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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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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 PETITION**

The following petition, lodged with the Clerk by Senator Kemp, was received:

From 67 petitioners, requesting that the Senate take action to review procedures relating to political asylum seekers and remove all practices which are manifestly inhumane or in contravention of national obligations.

**3 NOTICES**

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

- (a) recalls the laudable role of the United Kingdom (UK) leading to a global agreement to ban commercial whaling 15 years ago;
- (b) notes speculation that the UK is reviewing that policy to allow for some commercial whale killing; and
- (c) calls on the Prime Minister of the UK, Tony Blair, and his government to hold firm to its policy of banning whaling, and to fully support Australia's plan for a southern hemisphere whale sanctuary at the London meeting of the International Whaling Commission in July 2001.

Senator O'Brien, at the request of Senator Bolkus: To move on the next day of sitting—That the following matters be referred to the Legal and Constitutional References Committee for inquiry and report by the last sitting day in December 2001:

- (a) the processes involved in, and the consequences of, the outsourcing of the Australian Customs Service's (ACS) information technology;
- (b) the benefits and problems associated with the current and proposed ACS communications system, including (but not limited to) Tradegate and the Customs Connect facility;
- (c) the needs and capabilities of all sections of industry in respect of ACS information technology and communications systems;
- (d) the way in which the ACS has conducted consultation with industry in relation to information technology and communications systems; and
- (e) issues associated with the involvement of the ACS in e-commerce.

**4 ORDER OF BUSINESS—REARRANGEMENT**

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) moved—That the following government business orders of the day be considered from 12.45 pm till not later than 2 pm today:

No. 7 Governor-General Legislation Amendment Bill 2001.

No. 8 Dried Vine Fruits (Rate of Primary Industry (Customs) Charge) Validation Bill 2001 and a related bill.

No. 9 Migration Legislation Amendment (Electronic Transactions and Methods of Notification) Bill 2001.

No. 11 Health Legislation Amendment Bill (No. 2) 2001.

Question put and passed.

Senator Ian Campbell moved—That the order of general business for consideration today be as follows:

- (a) general business notice of motion no. 943 standing in the name of Senator Conroy, relating to investor confidence and the roles of the Australian Securities and Investments Commission and the Australian Prudential Regulation Authority; and
- (b) consideration of government documents.

Question put and passed.

## 5 POSTPONEMENTS

Senator O'Brien, by leave and at the request of Senator Cook, moved—That general business notice of motion no. 945 standing in the name of Senator Cook for today, relating to the establishment of a select committee on the impacts of the new tax system, be postponed till the next day of sitting.

Question put and passed.

Items of business were postponed as follows:

Business of the Senate notice of motion no. 1 standing in the name of Senator Allison for today, relating to the disallowance of the Sanctions Amendment Principles 2001 (No. 1), made under subsection 96-1(1) of the *Aged Care Act 1997*, postponed till 22 August 2001.

Business of the Senate notice of motion no. 2 standing in the name of Senator Brown for today, relating to the reference of a matter to the Environment, Communications, Information Technology and the Arts References Committee, postponed till 25 June 2001.

## 6 EMPLOYMENT, WORKPLACE RELATIONS, SMALL BUSINESS AND EDUCATION REFERENCES COMMITTEE—EXTENSIONS OF TIME TO REPORT

Senator O'Brien, at the request of the Chair of the Employment, Workplace Relations, Small Business and Education References Committee (Senator Collins) and pursuant to notice of motion not objected to as a formal motion, moved—That the time for the presentation of reports of the Employment, Workplace Relations, Small Business and Education References Committee be extended as follows:

- (a) education of gifted and talented children—to 27 September 2001; and
- (b) higher education—to 20 September 2001.

Question put and passed.

## 7 SCRUTINY OF BILLS—STANDING COMMITTEE—LEAVE TO MEET WITH QUEENSLAND COMMITTEE

Senator O'Brien, at the request of the Chairman of the Standing Committee for the Scrutiny of Bills (Senator Cooney) and pursuant to notice of motion not objected to as a formal motion, moved—That so much of standing order 36 be suspended as would prevent the Scrutiny of Bills Committee holding a private deliberative meeting on 27 June 2001, from 8 am to 9.30 am, with members of the Scrutiny of Legislation Committee of the Queensland Parliament in attendance.

