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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 NOTICES

Senator Murray: To move on the next day of sitting—That the Senate calls on the Government to put in place legislative provisions and administration procedures with immediate effect to require all retired Members of Parliament to be subject to the same reporting and accountability processes with respect to their parliamentary entitlements as serving members of Parliament.

The Chair of the Environment, Communications, Information Technology and the Arts References Committee (Senator Allison): To move on the next day of sitting—That the Environment, Communications, Information Technology and the Arts References Committee be authorised to hold a public meeting during the sitting of the Senate on 20 August 2001, from 6 pm, to take evidence for the committee's inquiry into the methods of appointment to the Australian Broadcasting Corporation's board.

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

- (a) notes the futile approach to gambling reforms announced recently by the New South Wales Government, in a state where the number of poker machines has increased by more than 60 per cent since 1995 when the Carr Labor government was elected;
- (b) further notes that one of the key planks of these reforms is a cap on poker machine numbers at 104 000;
- (c) condemns this ridiculously high cap on poker machine numbers at around existing levels in the State, which will not reduce gambling opportunities or the levels of revenue generated from gambling taxes;
- (d) criticises these reforms, which can only be described as a public relations exercise, particularly when figures from the New South Wales Treasury have already predicted that the revenue generated from clubs and hotels will increase from \$748 million in the 2001-02 financial year to \$907 million in the 2004-05 financial year; and
- (e) calls on the New South Wales Labor Party to get serious about reforms aimed at reducing the number of problem gamblers, by reducing the number of poker machines and the accessibility of various forms of gambling.

3 ORDER OF BUSINESS—REARRANGEMENT

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) moved—That government business order of the day no. 3 (Trade Marks and Other Legislation Amendment Bill 2001) be considered from 12.45 pm till not later than 2 pm today.

Question put and passed.

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

- (a) general business order of the day no. 87 (Job Network Monitoring Authority Bill 2000 [No. 2]); and
- (b) consideration of government documents.

Question put and passed.

4 INTELLIGENCE SERVICES—JOINT SELECT COMMITTEE—LEAVE TO MEET DURING SITTING

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell), by leave and on behalf of the Joint Select Committee on the Intelligence Services, moved—That the Joint Select Committee on the Intelligence Services be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 11 am.

Question put and passed.

5 ORDER OF BUSINESS—REARRANGEMENT

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

Question put and passed.

6 POSTPONEMENTS

Senator Brown, by leave, moved—That general business notice of motion no. 979 standing in his name for today, relating to the establishment of an international war crimes tribunal, be postponed till 21 August 2001.

Question put and passed.

Items of business were postponed as follows:

General business notice of motion no. 969 standing in the name of the Leader of the Australian Democrats (Senator Stott Despoja) for today, relating to the introduction of the Republic (Consultation of the People) Bill 2001, postponed till 21 August 2001.

7 IMPACTS OF THE NEW TAX SYSTEM—PROPOSED SELECT COMMITTEE—APPOINTMENT

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

Establishment of a select committee

- (1) That a select committee, to be known as the Select Committee on the Impacts of the New Tax System, be established to inquire into and report, by 31 December 2001, on the social and economic impacts of the new tax system (NTS) and, in particular, the introduction of the goods and services tax (GST), with reference to the claims, estimates and projections that underpinned the Government's proposals for the NTS, particularly those contained in *Tax reform: not a new tax, a new tax system*.

Matters to be explored by the committee

- (2) That, in conducting its inquiry, the committee examine the following matters:
- (a) the effects of the introduction of the GST (and associated compensation package) on disposable income and household spending power for a range of income groups;
 - (b) the effectiveness of the NTS in easing the poverty traps facing people on low incomes, and in reforming and streamlining tax and income support for families with children;
 - (c) the effects of the NTS on tax avoidance and evasion, including an examination of the effects on the cash economy;
 - (d) the effects of the NTS on small business;
 - (e) the effects of the NTS on taxation compliance costs;
 - (f) the effects of the NTS on the non-profit sector, including the total amounts of money contributed by the sector, administrative costs, impacts on the viability of the organisations, and the consequent effects on the well-being of the community;
 - (g) the effects of the NTS on:
 - (i) national Gross Domestic Product,
 - (ii) national export performance and national debt,
 - (iii) the national Consumer Price Index, and
 - (iv) the distribution of wealth in the Australian community;
 - (h) the levels of revenue generated or foregone due to the NTS and subsequent related policy announcements by the Government;
 - (i) the effects of the NTS on future federal budget revenues, expenditures and surpluses; and
 - (j) options for amending the legislation which underpins the NTS to improve its fairness, simplicity or efficiency.

