

1998-2001

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 178

TUESDAY, 27 MARCH 2001

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**1 MEETING OF SENATE**

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

**2 GOVERNMENT DOCUMENTS**

The following government documents were tabled:

Airservices Australia—Sydney Airport—Maximum movement limit compliance statement for the period 1 October to 31 December 2000.

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 October to 31 December 2000.

Department of Communications, Information Technology and the Arts—Report—Review of streamed Internet audio and video content, March 2001.

Department of Immigration and Multicultural Affairs—Report for 1999-2000, including a report pursuant to the *Immigration (Education) Act 1971*—Corrigendum.

**3 QUESTIONS**

Questions without notice were answered.

**4 TAXATION—ANSWERS TO QUESTIONS**

Senator Schacht moved—That the Senate take note of the answers given by the Assistant Treasurer (Senator Kemp) to questions without notice asked today relating to the goods and services tax.

Debate ensued.

Question put and passed.

**5 NUCLEAR WASTE—ANSWER TO QUESTION**

Senator Stott Despoja moved—That the Senate take note of the answer given by the Minister for Industry, Science and Resources (Senator Minchin) to a question without notice asked by Senator Stott Despoja today relating to the handling of nuclear waste.

Question put and passed.

**6 DEATH OF FORMER MEMBER VINCENT JOSEPH MARTIN**

The Deputy President (Senator West) informed the Senate of the death, on 10 March 2001, of Vincent Joseph Martin, a member of the House of Representatives for the division of Banks from 1969 to 1980.

**7 PETITIONS**

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

Senator Bourne, from 2 134 petitioners, requesting that the Senate take action to ensure the independence of the Australian Broadcasting Corporation and to increase its funding.

Senator Bourne, from 9 034 petitioners, requesting that the Senate oppose the deregulation of Australia's postal service and support the expansion of the community service obligations of Australia Post.

Senator Greig, from 177 petitioners, requesting that the Senate pass the Classifications (Publications, Films and Computer Games) Amendment Bill (No. 2) 1999.

Senator Lightfoot, from 23 petitioners, requesting that the Senate oppose the proposed takeover of Woodside Australian Energy by Shell.

## 8 NOTICES

### *Notices of motion:*

The Chair of the Rural and Regional Affairs and Transport References Committee (Senator Woodley): To move on the next day of sitting—That the time for the presentation of the report of the Rural and Regional Affairs and Transport References Committee on air safety be extended to 5 April 2001.

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Hogg): To move on the next day of sitting—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade References Committee on the disposal of Defence properties be extended to 24 May 2001.

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

#### (a) notes:

- (i) the disgraceful behaviour of the Teachers Federation on Public Education Day, when political propaganda was handed out to school children aimed at embarrassing the Federal Government, and
- (ii) that information within the document that was given to school children was incorrect on funding that the Commonwealth provides to public schools and failed to mention that the state governments have primary responsibility for funding schools;
- (b) criticises the Teachers Federation for not passing on the true nature of Commonwealth spending on schools, which in the 2000-01 financial year is \$5.2 billion (an increase of 7 per cent on the 1999-2000 financial year) and over the 2001-04 period government schools will receive an extra \$1 billion;
- (c) condemns unions for using children as post offices to deliver mail to parents, when children at school should be free of political point scoring and teachers should not be using school time to lecture children on union policies; and
- (d) calls on the Teachers Federation to come clean on public school spending, with the New South Wales Australian Labor Party Government increasing school spending to the tune of only 1.9 per cent in the 2000-01 financial year.

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

- (a) notes the success of microcredit programs, such as the Grameen Bank of Bangladesh, in alleviating poverty and in particular in addressing those in absolute poverty (those living on less than \$US 1 per day); and
- (b) calls on the Government to implement its promise to double the 1997 microcredit aid budget to \$13 million by the end of this parliamentary term.

