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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 DOCUMENT

The following government document was tabled:

Australian Law Reform Commission—Report—No. 91—Review of the *Marine Insurance Act 1909*.

3 QUESTIONS

Questions without notice were answered.

4 LEADER AND DEPUTY LEADER OF THE AUSTRALIAN DEMOCRATS—STATEMENT BY LEAVE

Senator Bourne, by leave, informed the Senate of the election of Senator Stott Despoja as the Leader of the Australian Democrats and the election of Senator Ridgeway as Deputy Leader.

5 HIH INSURANCE—ANSWERS TO QUESTIONS

Senator Conroy 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 collapse of HIH Insurance Limited.

Debate ensued.

Question put and passed.

6 VETERANS' AFFAIRS—BRITISH NUCLEAR TESTS—ANSWER TO QUESTION

Senator Allison 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 Allison today relating to compensation for veterans affected by British nuclear tests in Australia.

Question put and passed.

7 PETITIONS

The following 2 petitions, lodged with the Clerk by Senator Ian Macdonald, were received:

From 30 petitioners, requesting that the Senate undertake an inquiry into certain Australian Federal Police (AFP) investigations and the Ombudsman's role in overlooking AFP investigations generally.

From 65 petitioners, requesting that the Senate undertake an inquiry into the Australian insurance superannuation industry, in particular, its treatment of veterans suffering from post-traumatic stress disorder.

8 NOTICES

Notices of motion:

The Chair of the Employment, Workplace Relations, Small Business and Education Legislation Committee (Senator Tierney): To move on the next day of sitting—That the Employment, Workplace Relations, Small Business and Education Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on 24 May 2001, from 4.30 pm, to take evidence for the committee's inquiry into the provisions of the Workplace Relations Amendment (Transmission of Business) Bill 2001 and the provisions of the Workplace Relations (Registered Organisations) Bill 2001.

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 21 June 2001.

The Chair of the Finance and Public Administration Legislation Committee (Senator Mason): To move on the next day of sitting—That the time for the presentation of the report of the Finance and Public Administration Legislation Committee on the Charter of Political Honesty Bill 2000 and three related bills be extended to 27 September 2001.

The Chair of the Select Committee on Superannuation and Financial Services (Senator Watson): To move on the next day of sitting—That the time for the presentation of the report of the Select Committee on Superannuation and Financial Services on its initial terms of reference be extended to 27 September 2001.

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

- (a) notes the resolutions agreed by the Horsham Rural City Council, the Southern Grampians Shire Council and the Warrnambool City Council on 19 March 2001:
 - (i) that Telstra immediately stop offering redundancies in rural Australia,
 - (ii) that the Government use its majority ownership of Telstra to ensure this happens,
 - (iii) that all political parties in the lead-up to the next federal election state their position on the issue of government-funded jobs in rural Australia, and
 - (iv) that Telstra reveal the financial implications of operating call centres, particularly in rural areas and what the financial implications are of Telstra's employment policies in respect to rural Australia;
- (b) calls on the Government to publicly respond to those resolutions and to require Telstra to halt the proposed closure of Telstra Regional Directory Call Centres in Hamilton, Horsham, Warrnambool, Mount Gambier, Ararat and Swan Hill; and
- (c) reminds the Government of the importance of local Telstra Call Centres to the economic benefit and prosperity of these regions.

Senator Heffernan: To move on the next day of sitting—That the Senate notes that—

- (a) this year marks the 15th anniversary of the world's worst nuclear disaster at Chernobyl;

- (b) on 26 April 1986, the Ukraine suffered one of its worst disasters leaving it and neighbouring countries reeling in nuclear turmoil, health problems and human suffering;
- (c) the Australian people remember those that perished and suffered as a result of the disaster;
- (d) since 1986, thousands have died and even today innocent children, youths, adults, and the elderly continue to suffer from the after effects;
- (e) the environmental ramifications caused by the release of radiation continue to impact on the people of Ukraine; and
- (f) the World Congress of Ukrainians and the Australian Federation of Ukrainian Organisations call on Australians to acknowledge this Day of Remembrance, gazetted by the Ukrainian Government in respect of those that suffered and perished in the disaster at Chernobyl in 1986.

Senator Conroy: To move on the next day of sitting—That there be laid on the table by the Minister representing the Treasurer, no later than immediately after motions to take note of answers on 24 May 2001, all documents relating to representations made since March 1996 by, or on behalf of, HII Insurance Pty Ltd and/or all associated companies, to:

- (a) any minister or parliamentary secretary of the Howard Government; or
- (b) the office of any minister or parliamentary secretary of the Howard Government; or
- (c) any agency of the Commonwealth Government,

in relation to any of the following matters:

- (a) proposed amendments to the *Insurance Act 1973*; or
- (b) proposals relating to the enhancement of prudential regulation of the Australian insurance sector; or
- (c) proposals relating to the enhancement of prudential regulation of the Australian financial industry.

Senator Crossin: To move on the next day of sitting—That the time for the presentation of the report of the Joint Standing Committee on the National Capital and External Territories on the sale of the Christmas Island resort be extended to 24 September 2001.