Composition of the committee

- (3) That the committee consist of 7 senators, 3 nominated by the Leader of the Government in the Senate, 3 nominated by the Leader of the Opposition in the Senate, and 1 nominated by the Leader of the Australian Democrats.
- (4) That the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.
- (5) That:
- (a) senators may be appointed to the committee as substitutes for members of the committee in respect of particular matters before the committee;
 - (b) on the nominations of the Australian Greens or independent senators, participating members may be appointed to the committee; and
 - (c) participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of members of the committee, but may not vote on any questions before the committee.

- (6) That the committee shall elect as its chair a member nominated by the Leader of the Opposition in the Senate.
- (7) That the committee shall elect as its deputy chair, immediately after the election of the chair, a member nominated by the Leader of the Government in the Senate.
- (8) That the deputy chair act as chair when there is no chair or the chair is not present at a meeting.

Powers and administration of the committee

- (9) That the committee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings and the evidence taken and such interim recommendations as it may deem fit.
- (10) That the quorum of the committee shall be a majority of the members of the committee.
- (11) That the committee set 7 September 2001 as the date for receipt of submissions, but that the committee be empowered to receive and consider submissions at any later time.
- (12) That the committee hold hearings in each state and territory as required.
- (13) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.
- (14) That the committee be empowered to print from day to day such documents and evidence as may be ordered by it and a daily Hansard be published of such proceedings as take place in public.

Statements by leave: Senators Cook and Murray and the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell), by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 28

Senators—

Bishop	Cook	Harradine	McLucas
Bolkus	Cooney	Harris	Murphy
Brown	Crossin	Hogg	O'Brien (Teller)
Campbell, George	Crowley	Hutchins	Ray
Carr	Denman	Ludwig	Schacht
Collins	Forshaw	Lundy	Sherry
Conroy	Gibbs	McKiernan	West

NOES, 40

Senators—

Abetz	Cherry	Kemp	Newman
Allison	Coonan	Knowles	Patterson
Alston	Crane	Lees	Payne
Bartlett	Eggleston	Lightfoot	Ridgeway
Boswell	Ferguson	Macdonald, Ian	Stott Despoja
Bourne	Ferris	Macdonald, Sandy	Tambling
Brandis	Gibson	Mason	Tchen
Calvert (Teller)	Greig	McGauran	Tierney
Campbell, Ian	Herron	Minchin	Troeth
Chapman	Hill	Murray	Vanstone

Question negatived.

8 **ECONOMICS REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTINGS**

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 Economics References Committee be authorised to hold public meetings during the sittings of the Senate on 21 August 2001, from 3.30 pm, and on 23 August 2001, from 3.30 pm, to take evidence for the committee's inquiry into mass marketed tax effective schemes and investor protection.

Question put and passed.

9 **ENVIRONMENT—FOREST LOGGING**

Senator Brown, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate considers that, wherever there is an existing plantation alternative, old-growth forests and high conservation forests should not be logged.

Question put.

The Senate divided—

AYES, 41

Senators—

Allison	Coonan	Knowles	Payne
Alston	Crane	Lees	Ridgeway
Bartlett	Eggleston	Lightfoot	Stott Despoja
Boswell	Ferguson	Macdonald, Ian	Tambling
Bourne	Ferris	Macdonald, Sandy	Tchen
Brandis	Gibson	Mason	Tierney
Brown	Greig	McGauran	Troeth
Calvert (Teller)	Harris	Minchin	Vanstone
Campbell, Ian	Herron	Murray	
Chapman	Hill	Newman	
Cherry	Kemp	Patterson	

NOES, 25

Senators—

Bishop	Cooney	Hutchins	Ray
Bolkus	Crossin	Ludwig	Schacht
Campbell, George	Crowley	Lundy	Sherry
Carr	Denman	McKiernan	West
Collins	Forshaw	McLucas	
Conroy	Gibbs	Murphy	
Cook	Hogg	O'Brien (Teller)	

Question agreed to.

