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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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No. 189

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1 **MEETING OF SENATE**

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

2 **PETITIONS**

The following 3 petitions, lodged with the Clerk by the senators indicated, were received:

Senator Bartlett, from 15 petitioners, requesting that the Senate take action to support reform of the welfare system.

Senator Bourne, from 795 petitioners, requesting that the Senate take action to ban the use of cyanide leach processes by Australian owned or operated mines in Australia and around the world.

Senator Murray, from 635 petitioners, requesting that the Senate reject the proposed changes to the Safety, Rehabilitation and Compensation Act and the Occupational Health and Safety Act.

3 **NOTICES**

Intention to withdraw: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Coonan), pursuant to standing order 78, gave notice of her intention, at the giving of notices on the next day of sitting, to withdraw notices of motion standing in her name as follows:

Business of the Senate notices of motion nos 1 to 4 for 7 sitting days after today for the disallowance of the following instruments:

Export Inspection and Meat Charges Collection Amendment Regulations 2000 (No. 1), as contained in Statutory Rules 2000 No. 342 and made under the *Export Inspection and Meat Charges Collection Act 1985*.

Instrument fixing charges to be paid to APRA, made under paragraph 51(1)(a) of the *Australian Prudential Regulation Authority Act 1998*.

National Health (Pharmaceutical Benefits) Amendment Regulations 2000 (No. 1), as contained in Statutory Rules 2000 No. 369 and made under the *National Health Act 1953*.

Renewable Energy (Electricity) Regulations 2001, as contained in Statutory Rules 2001 No. 2 and made under the *Renewable Energy (Electricity) Act 2000*.

Business of the Senate notices of motion nos 1 to 6 for 10 sitting days after today for the disallowance of the following instruments:

Fisheries Management Amendment Regulations 2001 (No. 2), as contained in Statutory Rules 2001 No. 22 and made under the *Fisheries Management Act 1991*.

Guidelines for Detention of, Dealing with, and Disposal of Drug like substances, made under subsection 99ZS(1) of the *National Health Act 1953*.

Health Insurance Commission Export of Pharmaceutical Benefits Guidelines, made under subsection 99ZS(2) of the *National Health Act 1953*.

Interstate Road Transport Amendment Regulations 2001 (No. 1), as contained in Statutory Rules 2001 No. 15 and made under the *Interstate Road Transport Act 1985*.

Radiocommunications Licence Conditions (Broadcasting Licence) Amendment Determination 2001 (No. 1), made under paragraph 107(1)(f) of the *Radiocommunications Act 1992*.

States Grants (Primary and Secondary Education Assistance) (SES Scores Guidelines) Approval 2000, made under section 7 of the *States Grants (Primary and Secondary Education Assistance) Act 2000*.

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

4 ORDER OF BUSINESS—REARRANGEMENT

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) moved—That the order of general business for consideration today be as follows:

- (a) general business notice of motion no. 916 standing in the name of Senator Bishop, relating to datacasting; and
- (b) consideration of government documents.

Question put and passed.

5 ROUTINE OF BUSINESS—VARIATION

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, on Thursday, 24 May 2001, consideration of general business and committee reports, government responses and Auditor-General's reports not proceed until after completion of consideration of the government business order of the day relating to the Compensation (Japanese Internment) Bill 2001 and three related bills.

Question put and passed.

6 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION AMENDMENT (WILDLIFE PROTECTION) BILL 2001

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell), at the request of the Minister for the Environment and Heritage (Senator Hill) and pursuant to notice of motion not objected to as a formal motion, moved—That the following bill be introduced:

A Bill for an Act to amend the *Environment Protection and Biodiversity Conservation Act 1999*, and for other purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.

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

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

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

7 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—REFERENCE

Senator Woodley, pursuant to notice of motion not objected to as a formal motion, moved—That, upon its introduction into the House of Representatives, the provisions of the Dairy Produce Legislation Amendment (Supplementary Assistance) Bill 2001 be referred to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 18 June 2001, with particular reference to the adequacy of the guidelines for distribution of dairy adjustment funds to meet the particular needs of dairy farm lessors and other dairy farmers.

