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**1 MEETING OF SENATE**

The Senate met at 2.30 pm. The President (Senator the Honourable Margaret Reid) took the chair and read prayers.

**2 GOVERNMENT DOCUMENTS**

The following government documents were tabled:

Australian Horticultural Corporation—Report for the period 1 July 2000 to 31 January 2001 (Final report).

Australian National University—Report for 2000.

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 January to 31 March 2001.

Human Rights and Equal Opportunity Commission—Report—No. 13—Inquiry into a complaint of acts or practices inconsistent with or contrary to human rights.

**3 QUESTIONS**

Questions without notice were answered.

**4 WORKPLACE RELATIONS—G & K O'CONNOR PTY LTD—ORDER FOR PRODUCTION OF DOCUMENTS—QUESTION TO MINISTER**

Senator Carr, by leave, asked the Minister for Communications, Information Technology and the Arts (Senator Alston) a question relating to the order of the Senate of 24 May 2001 for the production of documents concerning workplace relations (*see entry no. 11, 24 May 2001*).

Senator Alston made a statement in response.

Senator Carr, by leave, moved—That the Senate take note of the minister's response.

Question put and passed.

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

Senator Evans 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.

**6 PUBLIC TRANSPORT—MELBOURNE—ANSWER TO QUESTION**

Senator Allison moved—That the Senate take note of the answer given by the Minister for Regional Services, Territories and Local Government (Senator Ian Macdonald) to a question without notice asked by Senator Allison today relating to the funding of public transport in Melbourne.

Question put and passed.

**7 NOTICES**

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Hogg): To move on the next day of sitting—That the time for the presentation of reports of the Foreign Affairs, Defence and Trade References Committee be extended as follows:

- (a) the second report on the examination of developments in contemporary Japan and the implications for Australia—to 23 August 2001; and
- (b) the disposal of Defence properties—to 23 August 2001.

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

- (a) notes that:
  - (i) the week of 25 June to 29 June 2001 marks the inaugural Drug Action Week, organised by the Alcohol and Other Drugs Council of Australia,
  - (ii) events planned include open days, seminars, report launches, film nights and public meetings,
  - (iii) alcohol and tobacco remain the biggest sources of drug-related death and health problems in Australia,
  - (iv) around 3 600 Australians die each year due to the effects of alcohol, representing 16 per cent of all drug-related deaths and 2.8 per cent of all deaths in Australia,
  - (v) the cost to the community is estimated at \$4.5 billion, and
  - (vi) in Australia there is a worrying trend to younger people initiating drug use;
- (b) congratulates the Alcohol and Other Drugs Council of Australia and other government and non-government agencies for the outstanding work they do in raising awareness of the broad range of harms associated with the misuse of drugs, and in promoting public debate about good practice strategies for reducing drug-related harm; and
- (c) acknowledges the launch of the National Indigenous Substance Misuse Council at Parliament House, Canberra on 28 June 2001.

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

- (a) notes the occurrence of Drug Action Week 2001, between 25 June and 29 June 2001;
- (b) recognises and supports the excellent drug treatment, education and information services being delivered by a wide range of small and large community-based agencies across Australia;
- (c) reaffirms the use of the harm minimisation model, in our nation's attempts to reduce the adverse impact of drug misuse on our community;
- (d) calls on the Federal Government to allocate further funding for treatment services in areas of high need, such as regional, rural, aboriginal and socio-economically disadvantaged communities; and
- (e) calls on the Federal, state, territory and local governments to support, both financially and in-kind, the ongoing development of innovation in all drug harm minimisation activities, including the reduction of drug supply, the reduction in demand for drugs and a reduction in the adverse impacts of drug use.

**8 POSTPONEMENTS**

Items of business were postponed as follows:

General business notice of motion no. 926 standing in the name of Senator Murray for today, relating to the introduction of the Public Interest Disclosure Bill 2001, postponed till 27 June 2001.

**9 PRIVILEGES—STANDING COMMITTEE—REFERENCE**

Senator Calvert, at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne) and pursuant to notice of motion not objected to as a formal motion, moved—That the following matter be referred to the Committee of Privileges:

Having regard to the matter submitted to the Senate on 25 June 2001, whether there was an unauthorised disclosure of a draft report of the Legal and Constitutional Legislation Committee, and whether any contempt was committed in that regard.