10 INTERNATIONAL DAY OF THE WORLD'S INDIGENOUS PEOPLES

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

(a) notes that:

- (i) 9 August 2001 is International Day of the World's Indigenous Peoples, and
- (ii) in commemoration of the United Nations (UN) Year of Dialogue Among Civilisations, the UN has acknowledged 12 individuals from around the world whose efforts to close the cultural divide between races has been outstanding and inspiring;

(b) congratulates Mr Jack Beetson, an Australian Indigenous educator and long-time advocate of rights for Indigenous Peoples, on being selected as one of the 12 recipients of the UN 'Unsung Hero' Award for 2001; and

(c) acknowledges that Mr Beetson has devoted his life to creating bridges of understanding between Indigenous and non-Indigenous Australians, and has played a prominent role in achieving self-determination in education for Indigenous Australians, particularly through his work at Tranby Co-operative for Aborigines in Sydney.

Question put and passed.

11 FOREIGN AFFAIRS—JAPANESE FISHING BOATS—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Greig, 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 Ministers for Foreign Affairs and Trade, no later than immediately after motions to take note of answers to questions without notice on 30 August 2001, the following documents:

All documents held by the Department of Foreign Affairs and Trade relating to an agreement this year between Australia and Japan to end the port ban on Japanese fishing boats and allow Japanese fishing boats to 'reclaim' approximately 350 tonnes of Southern Bluefin Tuna, including any documents linking that agreement with any subsequent trade agreements between Australia and Japan.

Question put and passed.

12 ROCK LOBSTER FISHERY—ARRANGEMENTS—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Greig, 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 Agriculture, Fisheries and Forestry, no later than immediately after motions to take note of answers to questions without notice on 30 August 2001, the following documents:

Copies of an ‘Arrangement in relation to the Rock Lobster Fishery between the Commonwealth of Australia and South Australia’ and a further ‘Arrangement between the Commonwealth of Australia and South Australia in relation to the Rock Lobster Fishery’, notified in the *Gazette* No. S406 of 21 December 1988, both of which were expressed to have been made under the *Fisheries Act 1952* (Cth) and the *Fisheries Act 1982* (SA).

Question put and passed.

13 ENVIRONMENT—OZONE-DEPLETING GASES

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

- (a) applauds the policies of Denmark, Britain and several other Northern European countries to:
 - (i) accelerate the phase-out of ozone-depleting hydrochlorofluorocarbons,
 - (ii) recognise that hydrofluorocarbons, which are potent industrial greenhouse gases, are only short-term transitional substances which should be avoided wherever practicable, and
 - (iii) put regulatory mechanisms in place to implement the application of natural refrigerants throughout the refrigeration and air conditioning industries; and
- (b) calls upon the Australian Government to increase its efforts to encourage industry to reduce the environmental impact of refrigeration and air conditioning systems in line with the examples set by European governments.

Question put and passed.

14 EDUCATION—GOVERNMENT SCHOOLS—FUNDING

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

- (a) notes:
 - (i) the Budgewoi Public School Council’s concern with the poor condition of the school’s facilities, and
 - (ii) that the New South Wales Department of Education has provided an additional \$600 000 for the construction of new classrooms, but that this will provide for only four new classrooms; and
- (b) calls on the Federal Government to increase the amount of capital grants to government schools for new buildings and maintenance works.

Question put and passed.

**15 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS
LEGISLATION COMMITTEE—STATEMENT BY CHAIR**

The Chair of the Environment, Communications, Information Technology and the Arts Legislation Committee (Senator Eggleston), by leave, made a statement indicating that the committee had received correspondence from the Secretary of the Department of the Environment and Heritage, Mr Roger Beale, AM, concerning remarks directed to him by Senator Bolkus during Budget estimates hearings on 4 June and 5 June 2001.