Question put and passed.

8 ECONOMICS REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

Senator O'Brien, at the request of the Chair of the Economics References Committee (Senator Murphy) and pursuant to notice of motion not objected to as a formal motion, moved—That the time for the presentation of the report of the Economics References Committee on the framework for the market supervision of Australia's stock exchanges be extended to 27 June 2001.

Question put and passed.

9 LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—REFERENCE

Senator Brown, pursuant to notice of motion not objected to as a formal motion, moved—That the Human Rights (Mandatory Sentencing for Property Offences) Bill 2000 be referred to the Legal and Constitutional References Committee for inquiry and report by 7 August 2001.

Question put and passed.

10 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—EXTENSIONS OF TIME TO REPORT

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Hogg), pursuant to notice of motion not objected to as a formal motion, moved—That the time for the presentation of the following reports of the Foreign Affairs, Defence and Trade References Committee be extended to 28 June 2001:

- (a) second report on the examination of developments in contemporary Japan and the implications for Australia; and
- (b) the disposal of Defence properties.

Question put and passed.

11 **WORKPLACE RELATIONS—G & K O’CONNOR PTY LTD—ORDER FOR PRODUCTION OF DOCUMENTS**

Senator Carr, pursuant to notice of motion not objected to as a formal motion, moved—That there be laid on the table by the Minister representing the Minister for Employment, Workplace Relations and Small Business, no later than immediately after motions to take note of answers on 18 June 2001, the following documents:

- (a) Department of Employment, Workplace Relations and Small Business, File No: WR99/6889 entitled Meat Processing Industry—G & K O’Connor Pty Ltd—Industries Issues—Workplace Reform Group—1999—Part One; Folios 1, 2, 3-14, 15-16, 17-32, 33-36, 37, 38-41, 42-45, 46-48, 49-50, 51-52, 53-54, 55-63, 64-68, 69-76, 77, 78, 79, 80, 81-94, 95, 96-99, 100, 101-102, 103, 104-105, 106, 107-108, 109, 110, 111-114, 115-127, 128, 129-132, 133-142, 143, 144-184, 185-193, 194, 195-199, 200-203, 204, 205-211, 212-214, 215-229, 230-231, 232-237, 238, 239-242, 243;
- (b) Department of Employment, Workplace Relations and Small Business, File No: WR99/13790 entitled Meat Processing Industry—G & K O’Connor Pty Ltd—Industries Issues—Workplace Reform Group—1999—Part Two; Folios 1, 2-6, 7, 8-10, 11-44, 45, 46-47, 48-64, 65, 66-68, 69-76, 77-79, 80, 81, 82-84, 85, 86-89, 90, 91-105, 106, 107-109, 110, 111, 112, 113-119, 120-121, 122, 123-125;
- (c) Department of Employment, Workplace Relations and Small Business, File No: WR00/877 entitled G & K O’Connor Meat Processing Plant—Federal Court Action against Office of Employment Advocate (OEA) AWA—No Disadvantage Test—1999-2000; Folios 1, 2-18, 19, 20-36, 37, 38-39, 40-49, 50, 51-81, 82-83, 84, 85-86, 87-106, 107-108, 109-112, 113, 114, 115-118, 119-129, 130-143, 144-145;
- (d) Department of Employment, Workplace Relations and Small Business, File No: WR00/873 entitled G & K O’Connor Meat Processing Plant—Dispute—AWA Industrial Action—S 127—1999-2000—Part One; Folios 1, 2, 3-43, 44-46, 47, 48-77, 78-80, 81-82, 83, 84, 85-90, 91, 92-93, 94-101, 102, 103-106, 107-108, 109-113, 114-118, 119-123, 124-157, 158;
- (e) Department of Employment, Workplace Relations and Small Business, File No: WR00/875 entitled G & K O’Connor Meat Processing Plant—Dispute—AWA Industrial Action—S 127—1999-2000—Part Two; Folios 1, 2-30, 31, 32-65, 66-94, 95-104, 105-106, 107, 108-112, 113-116, 117-125, 126-127, 128; and
- (f) Department of Employment, Workplace Relations and Small Business, Manila Folder—M Manthroe and O’Connor—Files, notes of conversation—AMIEU issues in dispute: Folios 1-21.