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

- (a) notes:
 - (i) the recent announcement that the Federal Government will provide \$80 million to widen the F3 Freeway between the Hawkesbury River and Calga in New South Wales, and
 - (ii) that the F3 Freeway is one of the busiest roads in Australia, with thousands of motorists using the road every day, and this funding will widen the two lanes into three lanes each way;
- (b) welcomes this funding, which will mean quicker travel times and safer journeys for motorists who use the F3, and who are currently facing congestion and common accidents, particularly between the Hawkesbury River Bridge and Mount White;
- (c) notes that this funding is part of the Federal Government's \$1.6 billion Roads to Recovery program, which is improving roads for all Australians in both city and country areas; and

- (d) commends the Member for Robertson (Mr Lloyd) who has worked tirelessly for his electorate to secure this funding, which will have a direct benefit for people living on the Central Coast.

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

- (a) notes the destruction of important forests in the Otway Ranges of Victoria;
- (b) supports the repeal of the Environment Protection and Biodiversity Conservation Act because it exempts areas covered by Regional Forest Agreements from its operation; and
- (c) calls on the Government to ensure full protection of water quality and flows, biodiversity and forest ecosystems in the Otway Ranges.

Senator Brown: To move on 24 May 2001—That the Senate, on the 50th anniversary of China's military takeover of Tibet, calls on Australian individuals, agencies and companies working in Tibet to ensure that they do not:

- (a) deplete natural resources, with little or no benefit to the Tibetan people;
- (b) facilitate the erosion of Tibetan culture and traditions;
- (c) facilitate the migration and settlement of non-Tibetans into Tibet;
- (d) negatively affect the sustainability of Tibet's ecosystems;
- (e) transfer ownership of Tibetan land and natural resources to non-Tibetans;
- (f) initiate and operate projects without the participation of affected Tibetans; or
- (g) facilitate large-scale, capital-intensive and commercial projects.

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 5 April 2001, withdrew business of the Senate notice of motion no. 4 standing in her name for 9 sitting days after today for the disallowance of the Recognition of Representative Aboriginal/Torres Strait Islander Body 2001 (No. 1), made under subsection 203AD(1) of the *Native Title Act 1993*.

9 HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION

The Minister for Regional Services, Territories and Local Government (Senator Ian Macdonald), by leave, moved—That the hours of meeting for Tuesday, 22 May 2001 be from 2 pm to 6 pm and 7.30 pm to adjournment, and for Thursday, 24 May 2001 be from 9.30 am to 6 pm and 7.30 pm to adjournment, and that:

- (a) the routine of business from 7.30 pm on Tuesday, 22 May 2001 shall be:
 - (i) Budget statement and documents 2001-02, and
 - (ii) adjournment;
- (b) the routine of business from 7.30 pm on Thursday, 24 May 2001 shall be:
 - (i) Budget statement and documents—party leaders and independent senators to make responses to the statement and documents for not more than 30 minutes each, and
 - (ii) adjournment;
- (c) the question for the adjournment of the Senate on each day shall not be proposed until a motion for the adjournment is moved by a minister; and
- (d) on Tuesday, 22 May 2001, the Senate stand adjourned at the conclusion of debate.

Question put and passed.

10 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Calvert, by leave and at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), moved—That the time for the presentation of the report of the committee on the provisions of the Customs Legislation Amendment and Repeal (International Trade Modernisation) Bill 2001 and two related bills be extended to 23 May 2001.

Question put and passed.

11 POSTPONEMENTS

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 19 June 2001.

12 NATIONAL YOUTH WEEK

Senator Allison, at the request of the Leader of the Australian Democrats (Senator Stott Despoja) and pursuant to notice of motion not objected to as a formal motion, moved—That the Senate notes that:

- (a) National Youth Week, which runs from 1 April to 8 April 2001, is a vital opportunity to celebrate young Australians' ideas, contributions, talent and energy;
- (b) young people's contributions to society are often overlooked and undervalued;
- (c) there remain persistent barriers to young people to participate in employment, education and training;
- (d) 21.5 per cent of 15- to 19-year olds are unemployed;
- (e) young people from rural and regional Australia, and those from low socio-economic backgrounds, are seriously under represented in Australia's education system;
- (f) applications to universities in 2000 were 8 408 below 1996 levels and preliminary data shows applications in 2001 were 10 518 (or 5.3 per cent) further below that of the 2000 figures; and
- (g) only 30 per cent of students can now access the youth allowance.

Question put and passed.

13 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—ALLEGATIONS OF BRUTALITY IN THE ARMY'S PARACHUTE BATTALION

The Deputy President (Senator West) tabled the following report and documents received on 10 April 2001:

Rough justice? An investigation into allegations of brutality in the Army's parachute battalion, dated April 2001, *Hansard* record of the committee's proceedings [3 vols] and submissions [3 vols].

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

14 TREATIES—JOINT STANDING COMMITTEE—39TH REPORT

The Deputy President (Senator West) tabled the following report and documents received on 18 April 2001:

39th report—Privileges and immunities of the International Tribunal on the Law of the Sea; and the treaties tabled on 27 February and 6 March 2001, dated April 2001, *Hansard* record of the committee's proceedings [4 vols], minutes of proceedings and submissions.

15 SUPERANNUATION AND FINANCIAL SERVICES—SELECT COMMITTEE—REPORT—ENFORCEMENT OF THE SUPERANNUATION GUARANTEE CHARGE

The Deputy President (Senator West) tabled the following report and documents received on 27 April 2001:

Superannuation and Financial Services—Select Committee—Report—Enforcement of the Superannuation Guarantee Charge, dated April 2001 and submissions [93].