Question put and passed.

**8 SUPERANNUATION AND FINANCIAL SERVICES—SELECT COMMITTEE—LEAVE TO MEET DURING SITTING**

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 Select Committee on Superannuation and Financial Services be authorised to hold a public meeting during the sitting of the Senate on 25 June 2001, from 8 pm to 10.30 pm, to take evidence for the committee's inquiry into prudential supervision and consumer protection for superannuation, banking and financial services.

Question put and passed.

**9 UNITED NATIONS WORLD REFUGEE DAY**

Senator Brown, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that:

(i) 20 June 2001 is the United Nations World Refugee Day, and

(ii) the United Nations High Commissioner for Refugees believes that, 'Detention [of asylum seekers] is only acceptable if it is brief, absolutely necessary, and instituted after other options have been implemented'; and

(b) calls for an end to mandatory, non-reviewable detention of asylum seekers in Australia, with adequately funded community release programs.

Question put.

The Senate divided—

AYES, 9

Senators—

Allison  
Bartlett  
Bourne (Teller)

Brown  
Greig

Murray  
Ridgeway

Stott Despoja  
Woodley

NOES, 45

Senators—

Bishop  
Brandis  
Buckland  
Calvert  
Campbell, George  
Campbell, Ian  
Carr  
Chapman  
Conroy  
Coonan  
Cooney  
Crane

Crossin  
Denman  
Evans  
Ferguson  
Ferris  
Forshaw  
Gibbs  
Gibson  
Harris  
Heffernan  
Herron  
Hill

Hogg  
Hutchins  
Kemp  
Knowles  
Ludwig  
Mackay  
Mason  
McGauran  
McKiernan  
McLucas  
Newman  
O'Brien (Teller)

Patterson  
Reid  
Schacht  
Sherry  
Tambling  
Tchen  
Tierney  
Watson  
West

Question negatived.

**10 HIGHER EDUCATION FUNDING AMENDMENT BILL 2001**

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

Message no. 728, dated 20 June 2001—A Bill for an Act to amend legislation relating to higher education, and for related purposes.

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) 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.

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

**11 VOCATIONAL EDUCATION AND TRAINING FUNDING AMENDMENT BILL 2001**

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

Message no. 729, dated 20 June 2001—A Bill for an Act to amend the *Australian National Training Authority Act 1992* and the *Vocational Education and Training Funding Act 1992*, and for related purposes.

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) 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.

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

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

**12 GOVERNOR-GENERAL'S MESSAGE—ASSENT TO LAW—STATEMENT BY PRESIDENT**

The President reported the receipt of a message from His Excellency the Governor-General, informing the Senate that he had assented to the following law:

12 June 2001—Message No. 18—*Family and Community Services and Veterans' Affairs Legislation Amendment (Debt Recovery) Act 2001* (Act No. 47, 2001).

The President indicated that the Governor-General's assent to this Act was in place of his purported and cancelled assent on 7 May 2001 to Act No. 38. The bill for this Act, which originated in the House of Representatives, was originally sent to the Governor-General by the House for assent with a Senate amendment which had not been agreed to by both Houses.

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

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

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*In the committee*

**CUSTOMS LEGISLATION AMENDMENT AND REPEAL (INTERNATIONAL TRADE  
MODERNISATION) BILL 2001—**

Consideration resumed of the bill, as amended—and of the amendments moved by Senator Bolkus:

Schedule 1, item 11, page 13 (lines 9 and 10), omit subsection (4).

Schedule 2, item 4, page 28 (line 21), omit “**strict liability**”.

Schedule 2, item 5, page 30 (line 28), omit subsection (2).

Schedule 2, item 5, page 32 (line 24), omit subsection (2).

Schedule 2, item 5, page 33 (line 17), omit subsection (2).