Question put and passed.

12 **AMNESTY INTERNATIONAL**

Senator Lees, at the request of Senator Bourne and pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes:
 - (i) that 28 May 2001 is the 40th anniversary of the formation of Amnesty International, and
 - (ii) the large membership and total cross-party support for the Australian Parliamentary Group of Amnesty International;

- (b) congratulates Amnesty International on its continuing, vital work on behalf of political prisoners around the world; and
- (c) notes, with regret, that the work of Amnesty International remains indispensable because of continuing, worldwide human rights abuses, including torture and summary execution of political prisoners.

Question put and passed.

13 UNITED NATIONS—CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Senator Lees, at the request of Senator Bourne and pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) recognises that women's rights are an urgent issue facing the international community and that the violation of women's human rights includes the rape of women in war, so-called 'honour' killings, bride burnings, the stoning of women and female genital mutilation;
- (b) acknowledges that governments have an international obligation to protect women's human rights, but that when governments abrogate their duty, acknowledges that women should have access as individuals or groups to the United Nations (UN) system to step in to protect their rights, through the UN committee system;
- (c) notes that:
 - (i) the Australian Government has so far refused to support the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and
 - (ii) the Australian Government's inaction on the Optional Protocol is contrary to international opinion, with 67 countries already signing and a further 21 countries ratifying the Convention; and
- (d) calls on the Australian Government to sign and ratify the Optional Protocol to CEDAW and every member of parliament to show their commitment to women's human rights in a concrete and effective manner by supporting the ratification of the Optional Protocol.

Question put and passed.

14 FOREIGN AFFAIRS—TIBET

Motion determined as not formal: Senator Brown requested that general business notice of motion no. 912 standing in his name for today, relating to Tibet, be taken as formal.

An objection was raised and the motion was not proceeded with as a formal motion.

Proposed suspension of standing orders: Senator Brown, pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent him moving a motion relating to the conduct of the business of the Senate, namely a motion to give precedence to general business notice of motion no. 912.

Debate ensued.

Question put.

The Senate divided—

AYES, 11

Senators—

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

NOES, 42

Senators—

| | | | |
|------------------|-----------|------------------|-----------|
| Bishop | Cooney | Knowles | Patterson |
| Boswell | Crossin | Ludwig | Ray |
| Brandis | Crowley | Lundy | Reid |
| Buckland | Eggleston | Macdonald, Sandy | Schacht |
| Calvert (Teller) | Ferguson | Mason | Tambling |
| Campbell, George | Forshaw | McGauran | Tchen |
| Campbell, Ian | Gibbs | McKiernan | Vanstone |
| Carr | Herron | McLucas | Watson |
| Chapman | Hogg | Murphy | West |
| Collins | Hutchins | Newman | |
| Cook | Kemp | O'Brien | |

Question negatived.

15 ORDER OF BUSINESS—REARRANGEMENT

Senator Calvert, by leave and at the request of the Chair of the Select Committee on Superannuation and Financial Services (Senator Watson), moved—That business of the Senate order of the day no. 4, relating to the presentation of the report of the committee on issues arising from the committee's report on the Taxation Laws Amendment (Superannuation Contributions) Bill 2000, be postponed till a later hour.

Question put and passed.

16 COMMUNICATIONS—TELSTRA CALL CENTRES

Senator Allison amended her notice of motion by leave and, pursuant to notice of motion not objected to as a formal motion, moved—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;

- (c) notes the proposed closure of Telstra Regional Directory Call Centres in Hamilton, Horsham, Warrnambool, Mount Gambier, Ararat and Swan Hill and calls on Telstra to reconsider the impact of its decisions on regional employment; and
- (d) reminds the Government of the importance of local Telstra Call Centres to the economic benefit and prosperity of regional Australia.