Question put and passed.

**10 LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—REFERENCE**

Senator O'Brien, at the request of Senator Bolkus and pursuant to notice of motion not objected to as a formal motion, moved—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 systems;
- (c) the needs and capabilities of importers, exporters and service providers in respect of ACS information technology and communications systems;
- (d) the way in which the ACS has conducted consultation with importers, exporters, and service providers in relation to information technology and communications systems; and
- (e) issues associated with the involvement of the ACS in e-commerce.

Question put and passed.

**11 REGULATIONS AND ORDINANCES—STANDING COMMITTEE—LEAVE TO MEET WITH QUEENSLAND COMMITTEE**

Senator Calvert, at the request of the Chairman of the Standing Committee on Regulations and Ordinances (Senator Coonan) 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 Regulations and Ordinances Committee holding a private deliberative meeting on 27 June 2001, from 10.15 am to 11.15 am, with members of the Scrutiny of Legislation Committee of the Queensland Parliament in attendance.

Question put and passed.

**12 LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—EXTENSIONS OF TIME TO REPORT**

The Chair of the Legal and Constitutional References Committee (Senator McKiernan), pursuant to notice of motion not objected to as a formal motion, moved—That the time for the presentation of reports of the Legal and Constitutional References Committee be extended as follows:

- (a) the management arrangements and adequacy of funding of the Australian Federal Police and the National Crime Authority—to 28 August 2001; and
- (b) the Human Rights (Mandatory Sentencing for Property Offences) Bill 2000—to 25 September 2001.

Question put and passed.

**13 CORPORATIONS AND SECURITIES—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Calvert, at the request of the Chair of the Parliamentary Joint Committee on Corporations and Securities (Senator Chapman), amended Senator Chapman's notice of motion by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Parliamentary Joint Committee on Corporations and Securities be authorised to hold a public meeting during the sitting of the Senate on 27 June 2001, from 9.30 am to 11.30 am and 4.10 pm to 6.30 pm, to take evidence for the committee's inquiry into the provisions of the Financial Services Reform Bill 2001 and four related bills.

Question put and passed.

**14 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 9 August 2001.

Question put and passed.

**15 HUMAN RIGHTS REGISTER**

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

- (a) notes that:
  - (i) the fourth annual Human Rights Register was launched on 7 June 2001 by the Catholic Commission for Justice Development and Peace; former High Court Judge Sir Ronald Wilson; Reverend Tim Costello, President of the Baptist Union of Australia; and Chris Maxwell, QC of Liberty Victoria,
  - (ii) the register was compiled for the period May 2000 to May 2001, and contains over 265 entries, of which 75 per cent are negative, and
  - (iii) the most prominent issues on the register are:
    - (A) mandatory detention of asylum seekers and refugees (26 negative entries),

- (B) the ongoing and high levels of inequality and disadvantage experienced by Aboriginal and Torres Strait Islander peoples as a result of mandatory sentencing legislation, disproportionately high rates of incarceration and deaths in custody (25 negative entries), and
  - (C) Australia's partial withdrawal from the United Nation's Human Rights Treaty Committee system;
- (b) condemns the Government on its alarming responsibility for 40 per cent of all negative entries on the Human Rights Register; and
  - (c) calls on the Government to:
    - (i) make a strong commitment to improve its record in subsequent Human Rights Registers, and
    - (ii) respect and fully implement its international human rights treaty obligations, and to work in co-operation with the United Nations treaty committee system to this end.

Question put and passed.

**16 ORDER OF BUSINESS—REARRANGEMENT**

The Parliamentary Secretary to the Minister for Transport and Regional Services (Senator Boswell) moved—That government business notice of motion no. 1 standing in the name of the Parliamentary Secretary to the Minister for Health and Aged Care (Senator Tambling) for today, relating to the approval of works proposed for the Parliamentary Zone, be postponed till the next day of sitting.

Question put and passed.