Schedule 3, item 62, page 90 (line 22), omit subsection (4).

Schedule 3, item 62, page 91 (line 7), omit subsection (3).

Schedule 3, item 62, page 91 (line 18), omit subsection 115(2).

Schedule 3, item 62, page 93 (lines 30 and 31), omit subsection (5).

Schedule 3, item 62, page 94 (line 7), omit subsection 117A(1A).

Schedule 3, item 62, page 96 (line 3), omit subsection 119(4).

Schedule 3, item 97, page 104 (lines 20 and 21), omit subsection (4).

Schedule 3, item 97A, page 105 (line 10), omit subsection (5).

Schedule 3, item 118, page 114 (line 15), omit subsection (10).

Schedule 3, item 118, page 115 (line 10), omit subsection (8).

Schedule 3, item 118, page 116 (line 1), omit subsection (7).

Schedule 3, item 118, page 117 (line 34), omit subsection (11).

Schedule 3, item 118, page 120 (line 15), omit subsection (10).

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

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

Schedule 3, item 1, page 41 (lines 1 and 2), omit subsection 126E(4).

Schedule 3, item 62, page 89 (lines 4 and 5), omit subsection (2).

Schedule 3, item 97, page 104 (line 20), omit “(2) or”.

Schedule 3, item 118, page 114 (lines 12 to 15), omit subsections (9) and (10).

On the motion of the Minister for Justice and Customs (Senator Ellison) the following amendment was debated and agreed to:

Schedule 2, item 6, page 34 (after line 18), after section 243X, insert:

**243XA Guidelines for serving infringement notices**

- (1) The CEO must develop written guidelines in respect of the administration of this Division to which he or she must have regard when exercising powers under this Division.
- (2) The guidelines are a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*.

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

Schedule 2, item 6, page 34 (line 6), omit “64AAA(9),”.

Schedule 2, item 6, page 34 (line 7), omit “99(2) or (3), 102A(4), 113(1), 114B(7), 114D(1),” substitute “99(3), 102A(4), 113(1), 114B(7),”.

Schedule 2, item 6, page 34 (line 9), omit “126E(3), 126F(3), 243SA(1), 243SB(1),”.

Senator Bolkus moved the following amendments together by leave:

No. 1—Clause 2, page 2 (line 14), omit “1”.

No. 2—Clause 2, page 2 (line 15), omit “If”, substitute “Subject to subsection (7), if”.

No. 3—Page 2 (after line 18), at the end of clause 2, add:

- (7) Part 1 of Schedule 3 commences on the day after:
  - (a) the day, or the later of the days, on which the Minister causes to be laid before each House of the Parliament a certificate that the Chief Executive Officer has complied with subsection 126DA(1) of the *Customs Act 1901*; or
  - (b) the last day on which a notice could be given for the disallowance of the Chief Executive Officer’s determination under subsection 126DA(1) of the *Customs Act 1901*, or, if such a notice is given, the last day on which the determination could be disallowed by a House of the Parliament in which the notice has been given; or
  - (c) the last day on which a notice could be given for the disallowance of the business rules made under section 273EB of the *Customs Act 1901*, or, if such a notice is given, the last day on which the rules could be disallowed by a House of the Parliament in which the notice has been given; or
  - (d) the day on which a report is presented to the Senate by a Senate standing committee on the use of electronic communications systems by Customs and related issues;

whichever is the latest.

- (8) If, on or after 1 October 2001, the Minister causes to be laid before each House of the Parliament a notice from the President of the Senate advising the Minister that the Senate has not, before that date, referred the use of electronic communications systems by Customs, and related issues, to a standing committee for inquiry and report, paragraph (7)(d) is to be disregarded.



No. 4—Schedule 3, heading to Part 1, page 39 (lines 4 and 5), omit the heading, substitute:

**Part 1—Electronic communications systems**

No. 5—Schedule 3, item 1, page 39 (lines 9 and 10), omit the heading to Part VIA, substitute:

**Part VIA—Electronic communications systems**

No. 6—Schedule 3, item 1, page 39 (line 16) to page 40 (line 5), omit subsections 126D(2) and (3).