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

16 SUPERANNUATION—SELECT COMMITTEE—DOCUMENTS

The Deputy President (Senator West) tabled the following documents received on 2 May 2001:

Superannuation—Select Committee—Submissions relating to the committee's inquiries—

2nd report—Super Guarantee Bills. [*Report tabled 18 June 1992*]

5th report—Super Supervisory Levy. [*Report tabled 25 November 1993*]

Super Charges—An issues paper on fees, commissions, charges and disclosure in the superannuation industry. [*Document tabled 9 August 1992*]

17 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS REFERENCES COMMITTEE—REPORT—ELECTROMAGNETIC RADIATION

The Deputy President (Senator West) tabled the following report and documents received on 4 May 2001:

Electromagnetic radiation, dated May 2001, *Hansard* record of the committee's proceedings [6 vols], documents presented to the committee and submissions [149].

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

18 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS REFERENCES COMMITTEE—REPORT—HERITAGE LEGISLATION

The Deputy President (Senator West) tabled the following report and documents received on 8 May 2001:

Environment and Heritage Legislation Amendment Bill (No. 2) 2000, Australian Heritage Council Bill 2000 [and] Australian Heritage Council (Consequential and Transitional Provisions) Bill 2000, dated May 2001, *Hansard* record of the committee's proceedings [2 vols], documents presented to the committee, answers to questions on notice and submissions [32].

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

**19 CORPORATIONS AND SECURITIES—JOINT STATUTORY COMMITTEE—REPORT—
CORPORATIONS LEGISLATION**

The Deputy President (Senator West) tabled the following report and documents received on 18 May 2001:

The *Corporations (Commonwealth Powers) Act 2001* (NSW) and the Corporations Bill 2001 and the Australian Securities and Investments Commission Bill 2001, dated May 2001, *Hansard* record of the committee's proceedings and submissions.

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

20 GOVERNMENT DOCUMENTS—PRESENTED SINCE LAST SITTING OF SENATE

The Deputy President (Senator West) tabled the following documents received since the last sitting of the Senate:

Australian Broadcasting Authority—Co-regulatory scheme for Internet content regulation—Report for the period 1 July to 31 December 2000. [*Received 19 April 2001*]

Australian Citizenship Council—Report—Australian citizenship for the new century—Government response: Australian citizenship... A common bond. [*Received 17 May 2001*]

IIF (CM) Investments Pty Limited—Report for 1999-2000. [*Received 7 May 2001*]

IIF Investments Pty Limited—Report for 1999-2000. [*Received 7 May 2001*]

21 AUDITOR-GENERAL—AUDIT REPORTS NOS 32 TO 36 OF 2000-2001—DOCUMENTS

The Deputy President (Senator West) tabled the following documents received since the last sitting of the Senate:

Auditor-General—Audit reports for 2000-2001—

No. 32—Performance audit—Defence Cooperation Program—Department of Defence. [*Received 6 April 2001*]

No. 33—Performance audit—Australian Defence Force Reserves—Department of Defence. [*Received 7 May 2001*]

No. 34—Performance audit—Assessment of new claims for the age pension by Centrelink—Centrelink. [*Received 17 May 2001*]

No. 35—Performance audit—Family and Community Services' oversight of Centrelink's assessment of new claims for the age pension—Department of Family and Community Services. [*Received 17 May 2001*]

No. 36—Performance audit—Municipal services for Indigenous communities—Aboriginal and Torres Strait Islander Commission. [*Received 18 May 2001*]

**22 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—
GOVERNMENT RESPONSE—AUSTRALIAN MEAT AND LIVE-STOCK INDUSTRY (HIGH
QUALITY BEEF EXPORT TO THE EUROPEAN UNION) ORDER 2000**

The Deputy President (Senator West) tabled the following document received on 17 April 2001:

Rural and Regional Affairs and Transport Legislation Committee—Report—Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Order 2000—Government response.

**23 EMPLOYMENT, WORKPLACE RELATIONS, SMALL BUSINESS AND EDUCATION
REFERENCES COMMITTEE—GOVERNMENT RESPONSE—QUALITY OF VOCATIONAL
EDUCATION AND TRAINING IN AUSTRALIA**

The Deputy President (Senator West) tabled the following document received on 16 May 2001:

Employment, Workplace Relations, Small Business and Education References Committee—Report—Quality of Vocational Education and Training in Australia—Government response, dated May 2001.

24 ENVIRONMENT—BIODIESEL FUEL—DOCUMENT

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

Environment—Biodiesel fuel—Letter to the President of the Senate from the Minister for the Environment and Heritage (Senator Hill) responding to the resolution of the Senate of 8 March 2001, dated 10 April 2001.

**25 INTERNATIONAL WOMEN'S DAY—AUSTRALIAN WOMEN IN AGRICULTURE—
DOCUMENT**

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

International Women's Day—Australian women in agriculture—Letter to the President of the Senate from the Minister for Transport and Regional Services (Mr Anderson) responding to the resolution of the Senate of 8 March 2001, dated 30 April 2001.

26 DEPARTMENT OF THE SENATE—SURVEY OF SENATORS' SATISFACTION—DOCUMENT

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

Department of the Senate—Survey of senators' satisfaction with the services provided by the department—Report prepared by Nexus Research, dated May 2001.