Question put and passed.

17 ABORIGINES—NATIONAL RECONCILIATION WEEK

Senator Crossin, also on behalf of Senator Ridgeway and pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes:
 - (i) that 27 May to 3 June 2001 is National Reconciliation Week - Keeping the Flame Alive, and
 - (ii) that 26 May 2001 marks the third anniversary of National Sorry Day and commemorates the Stolen Generations and Journey of Healing;
- (b) affirms the right of all traditional Aboriginal land owners, including the traditional Aboriginal land owners of Uluru, to make decisions affecting access to their land; and
- (c) calls on the Federal Government to:
 - (i) respond to the recommendations of the report of the Legal and Constitutional References Committee, 'Healing: A legacy of generations', and
 - (ii) demonstrate its commitment to the reconciliation process by making an apology to Australia's Indigenous people and by responding appropriately to the recommendations of the final report of the Council for Aboriginal Reconciliation, tabled in December 2000.

Question put and passed.

18 APPROPRIATIONS AND STAFFING—STANDING COMMITTEE—35TH REPORT—ESTIMATES FOR THE DEPARTMENT OF THE SENATE 2001-02

The President tabled the following report:

35th Report—Estimates for the Department of the Senate 2001-02, dated May 2001.

Report ordered to be printed on the motion of the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell).

19 EMPLOYMENT, WORKPLACE RELATIONS, SMALL BUSINESS AND EDUCATION LEGISLATION COMMITTEE—REPORT—OCCUPATIONAL HEALTH AND SAFETY (COMMONWEALTH EMPLOYMENT) AMENDMENT BILL 2000 [AND] SAFETY, REHABILITATION AND COMPENSATION AND OTHER LEGISLATION AMENDMENT BILL 2000

Pursuant to order, Senator Calvert, at the request of the Chair of the Employment, Workplace Relations, Small Business and Education Legislation Committee (Senator Tierney), tabled the following report and documents:

Occupational Health and Safety (Commonwealth Employment) Amendment Bill 2000 [and] Safety, Rehabilitation and Compensation and Other Legislation Amendment Bill 2000, dated May 2001, *Hansard* record of the committee's proceedings [2 vols], additional information and submissions [11].

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

20 PUBLICATIONS—STANDING COMMITTEE—25TH REPORT

Senator Calvert, on behalf of the Standing Committee on Publications, tabled the following report:

PUBLICATIONS COMMITTEE

25TH REPORT

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

The Committee, having considered documents presented to Parliament since 5 April 2001, recommends that the following be printed.

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

Australian Maritime College—Report for 2000.

National Residue Survey—Report for 1999-2000.

Budget 2001-2002—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.

24 May 2001.

Senator Calvert moved—That the report be adopted.

Question put and passed.

21 OCCUPATIONAL HEALTH AND SAFETY (COMMONWEALTH EMPLOYMENT) AMENDMENT BILL 2000
SAFETY, REHABILITATION AND COMPENSATION AND OTHER LEGISLATION
AMENDMENT BILL 2000

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

Message no. 701, dated 23 May 2001—A Bill for an Act to amend the *Occupational Health and Safety (Commonwealth Employment) Act 1991*, and for related purposes.

Message no. 702, dated 23 May 2001—A Bill for an Act to amend the *Safety, Rehabilitation and Compensation Act 1988* and other legislation, and for other 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 Ludwig the debate was adjourned till the next day of sitting.

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

Question put and passed.

22 TAXATION LAWS AMENDMENT (SUPERANNUATION CONTRIBUTIONS) BILL 2000

A message from the House of Representatives was reported disagreeing to the amendment made by the Senate to the following bill:

Message no. 703, dated 23 May 2001—Taxation Laws Amendment (Superannuation Contributions) Bill 2000.