**17 CONSTITUTION ALTERATION (APPROPRIATIONS FOR THE ORDINARY ANNUAL SERVICES OF THE GOVERNMENT) 2001**

Senator Murray, also on behalf of the Leader of the Australian Democrats (Senator Stott Despoja), 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 alter the Constitution to ensure that if the Senate fails to pass a proposed law appropriating revenue or moneys for the ordinary annual services of the Government in respect of a year, an amount of money is appropriated for those services in respect of that year equal to the amount appropriated for those services in respect of the preceding year.

Question put and passed.

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

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

**18 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—  
ADDITIONAL INFORMATION—DAIRY PRODUCE LEGISLATION AMENDMENT  
(SUPPLEMENTARY ASSISTANCE) BILL 2001**

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.

**19 PUBLIC WORKS—JOINT STATUTORY COMMITTEE—7TH REPORT OF 2001**

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

7th report of 2001—Fitout of new Central Office building for the Department of Immigration and Multicultural Affairs, Belconnen, ACT.

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

Question put and passed.

**20 INTER-PARLIAMENTARY UNION—105TH CONFERENCE—DOCUMENT**

Senator McKiernan, by leave, tabled the following document:

Inter-Parliamentary Union Conference—105th, Havana, Cuba, 1 to 7 April 2001 and bi-lateral visit to Mexico 8 to 15 April 2001—Report of the Australian parliamentary delegation, dated June 2001.

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

Question put and passed.

**21 DOCUMENTS**

The following documents were tabled by the Clerk:

Goods and Services Tax Ruling GSTR 2001/4.

Navigation Act—Marine Orders—Order No. 6 of 2001.

**22 NEW BUSINESS TAX SYSTEM (CAPITAL ALLOWANCES) BILL 2001  
NEW BUSINESS TAX SYSTEM (CAPITAL ALLOWANCES—TRANSITIONAL AND  
CONSEQUENTIAL) BILL 2001  
NEW BUSINESS TAX SYSTEM (SIMPLIFIED TAX SYSTEM) BILL 2001**

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

Message no. 736, dated 25 June 2001—A Bill for an Act to implement the New Business Tax System by amending the law relating to taxation, and for related purposes.

Message no. 739, dated 26 June 2001—A Bill for an Act to implement the New Business Tax System by amending the law relating to taxation, and for related purposes.

Message no. 735, dated 25 June 2001—A Bill for an Act to amend the law about taxation to implement the New Business Tax System, and for related purposes.



The Minister for Regional Services, Territories and Local Government (Senator Ian Macdonald) 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 Macdonald moved—That these bills be now read a second time.

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*Explanatory memoranda:* Senator Ian Macdonald tabled revised explanatory memoranda [2] relating to the bills.

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On the motion of Senator Denman the debate was adjourned.

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

## 23 **TAXATION LAWS AMENDMENT BILL (NO. 2) 2001**

### **HEALTH LEGISLATION AMENDMENT (MEDICAL PRACTITIONERS' QUALIFICATIONS AND OTHER MEASURES) BILL 2001**

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

Message no. 737, dated 25 June 2001—A Bill for an Act to amend the law relating to taxation, and for related purposes.

Message no. 738, dated 26 June 2001—A Bill for an Act to amend legislation relating to health, and for related purposes.

The Minister for Regional Services, Territories and Local Government (Senator Ian Macdonald) 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 Macdonald moved—That these bills be now read a second time.

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

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

Question put and passed.

## 24 **GOVERNOR-GENERAL'S MESSAGE—ASSENT TO LAWS**

A message from His Excellency the Governor-General was reported, informing the Senate that he had assented to the following laws:

21 June 2001—Message No. 19—

*Great Barrier Reef Marine Park Amendment Act 2001* (Act No. 48, 2001)

*Prime Minister and Cabinet Legislation Amendment (Application of Criminal Code) Act 2001* (Act No. 49, 2001).

**25 DAIRY PRODUCE LEGISLATION AMENDMENT (SUPPLEMENTARY ASSISTANCE)  
BILL 2001**

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

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*In the committee*

Consideration resumed of the bill—and of the requests for amendments moved by Senator Woodley:

That the House of Representatives be requested to make the following amendments:

Schedule 1, item 10, page 9 (line 30), omit paragraph (c), substitute:

(c) subject to subsection (1A)—the entity passes the lease income test.