No. 7—Schedule 3, item 1, page 40 (after line 5), after section 126D, insert:

**126DA Communications standards and operation**

- (1) After consulting widely with persons likely to be affected, the CEO must determine, and cause to be published in the *Gazette*:
  - (a) the information technology requirements that have to be met by persons who wish to communicate with Customs electronically; and
  - (b) the action that a person has to take in order to verify the receipt of information communicated to Customs electronically; and
  - (c) the information technology requirements that have to be met to satisfy a requirement that a person's signature be given to Customs in connection with information when the information is communicated electronically; and
  - (d) the information technology requirements that have to be met to satisfy a requirement that a document be produced to Customs when the document is produced electronically.
- (2) The CEO may:
  - (a) determine alternative information technology requirements that may be used; and
  - (b) without limiting paragraph (a), determine different information technology requirements that may be used in different circumstances or by different classes of persons.
- (3) A determination under subsection (1) or (2) is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*.

Debate ensued.

Senator Bolkus, by leave, amended amendment no. 7 as follows:

Subsection (1), omit "widely".

Omit subsection (3).

Debate continued.

The question was divided—

Question—That amendments nos 1 to 5 be agreed to—put and negatived.

Question—That amendments nos 6 and 7 be agreed to—put and passed.

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

Schedule 3, item 38, page 65 (line 12), at the end of paragraph 71DF(b), add “or such other day of that month as is prescribed”.

Bill, as amended, agreed to.

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**IMPORT PROCESSING CHARGES BILL 2000**  
**CUSTOMS DEPOT LICENSING CHARGES AMENDMENT BILL 2000—**

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

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The Customs Legislation Amendment and Repeal (International Trade Modernisation) Bill 2001 to be reported with amendments and the Import Processing Charges Bill 2000 and the Customs Depot Licensing Charges Amendment Bill 2000 to be reported without requests for amendments.

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

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

**14 INTERACTIVE GAMBLING 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.

Senator Bishop moved the following amendment:

At the end of the motion, add “but the Senate:

- (a) condemns the Government for introducing an unworkable, internally inconsistent and hypocritical bill which:
  - (i) does not provide strong regulation of interactive gambling as the most practical and effective way of reducing social harm arising from gambling,
  - (ii) may exacerbate problem gambling in Australia by barring access to regulated online gambling services with in-built safeguards but allows access to unregulated offshore on-line gambling sites that do not offer consumer protection or probity,
  - (iii) does not extend current regulatory and consumer protection requirements applying to off-line and land-based casinos, clubs or wagering venues to online casinos and online wagering facilities,
  - (iv) damages Australia’s international reputation for effective consumer protection laws and strong, workable gambling regulations,

- (v) singles out one form of gambling in an attempt to create the impression of placating community concern about the adverse social consequences of gambling but does not address more prevalent forms of gambling in Australian society, and
- (vi) is not technology neutral or technically feasible; and
- (b) calls on the Government to show national leadership on this issue by:
  - (i) addressing harm minimisation and consumer protection as well as criminal issues that may arise from online gambling,
  - (ii) ensuring a quality gambling product through financial probity checks on providers and their staff,
  - (iii) maintaining the integrity of games and the proper working of gaming equipment,
  - (iv) providing mechanisms to exclude those not eligible to gamble under Australian law,
  - (v) implementing problem gambling controls, such as exclusion from facilities, expenditure thresholds, no credit betting, and the regular provision of transaction records,
  - (vi) introducing measures to minimise any criminal activity linked to interactive gambling,
  - (vii) providing effective privacy protection for online gamblers,
  - (viii) containing social costs by ensuring that adequate ongoing funds are available to assist those with gambling problems,
  - (ix) addressing revenue issues that impact upon state government decisions relating to interactive gambling,
  - (x) establishing consistent standards for all interactive gambling operators,
  - (xi) examining international protocols with the aim of achieving multilateral agreements on sports betting and other forms of interactive gambling,
  - (xii) ensuring appropriate standards in advertising, in particular, to prevent advertising from targeting minors,
  - (xiii) investigating mechanisms to ensure that some of the benefits of online gambling accrue more directly to the local community,
  - (xiv) working with state and territory governments to ensure that online and interactive gambling operators meet the highest standards of probity and auditing through licensing agreements,
  - (xv) seeking co-regulation of interactive gambling by establishing a national regulatory framework that provides consumer safeguards and industry codes of practice, and
  - (xvi) coordinating the development of a co-regulatory regime through the Ministerial Council comprising of relevant state and federal ministers”.

