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# 1 MEETING OF SENATE

The Senate met at 2 pm. The President (Senator the Honourable Margaret Reid) took the chair and read prayers.

# 2 GOVERNMENT DOCUMENTS

The following government documents were presented:

Airservices Australia—Sydney Airport—Maximum movement limit compliance statement for the period 1 April to 30 June 2001.

Civil Aviation Safety Authority—Corporate plan 2001-02 to 2003-04.

Treaties—

*Bilateral*—Text, together with national interest analysis and regulation impact statement—Agreement between the Government of Australia and the Government of the Russian Federation on Cooperation in the Field of the Exploration and Use of Outer Space for Peaceful Purposes, done at Canberra on 23 May 2001 [*Replacement for document tabled on 21 August 2001*].

List of multilateral treaty action under negotiation or consideration by the Australian Government, or expected to be within the next twelve months, September 2001.

*War Crimes Act 1945*—Report for 2000-01 on the operation of the Act.

# 3 QUESTIONS

Questions without notice were answered.

# 4 PRIVILEGES—STANDING COMMITTEE—STATEMENT BY PRESIDENT—PROPOSED REFERENCE

The President made a statement relating to a matter of privilege raised by the Chair of the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund (Senator Ferris) concerning an allegation that misleading evidence was given before the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund.

The President informed the Senate that, pursuant to the procedures provided by standing order 81 and resolutions of the Senate of 25 February 1988, she had determined that a motion relating to the matter may have precedence of all other business on the day for which the notice is given.

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*Document:* The President tabled the following document:

Letter from Senator Ferris to the President, dated 3 September 2001.

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*Notice of motion:* Senator Mason, at the request of Senator Ferris: To move on the next day of sitting—That the following matter be referred to the Committee of Privileges:

Having regard to the 18th report of the Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund, the statement by the chair of the committee on the tabling of the report on 30 August 2001, and the letter of the chair of the committee of 3 September 2001 to the President, whether any false or misleading evidence was given to the committee, and whether any contempt was committed in that regard.

**5 TRANSPORT—ANSETT AUSTRALIA—ANSWERS TO QUESTIONS**

Senator Ludwig moved—That the Senate take note of the answers given by the Assistant Treasurer (Senator Kemp) and the Minister for Regional Services, Territories and Local Government (Senator Ian Macdonald) to questions without notice asked by senators today relating to the financial collapse of Ansett Australia.

Debate ensued.

Question put and passed.

**6 DEATH OF FORMER SENATOR ROBERT JOHN BELL**

The President informed the Senate of the death, on 5 September 2001, of former Senator Robert John Bell.

The Leader of the Government in the Senate (Senator Hill), by leave, moved—That the Senate expresses its deep regret at the death, on Wednesday, 5 September 2001, of Robert John Bell, a senator for the State of Tasmania from 1990 to 1996, places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his family in their bereavement.

The motion was supported and all senators present stood in silence—

Question passed.

**7 PETITIONS**

The following 11 petitions, lodged with the Clerk by the senators indicated, were received:

The President, from 11 petitioners, requesting that the Senate reject the Government's proposed plans to fully privatise Telstra.

Senator Bolkus, from 1 530 petitioners, requesting that the Senate call on the British Government to reconsider its decision not to return the Parthenon Marbles to Greece.

Senator Bourne, from 22 petitioners, requesting that the Senate urge the Government to hold a referendum to preserve the environment.

Senator Bourne, from 316 petitioners, requesting that the Senate take action to increase education spending to 5 per cent of GDP as a matter of priority.

Senator Bourne, from 16 petitioners, requesting that the Senate oppose any legislation which would lead to the construction of a new airport within the Sydney airshed.

Senator Bourne, from 21 petitioners, requesting that the Senate pass the Sexuality Discrimination Bill.

Senator Bourne, from 25 petitioners, requesting that the Senate support legislation which will ensure that all processed food products sold in Australia are fully labelled.

Senator Bourne, from 178 petitioners, requesting that the Senate take action to ensure the independence of the Australian Broadcasting Corporation and to increase its funding.