*Notice of motion withdrawn:* Senator Calvert, at the request of the Chairman of the Standing Committee on Regulations and Ordinances (Senator Coonan) and pursuant to notice of intention given on 26 March 2001, withdrew business of the Senate notice of motion no. 1 standing in her name for 9 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*.

**9 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—  
EXTENSIONS OF TIME TO REPORT**

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 time for the presentation of reports of the Rural and Regional Affairs and Transport Legislation Committee be extended as follows:

- (a) provisions of the Aviation Legislation Amendment Bill (No. 1) 2001—to 5 April 2001; and
- (b) 2000-01 additional estimates—to 3 April 2001.

Question put and passed.

**10 ECONOMICS LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator Calvert, by leave and at the request of the Chair of the Economics Legislation Committee (Senator Gibson), moved—That the time for the presentation of the report of the committee on the 2000-01 additional estimates be extended to 29 March 2001.

Question put and passed.

**11 ORDER OF BUSINESS—REARRANGEMENT**

Senator Calvert, by leave and at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), moved—That business of the Senate order of the day no. 3, relating to the presentation of the report of the committee on the provisions of the Crimes Amendment (Age Determination) Bill 2001, be postponed till a later hour.

Question put and passed.

**12 LEAVE OF ABSENCE**

Senator Calvert, by leave and at the request of Senator Harris, moved—That leave of absence be granted to Senator Harris for the period 26 March to 5 April 2001, on account of ill health.

Question put and passed.

**13 POSTPONEMENTS**

Items of business were postponed as follows:

General business notice of motion no. 717 standing in the name of the Leader of the Australian Democrats (Senator Lees) for 28 March 2001, relating to the introduction of the Australian Bill of Rights Bill 2000, postponed till 19 June 2001.

General business notice of motion no. 860 standing in the name of the Leader of the Australian Democrats (Senator Lees) for today, relating to medical and dental services, postponed till 2 April 2001.

General business notice of motion no. 862 standing in the name of the Leader of the Australian Democrats (Senator Lees) for today, relating to alleged breaches of the Forestry Practices Code 2000, postponed till 2 April 2001.

**14 PHARMACEUTICAL BENEFITS ADVISORY COMMITTEE—ORDER FOR PRODUCTION OF DOCUMENTS—STATEMENT BY LEAVE**

The Minister for Family and Community Services (Senator Vanstone), by leave, made a statement relating to the order of the Senate of 26 February 2001 for the production of documents concerning the Pharmaceutical Benefits Advisory Committee (*see entry no. 15, 26 February 2001*).

**15 ADVANCE TO THE FINANCE MINISTER—CONSIDERATION**

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 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.

Question put and passed.

**16 RENEWABLE ENERGY (ELECTRICITY) REGULATIONS—MOTIONS FOR DISALLOWANCE—CONSIDERATION**

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 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.

Question put and passed.

**17 SUPERANNUATION AND FINANCIAL SERVICES—SELECT COMMITTEE—REFERENCE**

Senator Brown, pursuant to notice of motion not objected to as a formal motion, moved—That the provisions of the Parliamentary (Choice of Superannuation) Bill 2001 be referred to the Select Committee on Superannuation and Financial Services for inquiry and report by 23 May 2001.

Question put and passed.

**18 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator Calvert, at the request of the Chair of the Community Affairs Legislation Committee (Senator Knowles) and pursuant to notice of motion not objected to as a formal motion, moved—That the 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.

Question put and passed.

**19 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Calvert, at the request of the Chair of the Community Affairs Legislation Committee (Senator Knowles) and pursuant to notice of motion not objected to as a formal motion, moved—That the Community Affairs Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on 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.

Question put and passed.

**20 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator Calvert, at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne) 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 Legal and Constitutional Legislation Committee on the Freedom of Information Amendment (Open Government) Bill 2000 be extended to 5 April 2001.

Question put and passed.