Debate ensued.

*At 12.45 pm:* Debate was interrupted while Senator Harris was speaking.

**15 GOVERNOR-GENERAL LEGISLATION AMENDMENT BILL 2001**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Transport and Regional Services (Senator Boswell)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

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

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*In the committee*

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*Statement by Chair of Committees:* The Chair of Committees (Senator West) made a statement indicating that the bill, in Schedule 2, contains provisions which impose taxation. Normally the Senate would treat such a bill as a non-amendable bill, but Schedule 1 contains provisions relating to salary and superannuation which would normally be regarded as amendable. The Chair suggested that the committee treat as amendments any proposed changes to Schedule 1 and as requests any proposed changes to Schedule 2.

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Bill taken as a whole by leave.

Senator Murray moved the following amendments together by leave:

Schedule 1, page 5 (after line 15), after item 8, insert:

**8A Subsections 2B(2), (3) and (4)**

Repeal the subsections, substitute:

- (2) For the purposes of this Act, a person had a partnership relationship with a deceased person at a particular time if the relationship met the requirements of subsections (3) and (4) at that time.
- (3) A partnership relationship means a relationship that is genuine and continuing between 2 people:
  - (a) who live together, or do not live apart on a permanent basis; and
  - (b) who have a mutual commitment to a shared life to the exclusion of any other partnership relationship.
- (4) For the purposes of paragraph (3)(b), relevant evidence of a mutual commitment to a shared life includes, but is not limited to:
  - (a) any joint ownership of real estate or other major assets; and
  - (b) any joint liabilities; and
  - (c) the extent of any pooling of financial resources, particularly in relation to major financial commitments; and

- (d) any joint responsibility for the care and support of children, if any; and
- (e) the period of time for which the two persons have been living together as partners to the exclusion of any other partnership relationship; and
- (f) the persons' living arrangements.

Note: The heading to section 2B is altered by omitting "**Marital**" and substituting "**Partnership**".

## **8B Section 2C**

Repeal the section, substitute:

### **2C Spouse or partner of a deceased person**

- (1) For the purposes of this Act, a person is a spouse of a deceased person if the person was legally married to the deceased person at the time of the deceased person's death.
- (2) For the purposes of this Act, a person is a partner of a deceased person if:
  - (a) the person had a partnership relationship with the deceased person at the time of the deceased person's death; or
  - (b) the person:
    - (i) had previously had a partnership relationship with the deceased person; and
    - (ii) in the Commissioner's opinion, was wholly or substantially interdependent with the deceased person at the time of the death.

## **8C Subsection 4(2)**

After "spouse" (wherever occurring), insert "or partner".

Schedule 1, item 11, page 6 (line 14) to page 7 (line 5), after "spouse" (wherever occurring), insert "or partner".

Schedule 1, page 8 (after line 28), after item 13, insert:

### **13A Section 4A**

After "spouse" (wherever occurring), insert "or partner".

Note: The heading to section 4A is altered by inserting "**or partner**" after "**spouse**".

Debate ensued.

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

Bill agreed to.

Bill to be reported without amendment.

---

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

On the motion of the Parliamentary Secretary to Cabinet (Senator Heffernan) the report from the committee was adopted and the bill read a third time.

**16 DRIED VINE FRUITS (RATE OF PRIMARY INDUSTRY (CUSTOMS) CHARGE) VALIDATION BILL 2001**

**DRIED VINE FRUITS (RATE OF PRIMARY INDUSTRY (EXCISE) LEVY) VALIDATION BILL 2001**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Foreign Affairs and the Minister for Immigration and Multicultural Affairs (Senator Patterson)—That these bills be now read a second time.