Leave was granted for Mr Beale's response to be incorporated in Hansard.

16 PUBLICATIONS—STANDING COMMITTEE—27TH REPORT

Senator Calvert, at the request of the Chair of the Standing Committee on Publications (Senator Lightfoot), tabled the following report:

PUBLICATIONS COMMITTEE

27TH 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 28 June 2001, recommends that the following be printed:

Australia and the Asian Development Bank—Report for 1999-2000.

Australia and the IMF—Report for 1999-2000.

Australia and the World Bank—Report for 1999-2000.

Australian Dried Fruits Board—Report for the period 1 July 2000 to 31 January 2001 [Final report].

Commonwealth Grants Commission—Report—Review of the operation of the *Local Government (Financial Assistance) Act 1995*, June 2001.

Horticultural Research and Development Corporation—Report for the period 1 July 2000 to 31 January 2001 [Final report].

Housing Assistance Act 1996—Report for 1998-99 on the operation of the 1996 Commonwealth-State Housing Agreement.

Senator Ross Lightfoot

Chairman

9 August 2001.

Senator Calvert moved—That the report be adopted.

Question put and passed.

**17 AUSTRALIAN PARLIAMENTARY DELEGATION TO THE UNITED KINGDOM AND
CANADA—CHILD MIGRATION ISSUES—DOCUMENT**

Senator Crowley, by leave, tabled the following document:

United Kingdom and Canada—Child migration issues—Report of the Australian parliamentary delegation, 16 to 26 April 2001, dated August 2001.

Statement by leave: Senator Crowley, by leave, made a statement relating to the document.

18 ENVIRONMENT—FOREST LOGGING—STATEMENTS BY LEAVE

The Minister for the Environment and Heritage (Senator Hill), Senators O'Brien, Brown, Murphy and Forshaw and the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell), by leave, made statements relating to the motion agreed to earlier today concerning the logging of old-growth forests and high conservation forests (*see entry no. 9*).

19 FINANCIAL SERVICES REFORM BILL 2001

FINANCIAL SERVICES REFORM (CONSEQUENTIAL PROVISIONS) BILL 2001

CORPORATIONS (FEES) AMENDMENT BILL 2001

CORPORATIONS (NATIONAL GUARANTEE FUND LEVIES) AMENDMENT BILL 2001

CORPORATIONS (COMPENSATION ARRANGEMENTS LEVIES) BILL 2001

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

Message no. 768, dated 8 August 2001—A Bill for an Act to amend the law relating to financial services and markets, and for other purposes.

Message no. 760, dated 6 August 2001—A Bill for an Act to repeal or amend certain Acts as a consequence of the enactment of the *Financial Services Reform Act 2001*, and for other purposes.

Message no. 753, dated 29 June 2001 am—A Bill for an Act to amend the *Corporations (Fees) Act 2001*.

Message no. 754, dated 29 June 2001 am—A Bill for an Act to amend the *Corporations (National Guarantee Fund Levies) Act 2001*.

Message no. 755, dated 29 June 2001 am—A Bill for an Act to impose levies in respect of compensation arrangements for financial services markets, and for related 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.

Explanatory memoranda: Senator Ian Campbell tabled revised explanatory memoranda [2] relating to the Financial Services Reform Bill 2001 and the Financial Services Reform (Consequential Provisions) Bill 2001.

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

**20 SUPERANNUATION AND FINANCIAL SERVICES—SELECT COMMITTEE—REPORT—
PARLIAMENTARY (CHOICE OF SUPERANNUATION) BILL 2001**

Pursuant to order, Senator Coonan, at the request of the Chair of the Select Committee on Superannuation and Financial Services (Senator Watson), tabled the following report and documents:

Superannuation and Financial Services—Select Committee—Parliamentary (Choice of Superannuation) Bill 2001, dated August 2001, *Hansard* record of the committee's proceedings and submissions [2 649].

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

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

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

**21 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—REPORT—ALCOHOL EDUCATION
AND REHABILITATION ACCOUNT BILL 2001**

Pursuant to order, Senator Coonan, at the request of the Chair of the Community Affairs Legislation Committee (Senator Knowles), tabled the following report and documents:

Alcohol Education and Rehabilitation Account Bill 2001, dated August 2001, *Hansard* record of the committee's proceedings and submissions [9].