27 CENTENARY OF FIRST MEETINGS OF PARLIAMENT—DOCUMENT

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

Centenary of First Meetings of Parliament—Letter to the President of the Senate from the Presiding Officers of the Houses of Parliament of the United Kingdom and Joint Presidents of the United Kingdom Branch of the Commonwealth Parliamentary Association (Rt Hon. Lord Irvine of Lairg (Lord Chancellor) and Rt Hon. Michael Martin, MP (Speaker of the House of Commons)) relating to the centenary of the first meetings of the Houses of the Commonwealth Parliament, dated 3 May 2001.

28 COMMONWEALTH PARLIAMENTARY ASSOCIATION—46TH CONFERENCE—DOCUMENT

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

Commonwealth Parliamentary Association—Report of the delegation to the 46th Commonwealth Parliamentary Conference, London and Edinburgh, United Kingdom, 20 to 29 September 2000.

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

Senator Calvert, at the request of the Chair of the Employment, Workplace Relations, Small Business and Education Legislation Committee (Senator Tierney), tabled additional information received by the committee (Additional estimates 2000-01—vol. 2).

**30 FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—ADDITIONAL
INFORMATION—ESTIMATES 2000-01**

Senator Calvert, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Mason), tabled additional information received by the committee (Estimates (Supplementary) 2000-01—vol. 2).

**31 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—
ADDITIONAL INFORMATION—ADDITIONAL ESTIMATES 2000-01**

Senator Calvert, at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Crane), tabled additional information received by the committee (Additional estimates 2000-01—vols 1 and 2).

32 PUBLIC WORKS—JOINT STATUTORY COMMITTEE—5TH REPORT OF 2001

Senator Calvert, on behalf of the Parliamentary Standing Committee on Public Works, tabled the following report:

5th report of 2001—Site filling, stabilisation and construction of infrastructure at the Defence site at Ermington, New South Wales.

Senator Calvert, by leave, moved—That the Senate take note of the report.

Question put and passed.

**33 EMPLOYMENT, WORKPLACE RELATIONS, SMALL BUSINESS AND EDUCATION
REFERENCES COMMITTEE—GOVERNMENT RESPONSE—QUALITY OF VOCATIONAL
EDUCATION AND TRAINING IN AUSTRALIA—CONSIDERATION**

Senator Carr, by leave, moved—That the Senate take note of the document tabled earlier today (*see entry no. 23*).

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

**34 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—
GOVERNMENT RESPONSE—AUSTRALIAN MEAT AND LIVE-STOCK INDUSTRY (HIGH
QUALITY BEEF EXPORT TO THE EUROPEAN UNION) ORDER 2000—CONSIDERATION**

Senator Forshaw, by leave, moved—That the Senate take note of the document tabled earlier today (*see entry no. 22*).

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

35 DOCUMENTS

The following documents were tabled by the Clerk:

A New Tax System (Goods and Services Tax) Act—A New Tax System (Goods and Services Tax) (Exempt Taxes, Fees and Charges) Determination 2000 (No. 3).

Aboriginal and Torres Strait Islander Commission Act—Review panel convened by the Minister under section 141—Final boundary recommendations.

ACIS Administration Act—

ACIS Administration (Determination of Eligible Investment) Guidelines 2001.

ACIS Administration (Registration for the Purpose of the Act) Guidelines 2001.

Regulations—Statutory Rules 2001 No. 82.

Aged Care Act—Aged Care (Payroll Tax Supplement) Determination 2001.

Air Navigation Act—Regulations—Statutory Rules 2001 No. 73.

Airports Act—Regulations—Statutory Rules 2001 No. 92.

Australian Antarctic Territory Act—Weapons Ordinance 2001—Ordinance No. 1 of 2001.

Australian Bureau of Statistics Act—Proposals Nos 2-6 of 2001.

Australian Federal Police Act—Regulations—Statutory Rules 2001 No. 77.

Australian Wine and Brandy Corporation Act—Regulations—Statutory Rules 2001 No. 76.

Broadcasting Services Act—Determination under Clause 6 of Schedule 4 to the *Broadcasting Services Act 1992* (No. 2) 2001.

Child Support (Registration and Collection) Act—Regulations—Statutory Rules 2001 No. 66.

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

Civil Aviation Amendment Order (No. 4) 2001.

Civil Aviation Amendment Order (No. 5) 2001.

Civil Aviation Amendment Order (No. 6) 2001.

Directive—Part—

105, dated 2 [15], 3 [4], 5, 6 [3], 9, 10 [2], 11 [2], 19, 20 [3], 23, 24 [3], 26, 27 [2] and 30 April; and 3 [3] and 7 May 2001.

106, dated 9, 12, 19, 20 and 29 [2] April; and 4 May 2001.

Exemption No. CASA EX01/2001.

Instruments Nos CASA 128/01 and CASA 158/01.