Debate resumed.

Question put and passed.

Bills read a second time.

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

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*In the committee*

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

Bills to be reported without amendment.

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

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

**17 MIGRATION LEGISLATION AMENDMENT (ELECTRONIC TRANSACTIONS AND METHODS OF NOTIFICATION) BILL 2001**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Foreign Affairs and the Minister for Immigration and Multicultural Affairs (Senator Patterson)—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 Acting Deputy President (Senator Calvert) resumed the chair and the Chair of Committees (Senator West) reported accordingly.

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

**18 HEALTH LEGISLATION AMENDMENT BILL (NO. 2) 2001**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Foreign Affairs and the Minister for Immigration and Multicultural Affairs (Senator Patterson)—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 Acting Deputy President (Senator Calvert) resumed the chair and the Chair of Committees (Senator West) reported accordingly.

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

**19 HOURS OF MEETING—VARIATION**

The Parliamentary Secretary to the Minister for Foreign Affairs and the Minister for Immigration and Multicultural Affairs (Senator Patterson), by leave, moved—That on 25 June 2001, if the President notifies senators before 12.30 pm that the Senate shall meet at 2.30 pm, the Senate shall meet at 2.30 pm accordingly.

Question put and passed.

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

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*At 2 pm—*

**20 QUESTIONS**

Questions without notice were answered.

**21 MINISTER FOR FAMILY AND COMMUNITY SERVICES—ANSWERS TO QUESTIONS**

Senator Mackay moved—That the Senate take note of the answers given by the Minister for Family and Community Services (Senator Vanstone) to questions without notice asked today.

Debate ensued.

Question put and passed.

**22 FINANCE AND PUBLIC ADMINISTRATION REFERENCES COMMITTEE—GOVERNMENT RESPONSE—AUSTRALIAN PUBLIC SERVICE EMPLOYMENT MATTERS—FIRST REPORT**

The Parliamentary Secretary to Cabinet (Senator Heffernan) tabled the following document:

Finance and Public Administration References Committee—Report—Australian Public Service employment matters—First report: Australian workplace agreements—Government response.

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

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

**23 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 from the President of the National Council of the Republic of Slovenia (Tone Hrovat), dated 15 May 2001.

President of the Senate and the Speaker of the House of Representatives from the Speaker of the New Zealand House of Representatives (Rt Hon Jonathan Hunt), dated 2 May 2001.

**24 DOCUMENTS**

The following documents were tabled by the Clerk:

Christmas Island Act—Exemption order under section 6 of the *Travel Agents Act 1985* (WA) (CI), dated 16 May 2001.

Sydney Airport Demand Management Act—Slot Management Scheme Amendment Determination 2001 (No. 1).

*General business was called on.*

**25 FINANCE—AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION—AUSTRALIAN PRUDENTIAL REGULATION AUTHORITY**

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

(a) expresses its concern about the decline in investor confidence flowing from:

- (i) recent corporate collapses,
- (ii) public questions about the independence of auditors and brokers, and
- (iii) concerns about the competence and performance of the Australian Securities and Investments Commission (ASIC) and the Australian Prudential Regulation Authority (APRA); and

(b) condemns the Minister for Financial Services and Regulation for his mishandled oversight of ASIC and APRA.

Debate ensued.

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



**26 GOVERNMENT DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION**

The following orders of the day relating to government documents were considered:

United Nations—International Covenant on Civil and Political Rights—Human Rights Committee—Communications No. 947/2000—Decision. Motion of Senator Ludwig to take note of document agreed to.

Regional forest agreement for south-west forest region of Western Australia—Report for 1999-2000. Motion of Senator Bartlett to take note of document agreed to.

Centrelink—Compliance activity for Family and Community Services—Report for the period 1 July to 31 December 2000. Motion of Senator Bartlett to take note of the document called on. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

General business orders of the day nos 2-6 relating to government documents were called on but no motion was moved.