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

**22 ENVIRONMENT AND HERITAGE LEGISLATION AMENDMENT BILL (NO. 2) 2000 [2001]
AUSTRALIAN HERITAGE COUNCIL BILL 2000 [2001]
AUSTRALIAN HERITAGE COUNCIL (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS)
BILL 2000 [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 these bills be now read a second time.

Debate resumed.

At 12.45 pm: Debate was interrupted while Senator Brown was speaking.

23 TRADE MARKS AND OTHER 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 Acting Deputy President (Senator Bartlett) resumed the chair and the Chair of Committees (Senator West) 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—

24 QUESTIONS

Questions without notice were answered.

25 QUESTION ON NOTICE—ANSWER AND EXPLANATION

Senator Crossin, pursuant to standing order 74, asked the Minister representing the Minister for Aged Care (Senator Vanstone) for an explanation of an answer not being provided to question on notice no. 3419 (notice given 7 February 2001) relating to the aged care adjustment grants for small rural facilities initiative.

Senator Vanstone indicated that an explanation would be provided.

Senator Crossin moved—That the Senate take note of the minister's response.

Question put and passed.

26 TAXATION—SMALL BUSINESS—ANSWER TO QUESTION

Senator Schacht moved—That the Senate take note of the answer given by the Minister for Communications, Information Technology and the Arts (Senator Alston) to a question without notice asked by Senator George Campbell today relating to the goods and services tax and small business.

Debate ensued.

Declaration of interest: Senator Crane declared an interest in relation to the matter under discussion.

Debate continued.

Question put and passed.

27 MIGRATION—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—MIGRATION LEGISLATION AMENDMENT BILL (NO. 2) 2000

The Minister for the Environment and Heritage (Senator Hill) tabled the following document:

Migration—Joint Standing Committee—Report—Migration Legislation Amendment Bill (No. 2) 2000—Government response, dated 7 February 2001.

28 TREATIES—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—8TH REPORT

The Minister for the Environment and Heritage (Senator Hill) tabled the following document:

Treaties—Joint Standing Committee—8th report—Government response, dated August 2001.

29 TREATIES—JOINT STANDING COMMITTEE—GOVERNMENT RESPONSE—11TH REPORT

The Minister for the Environment and Heritage (Senator Hill) tabled the following document:

Treaties—Joint Standing Committee—11th report [Agreement with Kazakhstan; treaties tabled on 30 September and 21 October 1997]—Government response, dated August 2001.

30 VACANCY IN THE REPRESENTATION OF QUEENSLAND—CHOICE OF JOHN CHERRY—DOCUMENT

The Deputy President (Senator West) tabled the original certificate of the choice by the Parliament of Queensland of Mr John Cherry to fill the vacancy caused by the resignation of Senator Woodley (*see entry no. 2, 6 August 2001*).

31 CENTENARY OF FIRST MEETINGS OF PARLIAMENT—DOCUMENTS

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

Centenary of Federation joint commemorative sitting, Royal Exhibition Building, Melbourne, Victoria, 9 May 2001 [Video recording].

Centenary of Federation Senate commemorative sitting, Parliament House, Melbourne, Victoria, 10 May 2001 [Video recording].

Centenary of Federation sitting of the Senate, 10 May 2001 [Booklet].

Commemorative sittings of the Senate, 9 and 10 May 2001 [Booklet].

32 APPROPRIATIONS AND STAFFING—STANDING COMMITTEE—REPORT FOR 2000-01

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

Appropriations and Staffing—Standing Committee—Report for 2000-01, dated August 2001.

Report ordered to be printed on the motion of the Minister for the Environment and Heritage (Senator Hill).

33 WORK OF COMMITTEES—1 JANUARY TO 30 JUNE 2001—DOCUMENT

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

Work of committees 1 January to 30 June 2001 and consolidated statistics for 1 July 2000 to 30 June 2001.