Senator Lees, from 474 petitioners, requesting that the Senate take action to restore funding for research into a test, treatment and antivenene for the bite of the White-tailed Spider.

Senator Newman, from 72 petitioners, requesting that the Senate ensure that people with disabilities are not disadvantaged when travelling across Bass Strait by sea and that the Tasmanian and Victorian governments provide port facilities which meet the appropriate standards.

Senator Tchen, from 50 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.

## **8 DOCUMENTS**

The following documents were tabled by the Clerk:

Australian Citizenship Act—Regulations—Statutory Rules 2001 No. 237.

Australian Meat and Live-stock Industry Act—Australian Meat and Live-stock Industry (Lamb Export to the United States of America) Order 2001.

Australian Prudential Regulation Authority Act—Regulations—Statutory Rules 2001 No. 227.

Australian Research Council Act—Determinations under section 51—Determinations Nos T25-2001 and T26-2001.

Australian War Memorial Act—Regulations—Statutory Rules 2001 No. 229.

Christmas Island Act—Utilities and Services Ordinance—

Water and Sewerage Services Fees Amendment Determination No. 1 of 2001.

Water and Sewerage Services Fees Amendment Determination No. 2 of 2001.

Civil Aviation Act—Civil Aviation Regulations—

Civil Aviation Orders—

Directives—Part—

105, dated 13 [2], 14, 20 [7], 21 [2], 22 [7], 23 [5], 24 [14], 27 [2] and 30 [2] August 2001; and 5 [3] September 2001.

106, dated 13 and 24 [2] August 2001.

Exemption No. CASA EX16/2001.

Instrument No. CASA 335/01.

Statutory Rules 2001 No. 242.

Class Rulings CR 2001/38-CR 2001/45.

Commonwealth Electoral Act—Regulations—Statutory Rules 2001 No. 248.

Dairy Produce Act—Supplementary Dairy Assistance Scheme 2001 Variation (No. 1).

Defence Act—Determination under section 58B—Defence Determination 2001/24.

Export Control Act—Export Control (Orders) Regulations—Export Control (Processed Food) Amendment Orders 2001 (No. 1).

Farm Household Support Act—

Dairy Exit Program Scheme Amendment 2001 (No. 2).

Farm Help Re-establishment Grant Scheme Amendment 2001 (No. 2).

Financial Management and Accountability Act—Financial Management and Accountability (Special Accounts) Determination 2001/06.

Fisheries Management Act—

Regulations—Statutory Rules 2001 Nos 190 and 244.

Southern Bluefin Tuna Fishery Management Plan 1995—2001 SBT Final TAC Determination.

Fuel Quality Standards Act—Regulations—Statutory Rules 2001 No. 236.

Health Insurance Act—Health Insurance Determination HS/03/2001.

Higher Education Funding Act—Determination under section 15—Determination T24-2000.

Immigration (Guardianship of Children) Act—Regulations—Statutory Rules 2001 No. 238.

Jervis Bay Territory Acceptance Act—

Administration Ordinance—Fee Determination (Amendment) No. 1 of 2001 [Electricity supply].

Ordinance No. 2 of 2001 (Rural Fires Ordinance 2001).

Judiciary Act—Rules of Court—Statutory Rules 2001 No. 243.

Migration Act—Regulations—Statutory Rules 2001 Nos 239-241 and 246.

Motor Vehicle Standards Act—Road Vehicle (National Standards) Determination No. 5 of 2001.

National Health Act—Determination under Schedule 1—PHI 18/2001.

Parliamentary Entitlements Act—Parliamentary Entitlements Regulations—Advice under paragraph 18(a), dated 10 [3] and 17 September 2001.

Primary Industries and Energy Research and Development Act—Regulations—Statutory Rules 2001 No. 232.

Primary Industries (Customs) Charges Act—Regulations—Statutory Rules 2001 No. 233.

Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2001 No. 234.

Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 2001 No. 235.

Privacy Act—Determination under paragraph—

11B(1)(b)—Determination No. 1 of 2001.

11B(1)(d), dated 14 September 2001.