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

23 JOINT COMMITTEES—APPOINTMENT OF MEMBERS

Messages from the House of Representatives were reported acquainting the Senate with the appointment of members of the House of Representatives to joint committees, as follows:

Message no. 699, dated 23 May 2001—Joint Standing Committee on Treaties, Mr Haase in place of Mrs Elson.

Message no. 700, dated 23 May 2001—Parliamentary Joint Committee on the National Crime Authority, Mr Baird.

24 COMPENSATION (JAPANESE INTERNMENT) BILL 2001**FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (ONE-OFF PAYMENT TO THE AGED) BILL 2001****FAMILY AND COMMUNITY SERVICES AND VETERANS' AFFAIRS LEGISLATION****AMENDMENT (FURTHER ASSISTANCE FOR OLDER AUSTRALIANS) BILL 2001****TAXATION LAWS AMENDMENT (CHANGES FOR SENIOR AUSTRALIANS) BILL 2001**

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

Debate resumed.

Senator Bartlett moved the following amendment in respect of the Family and Community Services Legislation Amendment (One-off Payment to the Aged) Bill 2001:

At the end of the motion, add “but the Senate is of the view that the making of the one-off payment only to Australians of age pension age:

- (a) disregards the needs and financial difficulties of all other Australian income support recipients including unemployed, sole parents, the disabled and students, many of whom are obliged to survive on income support levels less than the age pension;
- (b) ignores disability support pensioners in particular, who suffer the same impact of the goods and services tax (GST) increases and market force price increases, for which the GST compensation was inadequate, and who, because of their disability, are unable to participate economically; and
- (c) further disregards the disadvantage suffered by older unemployed Australians on income support, who have not reached age pension age but who have needs and financial difficulties identical to Australians of age pension age”.

Debate ensued.

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

Main question put and passed.

Bills read a second time.

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

In the committee

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

Bills to be reported without amendments

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

On the motion of the Minister for Family and Community Services (Senator Vanstone) the report from the committee was adopted and the bills read a third time.

25 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Family and Community Services (Senator Vanstone) moved—That the following government business orders of the day be considered from 12.45 pm till not later than 2 pm today:

No. 4 Prime Minister and Cabinet Legislation Amendment (Application of Criminal Code) Bill 2001.

No. 5 Communications and the Arts Legislation Amendment Bill 2000.

No. 7 Agricultural and Veterinary Chemicals Legislation Amendment Bill 2001.

Question put and passed.

26 GREAT BARRIER REEF MARINE PARK AMENDMENT BILL 2001

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

In the committee

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

Schedule 1, page 7 (after line 15), after item 8, insert:

8A After subsection 38L(3)

Insert:

(3A) The regulations may prescribe measures for the management of the discharge of sewage from vessels in the Marine Park and may create offences, not inconsistent with this Act, relating to the discharge of sewage from vessels.

(3B) Regulations made for the purposes of subsection (3A) may provide a maximum penalty for an offence against the regulations not exceeding the maximum penalty for an offence against subsection (1), but nothing in this subsection enables the regulations to provide penalties of imprisonment.

Debate resumed.

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

Senator Brown moved the following amendment:

Schedule 1, page 11 (after line 8), after item 12, insert:

12A Schedule 1

Repeal the Schedule, substitute:

Schedule 1—Great Barrier Reef Region

Note: See section 3.

The area the boundary of which:

- (a) commences at the point that, at low water, is the northernmost extremity of Cape York Peninsula Queensland;
- (b) runs thence easterly along the geodesic to the intersection of parallel of Latitude 10°41' South with meridian of Longitude 145°19'33" East;