- Class Rulings CR 2001/5-CR 2001/15.
- Commonwealth Electoral Act—Regulations—Statutory Rules 2001 No. 58.
- Commonwealth Places (Mirror Taxes) Act—Commonwealth Places (Mirror Taxes) Modification of Applied Laws (Tasmania) Notice 2001.
- Currency Act—
 Currency (Perth Mint) Determination 2001 (No. 1).
 Currency (Royal Australian Mint) Determination 2001 (No. 3).
- Customs Act—Regulations—Statutory Rules 2001 Nos 60, 63 and 89.
- Defence Act—Determinations under section 58B—Defence Determinations 2001/9-2001/13.
- Electronic Transactions Act—Regulations—Statutory Rules 2001 No. 84.
- Environment Protection and Biodiversity Conservation Act—Coringa-Herald National Nature Reserve and Lihou Reef National Nature Reserve—
 Comments on representations on the draft management plan, dated February 2001.
 Management plan.
- Excise Act, Distillation Act, Spirits Act and Coal Excise Act—Regulations—Statutory Rules 2001 No. 83.
- Excise Bulletin EB 2001/1.
- Farm Household Support Act—
 Dairy Exit Program Scheme Amendment 2001 (No. 1).
 Farm Help Re-establishment Grant Scheme Amendment 2001 (No. 1).
- Financial Transaction Reports Act—Regulations—Statutory Rules 2001 No. 64.
- Fisheries Management Act—Australian Fisheries Management Authority Temporary Order No. 1 of 2001.
- Health Insurance Act—Regulations—Statutory Rules 2001 Nos 78-80.
- Heard Island and McDonald Islands Act —Weapons Ordinance 2001—Ordinance No. 1 of 2001.
- Higher Education Funding Act—Determination under section 15—
 Determinations Nos T19 and T20 of 2000.
 Determination No. T13 of 2001.
- Income Tax Assessment Act 1936*—Regulations—Statutory Rules 2001 No. 81.
- Insurance Act—Regulations—Statutory Rules 2001 No. 71.
- Migration Act—
 Directions under section 499—Directions Nos 23 and 24.
 Regulations—Statutory Rules 2001 No. 86.
- Military Superannuation and Benefits Act—Declaration—Statutory Rules 2001 No. 88.
- National Health Act—
 Declarations Nos PB 4 and PB 5 of 2001.
 Determination—
 No. PB 6 of 2001.

Under Schedule 1—PHI 6/2001-PHI 8/2001.

Regulations—Statutory Rules 2001 Nos 67 and 68.

Occupational Health and Safety (Commonwealth Employment) Act—

Occupational Noise—

National Code of Practice for Noise Management and Protection of Hearing at Work [NOHSC:2009(2000)] and National Standard for Occupational Noise [NOHSC:1007(2000)].

Notice No. 1 of 2001—Notice of Revocation and Approval.

Regulations—Statutory Rules 2001 No. 90.

Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2001 No. 61.

Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 2001 No. 62.

Product Rulings PR 2000/100 (Addendum), PR 2000/112 (Addendum), PR 2001/26 (Addendum), PR 2001/32, PR 2001/38-PR 2001/66 and PR 2001/52 (Addendum).

Public Employment (Consequential and Transitional) Amendment Act—Regulations—Statutory Rules 2001 Nos 69 and 70.

Radiocommunications Act—Radiocommunications (Australian Space Objects) Amendment Determination 2001 (No. 1).

Remuneration Tribunal Act—

Determination—

2001/02: Remuneration and allowances for various public offices and Members of Parliament.

2001/04: Remuneration and allowances for various full-time public offices.

2001/05: Remuneration and allowances for various part-time public offices.

Regulations—Statutory Rules 2001 No. 59.

Safety, Rehabilitation and Compensation Act—Regulations—Statutory Rules 2001 No. 91.

Superannuation Guarantee (Administration) Act—Regulations—Statutory Rules 2001 No. 87.

Sydney Airport Curfew Act—Dispensation granted under section 20—Dispensation No. 6/01.

Taxation Determinations TD 2001/4-TD 2001/10.

Taxation Ruling TR 2001/3.

Telecommunications Act—

Regulations—Statutory Rules 2001 No. 65.

Telecommunications Cabling Provider Amendment Rules 2001 (No. 1).

Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001.

Telecommunications Technical Standard (Analogue interworking and non-interference requirements for Customer Equipment for connection to the Public Switched Telephone Network — AS/ACIF S002) 2001.

Telecommunications Technical Standard (Requirements for Customer Equipment for connection to a metallic local loop interface of a Telecommunications Network — AS/ACIF S043) 2001.

Telecommunications Technical Standard (Requirements for Customer Equipment, operating in the voiceband, for connection to the non-switched Telecommunications Network — AS/ACIF S006) 2001.

Telecommunications (Carrier Licence Charges) Act—Determination under paragraph 15(1)(d) No. 1 of 2001.

Telecommunications (Consumer Protection and Service Standards) Act—
Contestable Service Obligation Determination (No. 1) 2001.

Statement of reasons for diverging from Australian Communication Authority's advice in relation to Universal Service Subsidies (2001-03 Contestable Areas) Determination (No. 1) 2001.

Universal Service Areas Determination (No. 1) 2001.

Telecommunications (Interception) Act—Regulations—Statutory Rules 2001 No. 85.

Telecommunications (Numbering Charges) Act—

Telecommunications (Amounts of Annual Charge) Determination 2001.

Telecommunications (Exemption from Annual Charge) Determination 2001.

Trade Practices Act—

Instrument under section 10.03—Instrument No. 1 of 2001—Declaration of designated inwards secondary shipper body.

Regulations—Statutory Rules 2001 No. 74.

Trans-Tasman Mutual Recognition Act—Regulations—Statutory Rules 2001 No. 75.

Veterans' Entitlements Act—

Instrument under section—

90—Veterans' Entitlements (Treatment Principles – Community Nursing Guidelines) Instrument 5/2001.

