an independent news service to the region;
- (b) condemns the Federal Government for its tardiness in selecting a provider to establish a television broadcasting service into the Asia/Pacific region since calling for expressions of interest to provide such a service in August 2000; and

- (c) calls on the Federal Government to fast-track the establishment of an effective television broadcasting service into the Asia/Pacific region as a matter of urgency, preferably by funding the Australian Broadcasting Corporation to provide that service.

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

- (a) notes that the spread of foot and mouth disease in Europe, particularly in the United Kingdom and Northern Ireland, continues at a horrifying pace;
- (b) acknowledges the pain, suffering and financial loss being felt by farmers, their families and their communities;
- (c) understands and empathises with the incredible personal and genetic loss being inflicted on British agriculture; and
- (d) requests that the President of the Senate write to the British National Farmers' Union expressing the Senate's heartfelt sympathy.

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 business of the Senate notices of motion nos 1, 2 and 3 for 27 March 2001, relating to the disallowance of regulations, be called on and taken together when business of the Senate is reached in the routine of business, but be voted on separately.

*Notices of motion withdrawn:*

Senator O'Brien, at the request of Senator Evans, withdrew general business notice of motion no. 849 standing in his name for today, proposing an order for the production of documents by the Minister representing the Minister for Aged Care (Senator Vanstone).

Senator Calvert, at the request of Chairman of the Standing Committee on Regulations and Ordinances (Senator Coonan) and pursuant to notice of intention given on 8 March 2001, withdrew business of the Senate notice of motion no. 1 standing in her name for today for the disallowance of the Civil Aviation Amendment Order (No. 12) 2000, made under subregulation 84A(2) of the Civil Aviation Regulations 1988.

Senator Calvert, at the request of the Chair of the Select Committee on Superannuation and Financial Services (Senator Watson), withdrew general business notice of motion no. 838 standing in his name for today, relating to a variation of appointment of the committee.

*Intention to withdraw:* Senator Calvert, at the request of Chairman of the Standing Committee on Regulations and Ordinances (Senator Coonan) and pursuant to standing order 78, gave notice of Senator Coonan's intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notice of motion no. 1 standing in her name for 10 sitting days after today for the disallowance of the Nuclear Non-Proliferation (Safeguards) Amendment Regulations 2000 (No. 3), as contained in Statutory Rules 2000 No. 305 and made under the *Nuclear Non-Proliferation (Safeguards) Act 1987*.

Senator Calvert, by leave, made a statement relating to the notice of intention.

**10 INDUSTRY—TEXTILE, CLOTHING AND FOOTWEAR—ORDER FOR PRODUCTION OF DOCUMENT—DOCUMENT**

Pursuant to the order of the Senate of 1 March 2001, the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) tabled the following document:

Industry—Textile, clothing and footwear—List of entities registered under the Textile, Clothing and Footwear Strategic Investment Program Scheme (as at 20 March 2000).

*Statement by leave:* Senator Ian Campbell, by leave, made a statement relating to the document.

**11 POSTPONEMENTS**

Senator Brown, by leave, moved—That general business notice of motion no. 851 standing in his name for today, relating to the reference of a matter to the Select Committee on Superannuation and Financial Services, be postponed till the next day of sitting.

Question put and passed.

Items of business were postponed as follows:

General business notice of motion no. 852 standing in the name of the Leader of the Opposition in the Senate (Senator Faulkner) for today, relating to the financial interests of the Minister for the Arts and the Centenary of Federation (Mr McGauran), postponed till 2 April 2001.

**12 FINANCE AND PUBLIC ADMINISTRATION REFERENCES COMMITTEE—INFORMATION TECHNOLOGY OUTSOURCING INQUIRY—ORDER FOR PRODUCTION OF DOCUMENTS**

The Chair of the Finance and Public Administration References Committee (Senator George Campbell), pursuant to notice of motion not objected to as a formal motion, moved—That the Minister representing the Minister for Finance and Administration (Senator Abetz) provide to the Finance and Public Administration References Committee by 26 March 2001 the following documents relating to that committee's inquiry into the Government's information technology (IT) outsourcing initiative:

- (a) a copy of the legal advice obtained by the Department of Finance and Administration from Phillips Fox, referred to in evidence at the public hearing on 7 February 2001;
- (b) a record of documents generated by the Humphry Review and their current location;
- (c) a copy of advice from KPMG on whether the IT outsourcing service contracts contained embedded finance leases;
- (d) copies of the evaluation reports for IT contracts that have been let, with information identified as commercially sensitive 'blacked out' and providing the reasons for such claims;
- (e) a copy of legal advice that the disclosure of evaluation reports to the committee may create a significant risk of litigation to the Commonwealth;
- (f) a copy of a letter and attachments from the Minister for Finance and Administration (Mr Fahey) dated 20 January 1999 to ministers that gives further detail about the Office of Asset Sales and Information Technology Outsourcing's role in going forward with the implementation of the IT initiative and advice as to whether the letter was provided to the Humphry Review;



- (g) details of the transition arrangements and the operation of the Office of Asset Sales and Information Technology Outsourcing (OASITO) for the next 6 months, including:
  - (i) arrangements with the consultants that OASITO previously had on the books,
  - (ii) who is to be retained,
  - (iii) precisely which contracts have been terminated and when, and
  - (iv) ongoing liabilities in terms of contract commitments after 31 December 2001; and
- (h) copies of financial advice from PricewaterhouseCoopers, dated 26 May 2000, and Deloitte Touche Tohmatsu, dated 10 May 2000, on the methodology used to calculate savings.

Question put and passed.

**13 SUPERANNUATION AND FINANCIAL SERVICES—SELECT COMMITTEE—REPORT—PROVISION OF GLOBAL FINANCIAL SERVICES**

The Deputy President (Senator West) tabled the following report and documents received on 22 March 2001:

Superannuation and Financial Services—Select Committee—Opportunities and constraints for Australia to become a centre for the provision of global financial services, dated March 2001, *Hansard* record of the committee's proceedings [9 vols] and submissions [38].

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

**14 GOVERNMENT DOCUMENT—PRESENTED SINCE LAST SITTING OF SENATE**

The Deputy President (Senator West) tabled the following document received on 20 March 2001:

Commission of Taxation—Report for 1999-2000—Corrigenda.

**15 NATIVE TITLE AND THE ABORIGINAL AND TORRES STRAIT ISLANDER LAND FUND—JOINT STATUTORY COMMITTEE—16TH REPORT—DOCUMENT**

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), tabled the following document:

16th report—CERD and the *Native Title Amendment Act 1998*—Supplementary submission.

**16 NORTHERN TERRITORY LEGISLATIVE ASSEMBLY—RESOLUTION—DOCUMENTS**

The Deputy President (Senator West) tabled the following documents:

Northern Territory Legislative Assembly—Resolution—Letters to the President of the Senate, relating to the ratification of treaties by the Federal Government, from—

Chief Minister of the Northern Territory (Mr Burke), dated 13 March 2001 and attachment.

Speaker of the Legislative Assembly of the Northern Territory (Mr McCarthy), dated 9 March 2001.

**17 AUSTRALIAN PARLIAMENTARY DELEGATION TO BANGLADESH AND INDIA—DOCUMENT**

Senator Calvert, by leave, tabled the following document:

Bangladesh and India: An emerging south Asia—Report of the Australian parliamentary delegation, 12 to 24 November 2000, dated March 2001.

**18 DOCUMENTS**

The following documents were tabled by the Clerk:

A New Tax System (Goods and Services Tax) Act—Regulations—Statutory Rules 2001 No. 48.

Aboriginal and Torres Strait Islander Commission Act—Review of electoral systems, dated December 2000.

Aged Care Act—Residential Care Subsidy Amendment Principles 2000 (No. 3).

Air Force Act—Regulations—Statutory Rules 2001 No. 41.

Australian Communications Authority Act—Radiocommunications (Charges) Amendment Determination 2001 (No. 1).

Australian Communications Authority Act and Radiocommunications Act—Radiocommunications (Interpretation) Amendment Determination 2001 (No. 2).

Australian Meat and Live-stock Industry Act—Export of Sheep from Northern Ports Order 2001.

Christmas Island Act—Utilities and Services Ordinance—Public Housing Rents Determination No. 1 of 2001.

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—

Civil Aviation Amendment Order (No. 1) 2001.

Directives—Part 105, dated 1 March 2001 [2].

Exemption No. CASA EX06/2001.

Instruments Nos CASA 109/01 and 110/01.

Defence Act—

Determination under section 58B—Defence Determination 2001/7.