- (c) runs thence south-easterly along the geodesic to the point of Latitude 12°20'00" South, Longitude 146°30'00";
- (d) runs thence south-easterly along the geodesic to a point of Latitude 12°38'30" South, Longitude 147°08'30" East;
- (e) runs thence south-easterly along the geodesic to a point of Latitude 13°10'30" South, Longitude 148°05'00" East;
- (f) runs thence south-easterly along the geodesic to a point of Latitude 14°38'00" South, Longitude 152°07'00" East;
- (g) runs thence south-easterly along the geodesic to a point of Latitude 14°45'00" South, Longitude 154°15'00" East;
- (h) runs thence north-easterly along the geodesic to a point of Latitude 14°05'00" South, Longitude 156°37'00" East;
- (i) runs thence north-easterly along the geodesic to a point of Latitude 14°04'00" South, Longitude 157°00'00" East;
- (j) runs thence south-easterly along the geodesic to a point of Latitude 14°41'00" South, Longitude 157°43'00" East; and
- (k) runs thence south-easterly along the geodesic to a point of Latitude 15°44'07" South, Longitude 158°45'39" East;
- (l) runs thence south-westerly along the geodesic to a point of Latitude 16°25'28" South, Longitude 158°22'49" East;
- (m) runs thence south-westerly along the geodesic to a point of Latitude 16°34'51" South, Longitude 158°16'26" East;
- (n) runs thence south-westerly along the geodesic to a point of Latitude 17°30'28" South, Longitude 157°38'31" East;
- (o) runs thence south-westerly along the geodesic to a point of Latitude 17°54'40" South, Longitude 157°21'59" East;
- (p) runs thence south-westerly along the geodesic to a point of Latitude 18°32'25" South, Longitude 156°56'44" East;
- (q) runs thence south-westerly along the geodesic to a point of Latitude 18°55'54" South, Longitude 156°37'29" East;
- (r) runs thence south-westerly along the geodesic to a point of Latitude 19°17'12" South, Longitude 156°15'20" East;
- (s) runs thence south-easterly along the geodesic to a point of Latitude 20°08'28" South, Longitude 156°49'34" East;
- (t) runs thence south-easterly along the geodesic to a point of Latitude 20°32'28" South, Longitude 157°03'09" East;
- (u) runs thence south-easterly along the geodesic to a point of Latitude 20°42'52" South, Longitude 157°04'34" East;
- (v) runs thence south-easterly along the geodesic to a point of Latitude 20°53'33" South, Longitude 157°06'25" East;
- (w) runs thence south-easterly along the geodesic to a point of Latitude 21°12'57" South, Longitude 157°10'17" East;
- (x) runs thence south-easterly along the geodesic to a point of Latitude 21°47'21" South, Longitude 157°14'36" East;

- (y) runs thence south-easterly along the geodesic to a point of Latitude 22°10'31" South, Longitude 157°13'04" East;
- (z) runs thence south-easterly along the geodesic to a point of Latitude 22°31'38" South, Longitude 157°18'43" East;
- (za) runs thence south-easterly along the geodesic to a point of Latitude 23°14'54" South, Longitude 157°48'04" East;
- (zb) runs thence south-easterly along the geodesic to a point of Latitude 24°30'00" South, Longitude 158°19'54" East;
- (zc) runs thence westerly along the parallel of Latitude 24° 30'00" South to its intersection by the coastline of Queensland at low water; and
- (zd) runs thence generally northerly along that coastline at low water to the point of commencement.

Debate ensued.

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

Bill, as amended, agreed to.

Bill to be reported with an amendment.

The Deputy President (Senator West) resumed the chair and the Temporary Chair of Committees (Senator George Campbell) 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.

12.45 pm—

27 PRIME MINISTER AND CABINET 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 the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

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

In the committee

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

Bill to be reported without amendment.

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

On the motion of the Parliamentary Secretary to the Minister for Foreign Affairs and the Minister for Immigration and Multicultural Affairs (Senator Patterson) the report from the committee was adopted and the bill read a third time.

28 COMMUNICATIONS AND THE ARTS LEGISLATION AMENDMENT 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.

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

In the committee

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

Bill to be reported without amendment.

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

On the motion of the Parliamentary Secretary to the Minister for Foreign Affairs and the Minister for Immigration and Multicultural Affairs (Senator Patterson) the report from the committee was adopted and the bill read a third time.