196B—Instruments Nos 23-26 of 2001.

Regulations—Statutory Rules 2001 No. 72.

36 GOVERNOR-GENERAL'S PROCLAMATIONS—COMMENCEMENT OF PROVISIONS OF ACTS

Proclamations by His Excellency the Governor-General were tabled, notifying that he had proclaimed the following provisions of Acts to come into operation on the dates specified:

Gene Technology Act 2000—Sections 10, 26, 27 (except paragraph (a)), 28, 29, 30, 120, 121, 129, 130, 132, 133, 134 and 135—20 April 2001 (*Gazette* No. S 140, 20 April 2001).

Migration Legislation Amendment (Overseas Students) Act 2000—Schedule 1—4 June 2001 (*Gazette* No. GN 19, 16 May 2001).

Remuneration Tribunal Amendment Act 2001—Schedule 1—4 May 2001 (*Gazette* No. S 159, 4 May 2001).

Snowy Hydro Corporatisation Act 1997—Sections 53, 54 and 55, and Schedule 1—30 April 2001 (*Gazette* No. GN 16, 26 April 2001).

37 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—
Commonwealth Ombudsman.
Family and Community Services—
Centrelink.
Department of Family and Community Services.
Finance and Administration—
Australian Electoral Commission.
Commonwealth Grants Commission.
Department of Finance and Administration.
Office of Asset Sales and IT Outsourcing.

38 COMMITTEES—CHANGES IN MEMBERSHIP

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

The Parliamentary Secretary to the Minister for Health and Aged Care (Senator Tambling), by leave, moved—That senators be discharged from and appointed to committees as follows:

Community Affairs Legislation Committee—
Discharged: Senator Stott Despoja as a participating member
Community Affairs References Committee—
Substitute member: Senator Lees to replace Senator Bartlett for matters relating to health
Employment, Workplace Relations, Small Business and Education Legislation and References Committees—
Substitute member: Senator Lees to replace Senator Stott Despoja for matters relating to employment and training
Environment, Communications, Information Technology and the Arts Legislation Committee—
Discharged: Senator Stott Despoja as a substitute member
Participating member: Senator Stott Despoja for matters relating to information technology
Substitute member: Senator Greig to replace Senator Bartlett for matters relating to information technology
Environment, Communications, Information Technology and the Arts References Committee—
Participating member: Senator Greig for matters relating to information technology
Finance and Public Administration References Committee—
Discharged: Senator Stott Despoja as a participating member

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

Question put and passed.

39 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:

6 April 2001—Message—

No. 8—

Appropriation (Parliamentary Departments) Act (No. 2) 2000-2001 (Act No. 19, 2001)

Appropriation Act (No. 3) 2000-2001 (Act No. 20, 2001)

Appropriation Act (No. 4) 2000-2001 (Act No. 21, 2001)

No. 9—

Crimes Amendment (Forensic Procedures) Act 2001 (Act No. 22, 2001)

Broadcasting Legislation Amendment Act 2001 (Act No. 23, 2001)

Law and Justice Legislation Amendment (Application of Criminal Code) Act 2001 (Act No. 24, 2001)

No. 10—

Taxation Laws Amendment (Excise Arrangements) Act 2001 (Act No. 25, 2001)

Customs Tariff Amendment Act (No. 1) 2001 (Act No. 26, 2001)

Remuneration Tribunal Amendment Act 2001 (Act No. 27, 2001)

28 April 2001—Message—

No. 11—

Petroleum (Submerged Lands) Legislation Amendment Act 2001 (Act No. 28, 2001)

Petroleum (Submerged Lands) (Registration Fees) Amendment Act 2001 (Act No. 29, 2001)

Pig Industry Act 2001 (Act No. 30, 2001)

Treasury Legislation Amendment (Application of Criminal Code) Act (No. 1) 2001 (Act No. 31, 2001)

No. 12—

Coal Industry Repeal Act 2001 (Act No. 32, 2001)

Migration Legislation Amendment (Integrity of Regional Migration Schemes) Act 2001 (Act No. 33, 2001)

Electoral and Referendum Amendment Act (No. 1) 2001 (Act No. 34, 2001)

Foreign Affairs and Trade Legislation Amendment (Application of Criminal Code) Act 2001 (Act No. 35, 2001)

1 May 2001—Message No. 13—*Lake Eyre Basin Intergovernmental Agreement Act 2001* (Act No. 36, 2001)

7 May 2001—Message No. 14—

Crimes Amendment (Age Determination) Act 2001 (Act No. 37, 2001)

Family and Community Services and Veterans' Affairs Legislation Amendment (Debt Recovery) Act 2001 (Act No. 38, 2001)

14 May 2001—Message No. 15—

Excise Tariff Amendment Act (No. 1) 2001 (Act No. 39, 2001)

Customs Tariff Amendment Act (No. 2) 2001 (Act No. 40, 2001).

40 SEX DISCRIMINATION AMENDMENT BILL (NO. 1) 2001

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

Message no. 694, dated 5 April 2001—A Bill for an Act to amend the *Sex Discrimination Act 1984*.

The Parliamentary Secretary to the Minister for Health and Aged Care (Senator Tambling) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

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

Explanatory memorandum: Senator Tambling tabled a revised explanatory memorandum relating to the bill.