Schedule 1, item 10, page 9 (after line 30), after subclause 37J(1), insert:

*Exception*

(1A) For the purposes of this clause, an entity is taken to have passed the lease income test if the entity suffered a material fall in eligible lease income in the 1999-2000 or 2000-2001 income years because a lessee of the entity defaulted on a contract or leasing arrangement in relation to the dairy farm enterprise.

Schedule 1, item 10, page 10 (after line 5), after subclause (2), insert:

(2A) It is a further policy objective that an entity to which subclause (1A) applies is entitled to be granted the same level of discretionary payment rights, in respect of a dairy farm enterprise that is subject to an eligible dairy leasing arrangement, as has been granted to the lessee.

Schedule 1, item 10, page 10 (after line 5), after subclause (2), insert:

(2B) It is a further policy objective that an entity with a lessor interest in a dairy farm enterprise is entitled to be granted 80% of the discretionary payment rights granted to the lessee in respect of the enterprise.

Debate resumed.

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

Senator Woodley moved the following requests for amendments together by leave:

That the House of Representatives be requested to make the following amendments:

Schedule 1, item 10, page 10 (line 15), omit “both”, substitute “either”.

Schedule 1, item 10, page 10 (line 16), omit “gross”, substitute “net”.

Schedule 1, item 10, page 10 (line 18), omit “and”, substitute “or”.

Schedule 1, item 10, page 10 (line 23), omit “both”, substitute “either”.

Schedule 1, item 10, page 10 (line 24), omit “gross”, substitute “net”.

Schedule 1, item 10, page 10 (line 26), omit “and”, substitute “or”.

Debate ensued.

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

Senator Woodley moved the following amendment:

Schedule 1, item 10, page 9 (after line 20), at the end of clause 37H, add:

- (3) It is a policy objective that a dairy farm enterprise is not to be disadvantaged, for the purposes of satisfying this clause, by any regional variations in the definition of market milk.

Debate ensued.

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

Senator Harris moved the following request for an amendment:

That the House of Representatives be requested to make the following amendment:

Schedule 1, item 10, page 10 (lines 13 to 31), omit subclause (4), substitute:

- (4) For the purposes of this clause, an entity *passes the lease income test* if the eligible lease net income derived by the entity in the 2000-2001 financial year is at least 20% less than the average of the eligible lease net income derived by the entity in the 1999-2000, 1998-1999 and 1997-1998 financial years.

Debate ensued.

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

Senator Harris moved the following amendment:

Page 2, after line 2, after clause 3, insert:

#### **4 Review of operation of Act**

- (1) The Minister must cause a review of the operation of the Supplementary Dairy Assistance scheme to be undertaken as soon as practicable after 1 January 2003.
- (2) A person who undertakes such a review must give the Minister a written report of the review.
- (3) The Minister must cause a copy of the review to be laid before each House of the Parliament within 15 sitting days of that House after the Minister receives it.

Debate ensued.

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

Bill agreed to, subject to a request.

Bill to be reported with a request for an amendment.

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

On the motion of the Minister for Regional Services, Territories and Local Government (Senator Ian Macdonald) the report from the committee was adopted.

*Suspension of sitting:* On the motion of Senator Ian Macdonald the sitting of the Senate was suspended till 7.30 pm.

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*At 7.30 pm—*

**26 APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL (NO. 1) 2001-2002**

**APPROPRIATION BILL (NO. 1) 2001-2002**

**APPROPRIATION BILL (NO. 2) 2001-2002**

Order of the day read for the adjourned debate on the motion of the Minister for Regional Services, Territories and Local Government (Senator Ian Macdonald)—That these bills be now read a second time.

Debate resumed.

Debate adjourned till the next day of sitting, the Special Minister of State (Senator Abetz) in continuation.

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*At 10.30 pm—*

**27 ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 11.08 pm till Wednesday, 27 June 2001 at 9.30 am.

**28 ATTENDANCE**

Present, all senators except Senators Bolkus, Cook\*, Crane, Ellison, Ferris, Lundy\*, Patterson and Troeth (\* on leave).

**HARRY EVANS**  
Clerk of the Senate