**21 SUPERANNUATION AND FINANCIAL SERVICES—SELECT COMMITTEE—REFERENCE**

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 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.

Question put and passed.

**22 CORPORATIONS AND SECURITIES—JOINT STATUTORY COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator Calvert, at the request of the Chair of the Parliamentary Joint Committee on Corporations and Securities (Senator Chapman) 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 Parliamentary Joint Committee on Corporations and Securities on the provisions of the Corporate Code of Conduct Bill 2000 be extended to 24 May 2001.

Question put and passed.

**23 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS REFERENCES COMMITTEE—EXTENSIONS OF TIME TO REPORT**

The Chair of the Environment, Communications, Information Technology and the Arts References Committee (Senator Allison), pursuant to notice of motion not objected to as a formal motion, moved—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.

Question put and passed.

*Statements by leave:* The Minister for the Environment and Heritage (Senator Hill), Senators Allison and O'Brien, the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) and Senator Carr, by leave, made statements relating to the motion.

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

Question put and passed.

#### 24 COMMUNICATIONS—AUSTRALIA TELEVISION

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

Question put and passed.

#### 25 PRIMARY INDUSTRIES—FOOT AND MOUTH DISEASE

Senator Calvert, at the request of Senator Sandy Macdonald and pursuant to notice of motion not objected to as a formal motion, moved—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.

Question put and passed.



**26 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE**

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

The rejection by the Australian public of the current National Competition Policy, particularly in view of its failure to balance economic with social and environmental considerations, and the need to scrap Competition Policy and abolish the National Competition Council.

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

**27 LEGISLATION COMMITTEES—REPORTS—ADDITIONAL ESTIMATES 2000-01**

Pursuant to order, Senator McGauran, at the request of the chairs of the respective committees, tabled the following reports and documents:

2000-01 additional estimates—

Community Affairs Legislation Committee—Report and *Hansard* record of proceedings [2 vols].

Employment, Workplace Relations, Small Business and Education Legislation Committee—Report, *Hansard* record of proceedings [3 vols] and documents presented to the committee.

Environment, Communications, Information Technology and the Arts Legislation Committee—Report and *Hansard* record of proceedings [2 vols].

Finance and Public Administration Legislation Committee—Report and *Hansard* record of proceedings [3 vols].

Foreign Affairs, Defence and Trade Legislation Committee—Report and *Hansard* record of proceedings [3 vols].

Legal and Constitutional Legislation Committee—Report and *Hansard* record of proceedings [2 vols].

Reports ordered to be printed on the motion of Senator McGauran.

**28 FOREIGN AFFAIRS, DEFENCE AND TRADE LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ESTIMATES 2000-01**

Senator McGauran, at the request of the Chair of the Foreign Affairs, Defence and Trade Legislation Committee (Senator Sandy Macdonald), tabled additional information received by the committee (Estimates 2000-01 (Supplementary)—vols 3 and 4).

**29 DOCUMENTS**

The following documents were tabled by the Clerk:

Commonwealth Authorities and Companies Act—Notices pursuant to paragraph 45(1)(a)—Participation in formation of—

IIF BioVentures Pty Ltd.

IIF Foundation Pty Ltd.

IIF Newport Pty Ltd.

Currency Act—

Currency (Royal Australian Mint) Determination 2001 (No. 1).

Currency (Royal Australian Mint) Determination 2001 (No. 2).

Fisheries Management Act—Northern Prawn Fishery Management Plan 1995—Directions Nos NPFD 52 and NPFD 53.

Higher Education Funding Act—Determination under section 15—Determination No. T17 of 2000.

**30 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—

Aboriginal and Torres Strait Islander Commission.

Industry, Science and Resources portfolio.

**31 ECONOMICS REFERENCES COMMITTEE—APPOINTMENT OF MEMBER**

The Acting Deputy President (Senator Hogg) informed the Senate that the President had received a letter nominating a senator to be a member of a committee.