*General business concluded.*

**27 NOTICE OF MOTION**

The Assistant Treasurer (Senator Kemp), by leave, gave a notice of motion as follows: To move on the next day of sitting—That on Tuesday, 26 June 2001—

- (a) the hours of meeting shall be 12.30 pm to 6.30 pm, and 7.30 pm to 11.10 pm;
- (b) the routine of business from 12.30 pm to 2 pm and from 7.30 pm to 10.30 pm, shall be government business only; and
- (c) the question for the adjournment of the Senate shall be proposed at 10.30 pm.

*Statements by leave:* Senators Carr and Kemp, by leave, made statements relating to the motion.

**28 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—ORDERS OF THE DAY—CONSIDERATION**

The following orders of the day relating to committee reports and government responses were considered:

Migration—Joint Standing Committee—Report—2001 review of Migration Regulation 4.31B. Motion of Senator McKiernan to take note of report debated and agreed to.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Visits to immigration detention centres. Motion of the chair of the committee (Senator Ferguson) to take note of report debated. Debate adjourned till the next day of sitting, Senator O'Brien in continuation.

Electoral Matters—Joint Standing Committee—Report—User friendly, not abuser friendly: Report of the inquiry into the integrity of the Electoral Roll. Motion of Senator Mason to take note of report agreed to.

Superannuation and Financial Services—Select Committee—Report—Issues arising from the committee's report on the Taxation Laws Amendment (Superannuation Contributions) Bill 2000. Motion of the chair of the committee (Senator Watson) to take note of report debated and agreed to.

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. Motion of Senator Forshaw to take note of document agreed to.

Employment, Workplace Relations, Small Business and Education References Committee—Report—Aspiring to excellence: Quality of vocational education and training in Australia—Government response. Motion of Senator Carr to take note of document agreed to.

Finance and Public Administration References Committee—Interim report—Government's information technology outsourcing initiative: Accountability in a commercial environment – emerging issues. Motion of the chair of the committee (Senator George Campbell) to take note of report agreed to.

Superannuation and Financial Services—Select Committee—Report—A 'reasonable and secure' retirement? The benefit design of Commonwealth public sector and defence force unfunded superannuation funds and schemes. Motion of the chair of the committee (Senator Watson) to take note of report debated and agreed to.

Rural and Regional Affairs and Transport References Committee—Report—Airspace 2000 and related issues. Motion of the chair of the committee (Senator Woodley) to take note of report agreed to.

## 29 AUDITOR-GENERAL'S REPORTS—ORDERS OF THE DAY—CONSIDERATION

The following orders of the day relating to reports of the Auditor-General were considered:

Auditor-General—Audit report no. 32 of 2000-01—Performance audit—Defence Cooperation Program: Department of Defence. Motion to take note of report moved by Senator Hogg and agreed to.

Auditor-General—Audit report no. 33 of 2000-01—Performance audit—Australian Defence Force Reserves: Department of Defence. Motion to take note of report moved by Senator Hogg and agreed to.

## 30 CUSTOMS LEGISLATION AMENDMENT AND REPEAL (INTERNATIONAL TRADE MODERNISATION) BILL 2001—DOCUMENT

The Parliamentary Secretary to Cabinet (Senator Heffernan), by leave, made a statement relating to the revised explanatory memorandum to the Customs Legislation Amendment and Repeal (International Trade Modernisation) Bill 2001 and tabled the following document:

Customs Legislation Amendment and Repeal (International Trade Modernisation) Bill 2001—Letter from the Chief Executive Officer, Australian Customs Service to the Commissioner, Australian Taxation Office, dated 21 June 2001.

## 31 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.33 pm till Monday, 25 June 2001 at 12.30 pm, subject to the order agreed to earlier today (*see entry no. 19*).

**32 ATTENDANCE**

Present, all senators except Senators Boswell, Eggleston, Lees, Lundy\*, Payne and Troeth (\* on leave).

**HARRY EVANS**  
Clerk of the Senate