Regulations—Statutory Rules 2001 Nos 42 and 43.

Financial Management and Accountability Act—

Financial Management and Accountability (Amendment of Special Account) Determination 2001/03.

Financial Management and Accountability Amendment Orders 2001 (No. 1).

Goods and Services Tax Determination GSTD 2001/2.

Health Insurance Act—Regulations—Statutory Rules 2001 No. 45.

Immigration (Education) Act—Regulations—Statutory Rules 2001 No. 46.

Migration Act—

Regulations—Statutory Rules 2001 No. 47.

Statement for period 1 July to 31 December 2000 under section—

91L, dated 15 March 2001.

417, dated 29 September 2000.

Ozone Protection Act—Notice of Grant of Licence under section 16, dated 22 February 2001.

Parliamentary Service Act—Determinations Nos 1-3 of 2001.

Product Rulings—

PR 1999/102 (Addendum).

PR 2001/17-PR 2001/25.

Quarantine Act—Quarantine Amendment Proclamation 2000 (No. 3).

Radiocommunications (Transmitter Licence Tax) Act—Radiocommunications (Transmitter Licence Tax) Amendment Determination 2001 (No. 2).

Telecommunications Act—Telecommunications Numbering Plan Amendment 2001 (No. 1).

Therapeutic Goods Act—Therapeutic Goods Orders Nos 67 and 68.

Trade Practices Act—Regulations—Statutory Rules 2001 No. 40.

Weapons of Mass Destruction (Prevention of Proliferation) Act—Regulations—Statutory Rules 2001 No. 44.

**19 GOVERNOR-GENERAL'S PROCLAMATION—COMMENCEMENT OF PROVISIONS OF AN ACT**

A proclamation by His Excellency the Governor-General was tabled, notifying that he had proclaimed the following provisions of an Act to come into operation on the date specified:

*Australian Radiation Protection and Nuclear Safety (Consequential Amendments) Act 1998—Item 5 of Schedule 1—15 March 2001 (Gazette No. S 85, 13 March 2001).*

**20 INDEXED LISTS OF DEPARTMENTAL AND AGENCY FILES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**

The following documents were tabled pursuant to the order of the Senate of 30 May 1996 as amended 3 December 1998:

Indexed lists of departmental and agency files for the period 1 July to 31 December 2000—Statements of compliance—

Attorney-General's portfolio.

Civil Aviation Safety Authority.

**21 APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL (No. 2) 2000-2001  
APPROPRIATION BILL (No. 3) 2000-2001  
APPROPRIATION BILL (No. 4) 2000-2001**

Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:

Message no. 661, dated 8 March 2001—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for expenditure in relation to the Parliamentary Departments, and for related purposes.

Message no. 659, dated 8 March 2001—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.

Message no. 660, dated 8 March 2001—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Ian Campbell moved—That these bills be now read a second time.

On the motion of Senator O'Brien the debate was adjourned till the next day of sitting.

**22 CUSTOMS LEGISLATION AMENDMENT AND REPEAL (INTERNATIONAL TRADE  
MODERNISATION) BILL 2001  
CUSTOMS DEPOT LICENSING CHARGES AMENDMENT BILL 2000  
IMPORT PROCESSING CHARGES BILL 2000**

Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:

Message no. 667, dated 26 March 2001—A Bill for an Act to amend and repeal certain legislation relating to Customs, and for related purposes.

Message no. 654, dated 7 March 2001—A Bill for an Act relating to customs depot licensing charges, and for related purposes.

Message no. 655, dated 7 March 2001—A Bill for an Act to impose import processing charges in respect of certain goods imported into Australia, and for related purposes.

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Ian Campbell moved—That these bills be now read a second time.

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*Explanatory memorandum:* Senator Ian Campbell tabled a revised explanatory memorandum relating to the Customs Legislation Amendment and Repeal (International Trade Modernisation) Bill 2000.

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On the motion of Senator O'Brien the debate was adjourned till the next day of sitting.

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

Messages from the House of Representatives were reported as follows:

Message no. 664, dated 8 March 2001—Australian Research Council Bill 2000, agreeing to original Senate amendments nos 4 to 7 and agreeing to amendments made by the Senate in place of Senate replacement amendment no. 1 and original Senate amendment no. 3.