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

34 AUDITOR-GENERAL—AUDIT REPORTS NOS 6 TO 8 FOR 2001-2002

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

Auditor-General—Audit reports for 2001-2001—

No. 6—Performance audit—Commonwealth fisheries management: Follow-up audit—Australian Fisheries Management Authority.

No. 7—Audit activity report: January to June 2001—Summary of outcomes.

No. 8—Assurance and control assessment audit—Disposal of infrastructure, plant and equipment.

35 ECONOMICS LEGISLATION COMMITTEE—REPORT—PATENTS AMENDMENT BILL 2001

Pursuant to order, Senator Calvert, at the request of the Chair of the Economics Legislation Committee (Senator Gibson), tabled the following report and documents:

Patents Amendment Bill 2001, dated August 2001 and submissions [6].

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

36 DOCUMENTS

The following documents were tabled by the Clerk:

Bounty (Ships) Act—Return for 2000-2001.

Lands Acquisition Act—Statements describing property acquired by agreement under sections 40 and 125 of the Act for specific public purposes [2].

Telecommunications (Carrier Licence Charges) Act—

Telecommunications (Annual Carrier Licence Charge) Determination 2001.

Telecommunications (Costs Attributable to Telecommunications Functions and Powers) Determination 2001.

Telecommunications (Recovery of ITU Budget Contribution) Determination 2001.

37 INDEXED LISTS OF DEPARTMENTAL AND AGENCY FILES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

The following document was tabled pursuant to the order of the Senate of 30 May 1996 as amended 3 December 1998:

Indexed lists of departmental and agency files for the period 1 January to 30 June 2001—Statements of compliance—Office of the Commonwealth Ombudsman.

38 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Calvert, by leave and at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), moved—That the Legal and Constitutional Legislation Committee be authorised to hold a public meeting during the sitting of the Senate today, from 5.30 pm to 7.30 pm, to take evidence for the committee's inquiry into the provisions of the Cybercrime Bill 2001.

Question put and passed.

39 COMMITTEES—CHANGES IN MEMBERSHIP

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

The Minister for the Environment and Heritage (Senator Hill), by leave, moved—That senators be discharged from and appointed to committees as follows:

Community Affairs Legislation and References Committees—

Participating member: Senator Cherry for matters relating to family and community services

Economics Legislation Committee—

Substitute member: Senator Cherry to replace Senator Murray for the consideration of the provisions of the Taxation Laws Amendment (Research and Development) Bill 2001

Employment, Workplace Relations, Small Business and Education Legislation and References Committees—

Discharged: Senator Lees, as a substitute member to replace Senator Stott Despoja for matters relating to employment

Substitute member: Senator Cherry to replace Senator Stott Despoja for matters relating to employment

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Joint Statutory Committee—

Appointed: Senator Lees

Rural and Regional Affairs and Transport Legislation Committee—

Appointed: Senator Cherry

Discharged: Senator Ridgeway

Substitute member: Senator Calvert to replace Senator McGauran for the committee's inquiry into the administration of AusSAR in relation to the search for the *Margaret J.*

Question put and passed.

40 WORKPLACE RELATIONS AMENDMENT (TERMINATION OF EMPLOYMENT) BILL 2000

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

Message no. 769, dated 9 August 2001—Workplace Relations Amendment (Termination of Employment) Bill 2000.

General business was called on.

41 JOB NETWORK MONITORING AUTHORITY BILL 2000 [NO. 2]

Order of the day read for the adjourned debate on the motion of Senator Collins—That this bill be now read a second time.

Debate resumed.

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

42 GOVERNMENT DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION

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

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 document agreed to.

Department of Employment, Workplace Relations and Small Business—Report—Enquiry arising from Senate estimates hearings on 4-5 June 2001 into matters concerning Job Network, July 2001. Motion of Senator Collins to take note of document agreed to.

Estimates of proposed expenditure for 2001-02—Portfolio budget statements—Employment, Workplace Relations and Small Business portfolio—Corrigendum. Motion of Senator Denman to take note of document agreed to.

Indigenous Land Corporation—National Indigenous land strategy 2001-2006. Motion of Senator Harris to take note of document agreed to.

National Environment Protection Council—Review of the National Environment Protection Council Acts (Commonwealth, State and Territory)—Report by Donald F McMichael and response. Motion of Senator Bartlett to take note of document agreed to.