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

41 AUSTRALIA NEW ZEALAND FOOD AUTHORITY AMENDMENT BILL 2001

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

In the committee

Explanatory memorandum: The Parliamentary Secretary to the Minister for Health and Aged Care (Senator Tambling) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

Bill, taken as a whole by leave, debated.

Senator Forshaw moved the following amendments together by leave:

Schedule 1, item 36, page 8 (line 8), omit “guidelines”, substitute “principles”.

Schedule 1, item 37, page 8 (lines 12 to 14), omit “guidelines” (wherever occurring), substitute “principles”.

Schedule 1, page 8 (after line 14), after item 37, insert:

37A After section 10

Insert:

10AA Council may issue policy principles

- (1) The Council may issue policy principles in relation to the development of food standards.
- (2) Before issuing a policy principle, the Council must be satisfied that the principle is consistent with the objectives set out in subsection 10(1).
- (3) Policy principles are disallowable instruments for the purposes of section 46A of the *Acts Interpretation Act 1901*.

Schedule 1, item 171, page 45 (line 14), omit “guidelines”, substitute “principles”.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 34

Senators—

Allison	Conroy	Greig	Murray
Bishop	Cooney	Hogg	O’Brien
Bolkus	Crossin	Hutchins	Ray
Bourne	Crowley	Lees	Ridgeway
Brown	Denman (Teller)	Ludwig	Sherry
Buckland	Evans	Lundy	West
Campbell, George	Faulkner	McKiernan	Woodley
Carr	Forshaw	McLucas	
Collins	Gibbs	Murphy	

NOES, 30

Senators—

Abetz	Ellison	Macdonald, Sandy	Tambling
Alston	Ferguson	Mason	Tchen
Brandis	Ferris	McGauran (Teller)	Tierney
Campbell, Ian	Harris	Minchin	Troeth
Chapman	Heffernan	Newman	Vanstone
Coonan	Herron	Patterson	Watson
Crane	Knowles	Payne	
Eggleston	Macdonald, Ian	Reid	

Question agreed to.

Senator Greig moved the following amendment:

Schedule 1, item 37, page 8 (after line 14), at the end of the item, add:

- (4) In giving effect to paragraph (2)(a), the Authority must take all reasonable steps to ensure that where there are threats of serious or irreversible harm to human health or public safety, a lack of full scientific knowledge should not be used as a reason for postponing measures to prevent harm to human health or public safety.

Debate ensued.

Question—That the amendment be agreed to—put and negatived.

Senator Forshaw moved the following amendment:

Schedule 1, item 37, page 8 (after line 14), at the end of the item, add:

- (4) Where the Authority considers that the best available scientific evidence referred to in paragraph (2)(a) is insufficient, the Authority may provisionally adopt sanitary or phytosanitary measures on the basis of available pertinent scientific information. In such cases, the Authority must take all reasonable steps to obtain the information necessary for a more objective risk analysis and a review of the sanitary and phytosanitary measures, to be undertaken within a reasonable period of time.
- (5) For the purposes of this section, a *sanitary or phytosanitary measure* means any measure applied:
 - (a) to protect animal or plant life or health from risks arising from the entry, establishment or spread of pests, diseases, disease-carrying organisms or disease-causing organisms; or
 - (b) to protect human or animal life or health from risks arising from additives, contaminants, toxins or disease-causing organisms in foods, beverages or feedstuffs; or
 - (c) to protect human life or health from risks arising from diseases carried by animals, plants or products thereof, or from the entry, establishment or spread of pests; or
 - (d) to prevent or limit other damage from the entry, establishment or spread of pests;and includes:
 - (e) any relevant law, decree, regulation, requirement or procedure, including end product criteria; and
 - (f) processes and production methods; and
 - (g) testing, inspection, certification and approval procedures; and
 - (h) quarantine treatments including relevant requirements associated with the transport of animals or plants, or with the materials necessary for their survival during transport; and
 - (i) provisions on relevant statistical methods, sampling procedures and methods of risk assessment; and
 - (j) packaging and labelling requirements directly related to food safety.

Debate ensued.

Senator Harris moved the following amendment to Senator Forshaw's proposed amendment:

Subsection (4), after "insufficient," insert "or there is no scientific knowledge,".

Debate ensued.

Question—That Senator Harris' amendment to Senator Forshaw's proposed amendment be agreed to—put and negatived.

Debate continued.

Question—That the amendment be agreed to—put and passed.

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

Schedule 1, item 38, page 9 (line 18), omit “**reject**”, substitute “**amend or reject**”.

Schedule 1, item 38, page 9 (line 19), omit “reject”, substitute “amend or reject”.

Schedule 1, item 38, page 9 (after line 20), before the last dot point, insert:

- If the Council amends the draft, the amended draft comes into effect in accordance with a *Gazette* notice.

Schedule 1, item 81, page 20 (line 22), omit “**reject**”, substitute “**amend or reject**”.

Schedule 1, item 81, page 20 (line 31), omit “reject”, substitute “amend or reject”.

Schedule 1, item 81, page 20 (after line 31), after paragraph (1)(c), insert:

(ca) amend the draft; or

Schedule 1, item 81, page 20 (after line 32), after subsection (1), insert:

- (1A) Before amending the draft standard or variation, the Council must give the Authority an opportunity to submit to the Council a draft of the text of the amendment.
- (1B) As soon as practicable after the Council decides to amend a draft standard or variation, the Council must give the Authority a copy of the amended draft standard or variation.