Message no. 665, dated 8 March 2001—Australian Research Council (Consequential and Transitional Provisions) Bill 2000, agreeing to Senate amendments nos 1 to 3 and agreeing to the amendment made by the Senate in place of Senate amendment no. 4.

**24 MIGRATION—JOINT STANDING COMMITTEE—CHANGE IN MEMBERSHIP**

A message from the House of Representatives was reported acquainting the Senate with a change in the membership of the Joint Standing Committee on Migration, as follows:

Message no. 666, dated 8 March 2001—Mrs Gallus, discharged.

**25 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:

20 March 2001—Message—

No. 2—

*Sydney Harbour Federation Trust Act 2001* (Act No. 2, 2001)

*National Museum of Australia Amendment Act 2001* (Act No. 3, 2001)

No. 3—

*Aboriginal and Torres Strait Islander Commission Amendment Act 2001* (Act No. 4, 2001)

*Communications and the Arts Legislation Amendment (Application of Criminal Code) Act 2001* (Act No. 5, 2001)

21 March 2001—Message No. 4—*Health Legislation Amendment Act (No. 1) 2001* (Act No. 6, 2001)

22 March 2001—Message—

No. 5—

*Workplace Relations Amendment (Tallies) Act 2001* (Act No. 7, 2001)

*Australian Research Council Act 2001* (Act No. 8, 2001)

*Australian Research Council (Consequential and Transitional Provisions) Act 2001* (Act No. 9, 2001)

*Defence Legislation Amendment (Enhancement of the Reserves and Modernisation) Act 2001* (Act No. 10, 2001)

*Defence Reserve Service (Protection) Act 2001* (Act No. 11, 2001)

*Medicare Levy Amendment (CPI Indexation) Act (No. 1) 2001* (Act No. 12, 2001)

*Classification (Publications, Films and Computer Games) Amendment Act (No. 1) 2001* (Act No. 13, 2001)

No. 6—

*Therapeutic Goods Amendment Act 2001* (Act No. 14, 2001)  
*Environment and Heritage Legislation Amendment (Application of Criminal Code) Act 2001* (Act No. 15, 2001).

## 26 PIG INDUSTRY BILL 2000

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

### *In the committee*

Bill, taken as a whole by leave, debated.

On the motion of Senator Forshaw the following amendments, taken together by leave, were debated and agreed to:

Clause 7, page 4 (after line 19), after the definition of *Maternity Leave Act*, insert:

***Presiding Officer*** means:

- (a) in relation to the House of Representatives—the Speaker of the House of Representatives; and
- (b) in relation to the Senate—the President of the Senate.

Clause 11, page 11 (lines 3 to 9), omit the clause, substitute:

### **11 Declaration of industry services body**

- (1) If a funding contract has been made that provides for payments to be made to an eligible body, the Minister may, in writing, declare that body to be the industry services body for the purposes of this Act.  
 Note: Subsection 33(3) of the *Acts Interpretation Act 1901* provides for the repeal, variation etc. of instruments.

- (2) A declaration under this section must specify the day on and after which the relevant body is to be the industry services body. That day must not be earlier than the day after the day, or the later of the days (as the case may be), that paragraph (3)(a) is complied with.
- (3) The Minister must cause a copy of each declaration under this section to be:
  - (a) laid before each House of the Parliament or, if a House is not sitting, presented to the Presiding Officer of that House for circulation to the members of that House and tabling on the next sitting day, within 5 days after the declaration is made; and
  - (b) published in the *Gazette* within 14 days after the declaration is made.
- (4) For the purposes of subsection (3), if a House has been dissolved and the newly-elected House has not met when a declaration is provided to the Presiding Officer, circulation to the persons who were members of that House immediately before the dissolution is taken to be circulation to the members of the House.
- (5) To avoid doubt, the function of a Presiding Officer of receiving, circulating and tabling a declaration under subsection (3) is a function of the Presiding Officer for the purposes of the *Parliamentary Presiding Officers Act 1965*.

- (6) The declaration is not invalid merely because it has not been published as required under subsection (3).