Product Ruling—

PR 1999/99 (Addendum).

PR 2001/73 (Addendum) and PR 2001/128.

Remuneration Tribunal Act—Determination—

2001/14: Members of Parliament – Entitlements.

2001/17: Remuneration and allowances for various public office holders.

Social Security (International Agreements) Act—Regulations—Statutory Rules 2001 No. 245.

*Superannuation Act 1976*—Regulations—Statutory Rules 2001 No. 230.

*Superannuation Act 1990*—Declaration—Statutory Rules 2001 No. 231.

Taxation Rulings TR 2001/2 (Addendum), TR 2001/7 and TR 2001/8.

Telecommunications Act—

Telecommunications Labelling (Customer Equipment and Customer Cabling) Amendment Notice 2001 (No. 2).

Telecommunications Numbering Plan Amendment 2001 (No. 3).

Telecommunications Technical Standard (Customer Switching, Multiplexing and Ancillary Equipment for Connection to a Telecommunications Network — AS/ACIF S003) 2001.

Telecommunications Technical Standard (Personal Handy Phone System — ACA TS 034 — 1997) Amendment 2001 (No. 1).

Telecommunications Technical Standard (Requirements for ISDN Basic Access Interface — AS/ACIF S031) 2001.

Telecommunications Technical Standard (Requirements for ISDN Primary Rate Access Interface — AS/ACIF S038) 2001.

Telecommunications Technical Standard (Voice Frequency Performance Requirements for Customer Equipment — AS/ACIF S004) 2001.

Telecommunications (Consumer Protection and Service Standards) Act—  
Telecommunications (Customer Service Guarantee) Direction No. 1 of 1999 (Amendment No. 1 of 2001).

Trade Marks Act—Regulations—Statutory Rules 2001 No. 247.

Trade Practices Act—

Instrument under section 10.03—Instrument No. 1 of 2001—Declaration of designated outwards secondary shipper body (*in substitution for document previously tabled on 6 August 2001*).

Regulations—Statutory Rules 2001 No. 226.

Veterans' Entitlements Act—

Instruments under section 196B—Instruments Nos 65-80 of 2001.

Regulations—Statutory Rules 2001 No. 228.

Workplace Relations Act—Regulations—Statutory Rules 2001 No. 225.

## 9 GOVERNOR-GENERAL'S PROCLAMATIONS—COMMENCEMENT OF PROVISIONS OF ACTS

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

*Fuel Quality Standards Act 2000*—Divisions 2, 4, 5 and 7 of Part 2, and Parts 3 and 4—1 January 2002 (*Gazette* No. GN 35, 5 September 2001).

*Workplace Relations Amendment (Termination of Employment) Act 2001*—Schedule 1—30 August 2001 (*Gazette* No. S 357, 29 August 2001).

## 10 NOTICES

The Chair of the Employment, Workplace Relations, Small Business and Education References Committee (Senator Collins): To move on the next day of sitting—That the time for the presentation of the report of the Employment, Workplace Relations, Small Business and Education References Committee on higher education be extended to 27 September 2001.

The Chair of the Finance and Public Administration Legislation Committee (Senator Mason): To move on the next day of sitting—That the time for the presentation of the report of the Finance and Public Administration Legislation Committee on the Charter of Political Honesty Bill 2000 and three related bills be extended to 28 February 2002.

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell): To move on the next day of sitting—That the order of the Senate of 9 November 2000 relating to the days of meeting of the Senate in 2001 be modified as follows:

- (a) omit “Monday, 15 October to Thursday, 18 October”; and
- (b) after “Monday, 22 October to Thursday, 25 October”, insert “Monday, 29 October to Thursday, 1 November”.

The Chair of the Economics References Committee (Senator Murphy): To move on the next day of sitting—That the time for the presentation of the report of the Economics References Committee on the framework for the market supervision of Australia’s stock exchanges be extended to 27 September 2001.