29 AGRICULTURAL AND VETERINARY CHEMICALS LEGISLATION AMENDMENT 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.

In the committee

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

Bill to be reported without amendment.

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

On the motion of the Parliamentary Secretary to the Minister for Foreign Affairs and the Minister for Immigration and Multicultural Affairs (Senator Patterson) the report from the committee was adopted and the bill read a third time.

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

At 2 pm—

30 QUESTIONS

Questions without notice were answered.

31 BUDGET 2001-02—PENSIONS—ANSWER TO QUESTION

Senator Evans 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 Gibbs today relating to the 2001-02 Budget and disability support pensions.

Debate ensued.

Question put and passed.

32 HIH INSURANCE—ORDER FOR PRODUCTION OF DOCUMENTS—STATEMENT BY LEAVE

The Assistant Treasurer (Senator Kemp), by leave, made a statement relating to the order of the Senate of 23 May 2001 for the production of documents concerning HIH Insurance (*see entry no. 14, 23 May 2001*).

Statements by leave: Senators Cook and Watson, by leave, made statements relating to the matter.

**33 LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—GOVERNMENT RESPONSE—
PRIVACY ISSUES**

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

Legal and Constitutional References Committee—Report—Privacy and the private sector: Inquiry into privacy issues, including the Privacy Amendment Bill 1998—Government response, dated 14 February 2001.

**34 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—
GOVERNMENT RESPONSE—AUSTRALIA'S EXPANDING TRADE AND INVESTMENT
RELATIONSHIP WITH SOUTH AMERICA**

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

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Australia's expanding trade and investment relationship with South America—Government response.

35 TREATIES—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—32ND REPORT

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

Treaties—Joint Standing Committee—32nd report—Six treaties tabled on 7 March 2000—Government response.

36 AUDITOR-GENERAL—AUDIT REPORT NO. 38 OF 2000-2001—DOCUMENT

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

Auditor-General—Performance audit—The use of confidentiality provisions in Commonwealth contracts (Report No. 38 of 2000-2001).

37 CENTENARY OF FIRST MEETINGS OF PARLIAMENT—DOCUMENTS

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

Centenary of First Meetings of Parliament—Letters to the President of the Senate relating to the centenary of the first meetings of the Houses of the Commonwealth Parliament from—

Ambassador of Poland (His Excellency Mr Tadeusz Szumowski) enclosing letter from the Speaker of the Senate of the Republic of Poland (Professor dr Alicja Grzeskowiak), dated 17 May 2001.

Ambassador of Romania (Her Excellency Mrs Manuela Vulpe) enclosing letter from the President of the Senate of Romania (Mr Vacaroiu), dated 3 May 2001.

38 GENETICALLY-MODIFIED CROPS—TASMANIA—DOCUMENT

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

Genetically-modified crops—Tasmania—Letter from the Minister for Health and Aged Care (Dr Wooldridge) responding to the resolution of the Senate of 1 March 2001, dated 21 May 2001.

39 SUPERANNUATION AND FINANCIAL SERVICES—SELECT COMMITTEE—REPORT—ISSUES ARISING FROM THE COMMITTEE'S REPORT ON TAXATION LAWS AMENDMENT (SUPERANNUATION CONTRIBUTIONS) BILL 2000

The Chair of the Select Committee on Superannuation and Financial Services (Senator Watson) tabled the following report:

Superannuation and Financial Services—Select Committee—Report—Issues arising from the committee's report on Taxation Laws Amendment (Superannuation Contributions) Bill 2000, dated May 2001.

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

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

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

40 DOCUMENTS

The following documents were tabled by the Clerk:

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

105, dated 16 May 2001 [4].

106, dated 16 May 2001.

Designs Act—Regulations—Statutory Rules 2001 No. 97.

Education Services for Overseas Students Act and Education Services for Overseas Students (Consequential and Transitional) Act—Regulations—Statutory Rules 2001 No. 96.

Export Inspection (Establishment Registration Charges) Act—Regulations—Statutory Rules 2001 No. 93.