Clause 12, page 11 (line 28) to page 12 (line 1), omit subclause (3), substitute:

- (3) Subject to subsection (3A), where the Minister gives a direction to the industry services body under subsection (1):
  - (a) the Minister must cause a copy of the direction:
    - (i) to be published in the *Gazette* as soon as practicable after giving the direction; and
    - (ii) to be tabled in each House of the Parliament within 5 sitting days of that House after giving the direction; and
  - (b) the annual reports of the body applicable to periods in which the direction has effect must include:
    - (i) particulars of the direction; and
    - (ii) an assessment of the impact that the direction has had on the operations of the body during the period.
- (3A) Subsection (3) does not apply in relation to a particular direction if:
  - (a) the Minister, on the recommendation of the industry services body, determines, in writing, that compliance with the subsection would, or would be likely to, prejudice the commercial activities of the body; or
  - (b) the Minister determines, in writing, that compliance with the subsection would be contrary to the public interest.

Bill, as amended, further debated and agreed to.

Bill to be reported with amendments.

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

On the motion of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth) the report from the committee was adopted and the bill read a third time.

## 27 TREASURY LEGISLATION AMENDMENT (APPLICATION OF CRIMINAL CODE) BILL 2001

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to Cabinet (Senator Heffernan)—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, debated and agreed to.

Bill to be reported without amendment.

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

On the motion of the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) the report from the committee was adopted and the bill read a third time.

**28 WORKPLACE RELATIONS AMENDMENT (UNFAIR DISMISSALS) BILL 1998 [No. 2]**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to Cabinet (Senator Heffernan)—That this bill be now read a second time.

Debate resumed.

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*Document:* Senator Murray, by leave, tabled the following document:

Workplace Relations Amendment (Unfair Dismissals) Bill 1998 [No. 2]—Copy of table, 'Federal Unfair Dismissal Cases: Australia'.

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Debate continued.

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.

**29 FINANCE AND PUBLIC ADMINISTRATION REFERENCES COMMITTEE—INFORMATION TECHNOLOGY OUTSOURCING INQUIRY—ORDER FOR PRODUCTION OF DOCUMENTS—STATEMENT BY LEAVE**

The Special Minister of State (Senator Abetz), by leave, made a statement relating to the order of the Senate made earlier today for the production to the Finance and Public Administration References Committee of documents concerning the committee's inquiry into the Government's information technology outsourcing initiative (*see entry no. 12*).

**30 WORKPLACE RELATIONS AMENDMENT (UNFAIR DISMISSALS) BILL 1998 [No. 2]**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to Cabinet (Senator Heffernan)—That this bill be now read a second time.

Debate resumed.

Question put.

The Senate divided—



## AYES, 31

Senators—

Abetz	Ellison	Lightfoot	Payne
Alston	Ferguson	Macdonald, Ian	Reid
Boswell	Gibson	Macdonald, Sandy	Tambling
Brandis	Heffernan	Mason	Tchen
Campbell, Ian	Herron	McGauran	Tierney
Chapman	Hill	Minchin	Troeth
Coonan (Teller)	Kemp	Newman	Vanstone
Eggleston	Knowles	Patterson	

## NOES, 36

Senators—

Allison	Collins	Gibbs	McLucas
Bartlett	Conroy	Greig	Murphy
Bishop	Cook	Harradine	Murray
Bolkus	Cooney	Hogg	Ray
Bourne	Crossin	Hutchins	Schacht
Brown	Crowley	Lees	Sherry
Buckland	Denman	Ludwig (Teller)	Stott Despoja
Campbell, George	Evans	Mackay	West
Carr	Forshaw	McKiernan	Woodley

Question negatived.

31 **ORDER OF BUSINESS—REARRANGEMENT**

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) moved—That intervening business be postponed till after consideration of government business orders of the day no. 8 (Customs Tariff Amendment Bill (No. 4) 2000) and no. 9 (Lake Eyre Basin Intergovernmental Agreement Bill 2001).

Question put and passed.

32 **CUSTOMS TARIFF AMENDMENT BILL (NO. 4) 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.

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, debated and agreed to.

Bill to be reported without requests for amendments.

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

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

**33 LAKE EYRE BASIN INTERGOVERNMENTAL AGREEMENT BILL 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, agreed to.

Bill to be reported without amendment.

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

On the motion of the Minister for the Environment and Heritage (Senator Hill) the report from the committee was adopted and the bill read a third time.

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*At 9.50 pm—*

**34 ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 10.53 pm till Tuesday, 27 March 2001 at 2 pm.

**35 ATTENDANCE**

Present, all senators except Senators Crane, Harris\*, Lundy and Ridgeway (\* on leave).

**HARRY EVANS**  
Clerk of the Senate