Agreement between Australia and the Argentine Republic concerning Cooperation in Peaceful Uses of Nuclear Energy. Motion of Senator Bartlett to take note of document called on. On the motion of Senator McGauran debate was adjourned till Thursday at general business.

Amendments to the Convention on Conservation of Nature in the South Pacific adopted by consensus at the Fifth Meeting of the Contracting Parties held in Guam on 9 October 2000. Motion of Senator Harris to take note of document agreed to.

General business orders of the day nos 2-16 and 18-20 relating to government documents were called on but no motion was moved.

General business concluded.

43 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:

National Capital and External Territories—Joint Standing Committee—Report—In the pink or in the red? Health services on Norfolk Island. Motion of Senator Calvert to take note of report debated and agreed to.

Rural and Regional Affairs and Transport Legislation Committee—Interim report—The proposed importation of fresh apple fruit from New Zealand. Motion of Senator Calvert to take note of report agreed to.

Rural and Regional Affairs and Transport References Committee—Report—The incidence of Ovine Johne's disease in the Australian sheep flock. Motion of Senator Calvert to take note of report agreed to.

Treaties—Joint Standing Committee—40th report—Extradition - a review of Australia's law and policy. Motion of Senator O'Brien to take note of report agreed to.

Legal and Constitutional References Committee—Report—Healing: A legacy of generations: Report of the inquiry into the Federal Government's implementation of recommendations made by the Human Rights and Equal Opportunity Commission in *Bringing Them Home*—Government response. Motion of Senator McKiernan to take note of document agreed to.

Corporations and Securities—Joint Statutory Committee—Report—Corporate Code of Conduct Bill 2000. Motion of the chair of the committee (Senator Chapman) to take note of report agreed to.

Finance and Public Administration References Committee—Report—Inquiry into the Government's information technology outsourcing initiative: Accountability issues - two case studies. Motion of the chair of the committee (Senator George Campbell) to take note of report agreed to.

Rural and Regional Affairs and Transport Legislation Committee—Report—Consideration of Budget estimates 2001-02. Motion of Senator Calvert to take note of report agreed to.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Second Australian Government loan to Papua New Guinea: Variation to loan agreement. Motion of the chair of the committee (Senator Ferguson) to take note of report agreed to.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Australia's role in United Nations reform. Motion of the chair of the committee (Senator Ferguson) to take note of report agreed to.

Economics References Committee—Interim report—Inquiry into mass marketed tax effective schemes and investor protection. Motion of the chair of the committee (Senator Murphy) to take note of report agreed to.

Privileges—Standing Committee—96th report—Possible misleading evidence to and improper interference with witnesses before the Employment, Workplace Relations, Small Business and Education Legislation Committee. Motion of the chair of the committee (Senator Ray)—That the Senate endorse the finding contained at page 12 of the 96th report of the Committee of Privileges—agreed to.

Finance and Public Administration References Committee—Report—Australian Public Service employment matters—First report: Australian Workplace Agreements—Government response. Motion of Senator George Campbell to take note of document 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 agreed to.

44 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. 5 of 2001-02—Performance audit—Parliamentarians' entitlements: 1999-2000. Motion of the Leader of the Opposition in the Senate (Senator Faulkner) to take note of document agreed to.

Orders of the day nos 1 to 25 relating to reports of the Auditor-General were called on but no motion was moved.

45 INTELLIGENCE SERVICES—JOINT SELECT COMMITTEE—EXTENSION OF TIME TO REPORT

A message from the House of Representatives was reported acquainting the Senate with a resolution of that House:

Message no. 770, dated 9 August 2001, relating to an extension of time, to 27 August 2001, for the Joint Select Committee on the Intelligence Services to present its report.

The Parliamentary Secretary to Cabinet (Senator Heffernan), by leave, moved—That the Senate concurs in the resolution of the House of Representatives.

Question put and passed.

46 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 6.53 pm till Monday, 20 August 2001 at 12.30 pm.

47 ATTENDANCE

Present, all senators except Senator Evans.

HARRY EVANS
Clerk of the Senate