Income Tax Assessment Act 1936—Regulations—Statutory Rules 2001 No. 100.

Patents Act and Patents Amendment (Innovation Patents) Act—Regulations—Statutory Rules 2001 No. 98.

Primary Industries (Customs) Charges Act—Regulations—Statutory Rules 2001 No. 94.

Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2001 No. 95.

Public Employment (Consequential and Transitional) Amendment Act—Regulations—Statutory Rules 2001 No. 99.

Taxation Ruling TR 2001/2.

General business was called on.

41 INFORMATION TECHNOLOGY—DATACASTING

Senator Bishop, pursuant to notice, moved—That the Senate—

- (a) condemns the Government for its failure to create a sensible, workable datacasting regime, which has resulted in the cancellation of its proposed auction of datacasting spectrum;
- (b) condemns the Government for its unworkable datacasting regime, which is preventing Australians from reaping the economic and technological benefits of datacasting and the advantages of a new, innovative consumer service; and
- (c) calls on the Government to create a viable policy framework for the datacasting industry to replace the restrictive and unworkable existing regime.

Debate ensued.

Senator Bourne moved the following amendment:

At the end of the motion, add:

- ; and (d) condemns the Opposition for refusing to even consider any amendments to its own datacasting regime, or to consider any alternative datacasting regimes, thereby ensuring that neither its datacasting regime nor any regime other than the Government's would be passed into legislation.

Debate ensued.

At 6 pm: Debate was interrupted while Senator Coonan was speaking.

General business concluded.

At 7.30 pm—

42 BUDGET STATEMENT AND DOCUMENTS 2001-02

Order of the day read for the adjourned debate on the motion of the Assistant Treasurer (Senator Kemp)—That the Senate take note of the Budget statement and documents.

Debate resumed.

Question put and passed.

43 COMMITTEES—CHANGES IN MEMBERSHIP

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

The Parliamentary Secretary to the Minister for Foreign Affairs and the Minister for Immigration and Multicultural Affairs (Senator Patterson), by leave, moved—That senators be discharged from and appointed to committees as follows:

Economics Legislation Committee—

Substitute members:

Senator Mason to replace Senator Watson for the consideration of estimates from 4 June 2001 to 5 pm on 6 June 2001

Senator Newman to replace Senator Watson for the consideration of estimates from 5 pm on 6 June 2001 to 8 June 2001

Senator Sherry to replace Senator Murphy for the consideration of estimates from 6 June to 8 June 2001

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

Substitute member: Senator Lundy to replace Senator Bolkus for the consideration of the 2001-02 Budget estimates for matters relating to information technology

Finance and Public Administration Legislation Committee—

Substitute members:

Senator Lundy to replace Senator Conroy for the consideration of the 2001-02 Budget estimates for the Office of Asset Sales and Information Technology Outsourcing

Senator McGauran to replace Senator Lightfoot for the consideration of estimates from 28 May to 1 June 2001

Senator Ferris to replace Senator Brandis for the consideration of estimates on 28 May 2001 till 4.30 pm

Senator Ferris to replace Senator Mason for the consideration of estimates from 4.30 pm on 28 May 2001 to 2 pm on 29 May 2001

Senator Tchen to replace Senator Brandis for the consideration of estimates on 28 May 2001 from 4.30 pm

Rural and Regional Affairs and Transport Legislation Committee—

Substitute members:

Senator Tchen to replace Senator Crane for the consideration of estimates on 28 May 2001

Senator Calvert to replace Senator Crane for the consideration of estimates from 29 May to 1 June 2001.

Question put and passed.

44 ADJOURNMENT

The Parliamentary Secretary to the Minister for Foreign Affairs and the Minister for Immigration and Multicultural Affairs (Senator Patterson) moved—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 9.30 pm till Monday, 18 June 2001 at 12.30 pm.

45 ATTENDANCE

Present, all senators except Senators Bolkus, Crane, Denman, Lightfoot and Troeth.

HARRY EVANS
Clerk of the Senate