The Parliamentary Secretary to Cabinet (Senator Heffernan), by leave, moved—That Senator Sherry be appointed a participating member of the Economics References Committee.

Question put and passed.

**32 MIGRATION LEGISLATION AMENDMENT (INTEGRITY OF REGIONAL MIGRATION SCHEMES) BILL 2000**

**TAXATION LAWS AMENDMENT (EXCISE ARRANGEMENTS) BILL 2000**

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

Message no. 668, dated 26 March 2001—A Bill for an Act to amend the law relating to migration, and for related purposes.

Message no. 669, dated 27 March 2001—A Bill for an Act to amend the law relating to customs and excise, and for related purposes.

The Parliamentary Secretary to Cabinet (Senator Heffernan) 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 Heffernan moved—That these bills be now read a second time.

On the motion of Senator O'Brien the debate was adjourned.

On the motion of Senator Heffernan the resumption of the debate was made an order of the day for a later hour.

*Consideration of legislation:* Senator Heffernan moved—That the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

**33 CRIMES AMENDMENT (FORENSIC PROCEDURES) BILL 2001**

A message from the House of Representatives was reported agreeing to the following bill without amendment:

Message no. 670, dated 27 March 2001—Crimes Amendment (Forensic Procedures) Bill 2001.

**34 RENEWABLE ENERGY (ELECTRICITY) REGULATIONS—MOTIONS FOR DISALLOWANCE**

Pursuant to the order agreed to earlier today (*see entry no. 16*), business of the Senate notices of motion standing in the names of Senators Brown and Allison for today were called on.

Senator Brown, pursuant to notice, moved the following motions together—

No. 1—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.

No. 2—That regulations 11 and 19 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 Allison, pursuant to notice, moved—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.

Debate ensued.

Question—That motion no. 1 moved by Senator Brown be agreed to—put and negatived.

Question—That the motion moved by Senator Allison be agreed to—put and negatived.

Question—That motion no. 2 moved by Senator Brown be agreed to—put and negatived.

**35 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—CRIMES AMENDMENT (AGE DETERMINATION) BILL 2001**

Pursuant to order, Senator McGauran, at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), tabled the following report and documents:

Crimes Amendment (Age Determination) Bill 2001, dated March 2001, *Hansard* record of the committee's proceedings [2 vols], document presented to the committee and submissions [7].

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

**36 ORDER OF BUSINESS—REARRANGEMENT**

The Minister for the Environment and Heritage (Senator Hill) moved—That the order of consideration of government business orders of the day for the remainder of today be as follows:

Taxation Laws Amendment (Excise Arrangements) Bill 2000.

No. 2 Administrative Decisions (Effect of International Instruments) Bill 1999.

Question put and passed.

**37 TAXATION LAWS AMENDMENT (EXCISE ARRANGEMENTS) BILL 2000**

Order 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.

Senator Cook moved the following amendment:

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

- (a) failing to listen to the community concerning the goods and services tax (GST) impact on excise levels;
- (b) opposing Labor’s private member’s bill giving a fuel excise cut to motorists yet condoning a Government backbencher’s private member’s bill that would tear up the intergovernmental agreement signed with the states;
- (c) belatedly reducing only a portion of its GST fuel excise windfall merely because it is in a state of panic; and
- (d) its poor administration of the excise regime”.

Debate ensued.

*At 6.50 pm:* Debate was interrupted while Senator Cook was speaking.

**38 GOVERNMENT DOCUMENTS—CONSIDERATION**

The following government document tabled earlier today (*see entry no. 2*) was considered:

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 October to 31 December 2000. Motion to take note of document moved by Senator Stott Despoja and debated. Debate adjourned till Thursday at general business, Senator Forshaw in continuation.

**39 ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 7.40 pm till Wednesday, 28 March 2001 at 9.30 am.

**40 ATTENDANCE**

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

**HARRY EVANS**  
Clerk of the Senate