Schedule 1, item 81, page 22 (line 22), omit “reject”, substitute “amend or reject”.

Schedule 1, item 81, page 22 (line 24), omit “rejected”, substitute “amended or rejected”.

Schedule 1, item 81, page 22 (after line 27), after subsection (3), insert:

Standard or variation amended by the Council at the second review

(3A) If:

(a) the Authority notifies the Council under subsection 22(6) that the Authority has:

- (i) made a decision under paragraph 22(6)(a) to re-affirm the Authority’s approval of a draft standard or variation; or
- (ii) made a decision under paragraph 22(6)(b) to re-affirm the Authority’s approval of a draft standard or variation, subject to amendments; and

(b) the Council informs the Authority that the Council has amended the draft;

then, as soon as practicable, the Authority must comply with the publication requirements set out in subsection (4) in relation to the draft as so amended.

At 6 pm: The Deputy President (Senator West) resumed the chair and the Temporary Chair of Committees (Senator Hogg) reported progress.

At 7.30 pm—

42 BUDGET STATEMENT AND DOCUMENTS 2001-02

The Assistant Treasurer (Senator Kemp), by leave, made the Budget statement for the year 2001-02, and tabled the following documents:

The Budget 2001-02—Statement by the Assistant Treasurer, dated 22 May 2001.

Budget papers—

No. 1—Budget strategy and outlook 2001-02.

No. 2—Budget measures 2001-02.

No. 3—Federal financial relations 2001-02.

No. 4—Agency resourcing 2001-02.

Ministerial statements—

Australia's overseas aid program 2001-02—Statement by the Minister for Foreign Affairs (Mr Downer), dated 22 May 2001.

Investing in our natural and cultural heritage: Commonwealth environment expenditure 2001-02—Statement by the Minister for the Environment and Heritage (Senator Hill), dated 22 May 2001.

Our path together—Statement by Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs (Mr Ruddock), dated 22 May 2001.

Regional Australia: Partners in growth—Statement by the Minister for Transport and Regional Services (Mr Anderson) and the Minister for Regional Services, Territories and Local Government (Senator Ian Macdonald), dated 22 May 2001.

Safeguarding our rural resources—Statement by the Minister for Agriculture, Fisheries and Forestry (Mr Truss), dated 22 May 2001.

Women's budget statement 2001-02—Statement by the Minister for Family and Community Services (Senator Vanstone), dated 22 May 2001.

Senator Kemp, by leave, moved—That the Senate take note of the statement and documents.

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

43 PARTICULARS OF PROPOSED EXPENDITURE FOR 2001-02—DOCUMENTS—REFERENCE OF ESTIMATES TO LEGISLATION COMMITTEES

The Assistant Treasurer (Senator Kemp) tabled the following documents:

Particulars of proposed expenditure for the service of the year ending on 30 June 2002.

Particulars of certain proposed expenditure in respect of the year ending on 30 June 2002.

Particulars of proposed expenditure in relation to the parliamentary departments in respect of the year ending on 30 June 2002.

Senator Kemp, by leave, moved—That—

- (1) The particulars documents be referred to legislation committees for examination and report in accordance with the provisions of the order of the Senate of 1 December 2000 relating to estimates hearings.
- (2) Legislation committees consider the proposed expenditure in accordance with the allocation of departments to committees agreed to on 11 November 1998, as varied on 8 February 2001.

Question put and passed.

44 ESTIMATES OF PROPOSED EXPENDITURE FOR 2001-02—PORTFOLIO BUDGET STATEMENTS—PARLIAMENTARY DEPARTMENTS—DOCUMENTS

The President tabled the following documents:

Estimates of proposed expenditure for 2001-02—Portfolio budget statements—Parliamentary departments—

Senate.
Joint House.
Parliamentary Library.
Parliamentary Reporting Staff.

45 ESTIMATES OF PROPOSED EXPENDITURE FOR 2001-02—PORTFOLIO BUDGET STATEMENTS—PORTFOLIOS AND EXECUTIVE DEPARTMENTS—DOCUMENTS

The Assistant Treasurer (Senator Kemp) tabled the following documents:

Estimates of proposed expenditure for 2001-02—Portfolio budget statements—Portfolios and executive departments—

Agriculture, Fisheries and Forestry portfolio.
Attorney-General's portfolio.
Communications, Information Technology and the Arts portfolio.
Defence portfolio [Department of Defence and Defence Housing Authority].
Education, Training and Youth Affairs portfolio.
Employment, Workplace Relations and Small Business portfolio.
Environment and Heritage portfolio.
Family and Community Services portfolio.
Finance and Administration portfolio.
Foreign Affairs and Trade portfolio.
Health and Aged Care portfolio.
Immigration and Multicultural Affairs portfolio.
Industry, Science and Resources portfolio.
Prime Minister and Cabinet portfolio.
Reconciliation and Aboriginal and Torres Strait Islander Affairs portfolio.
Transport and Regional Services portfolio.
Treasury portfolio.
Veterans' Affairs.

46 ADJOURNMENT

The Assistant Treasurer (Senator Kemp) moved—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 9.12 pm till Wednesday, 23 May 2001 at 9.30 am.

47 ATTENDANCE

Present, all senators except Senators Bartlett, Harradine, Lightfoot, Schacht and Stott Despoja.

HARRY EVANS
Clerk of the Senate