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

- (1) That the Senate, having regard to:
  - (a) the enormous health disaster represented by tobacco;
  - (b) the rising costs of tobacco diseases, conservatively estimated at \$12.7 billion (1992), that are borne by governments, individuals and businesses, including health care costs, lost productivity, absenteeism, and social security payments;
  - (c) the availability of evidence implicating the tobacco industry in a global conspiracy to engage in misleading and deceptive conduct over the adverse health effects of smoking and the addictiveness of nicotine and misleading, deceptive and unconscionable conduct in relation to the marketing of tobacco products to children, including in Australia; and
  - (d) the desirability of preventing or reducing loss or damage suffered or likely to be suffered by such conduct, and of compensation being available for any loss and damage suffered or likely to be suffered by that conduct;

resolves that there be laid on the table, no later than 28 February 2002, a report by the Australian Competition and Consumer Commission (ACCC) on the performance of its functions under the *Trade Practices Act 1974*, with respect to:

- (a) the extent to which the ACCC has investigated the conduct of Australian tobacco companies and their overseas parent and affiliate companies in relation to such misleading, deceptive or unconscionable conduct;
- (b) the implications for Australia of documents now public from tobacco litigation in the United States of America;

- (c) the implications of that litigation for Australia;
  - (d) the extent of loss or damage caused, or likely to be caused, by that conduct in Australia;
  - (e) the extent to which the tobacco industry may be made liable to compensate for that loss or damage, or the extent to which that loss or damage may be prevented or reduced; and
  - (f) the potential for tobacco litigation in Australia, including for compensation and remedial action, in respect of that conduct.
- (2) That, in preparing a report under paragraph (1), the ACCC is to consider:
- (a) the importance of this issue to Australian public health;
  - (b) the impact of the costs of treating tobacco-related disease in Australia and the associated productivity losses borne by Australian businesses;
  - (c) the desirability of ensuring that the tobacco industry is made accountable under the Trade Practices Act in respect of such conduct, that any loss or damage suffered or likely to be suffered by that conduct be prevented or reduced and that any persons harmed or likely to be harmed by that conduct obtain appropriate compensation; and
  - (d) the potential for overseas parent and affiliate companies being made liable for such loss or damage; and

indicate in its report the action it has taken, and the action it proposes to take, with regard to the matters upon which it is required to report.

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

- (a) notes:
  - (i) that a National Store Project discussion paper regarding the location for the disposal of radioactive waste was released in July 2001 by the Department of Industry, Science and Resources,
  - (ii) the discussion paper was advertised nationally, inviting submissions by the closing date of 31 August 2001,
  - (iii) hundreds of submissions to the discussion paper were 'returned to sender' as a result of the wrong address being provided in the national advertising campaign,
  - (iv) many more submissions may have been lost altogether as a result of this blunder, and
  - (v) that the Minister provided a two-week extension for submissions to those who contacted the department, but did not notify interested parties or readvertise for submissions; and
- (b) calls on the Minister to:
  - (i) readvertise nationally for public submissions to the National Store Project discussion paper with the correct address,
  - (ii) extend the deadline for public comment in order to ensure that all interested parties may resubmit their comments, and
  - (iii) directly contact those organisations and individuals expected to have an interest in the matter of the disposal of radioactive waste, in order to ensure that those organisations and individuals are aware of the new public comment period.



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

- (a) notes that the Victorian State Government:
  - (i) proposes to legislate to exempt the forthcoming Commonwealth Games in Melbourne from planning, environment, heritage, building and coastal management Acts, and residential tenancy and local government controls, and
  - (ii) does not propose to adopt the ecologically-sustainable development (ESD) guidelines used by the Sydney Olympics so successfully;
- (b) notes that the venues and village are likely to all be constructed on parkland;
- (c) reminds the Bracks Government that it promised it would be democratic and accountable in government and not bypass the checks and balances as its predecessor had done; and
- (d) calls on the Victorian State Government to:
  - (i) ensure there is no net loss of parkland in the Commonwealth Games preparation, and
  - (ii) implement the ESD guidelines for the Melbourne Commonwealth Games.

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

- (a) notes with great sadness that an Aboriginal man died in custody on 17 September 2001 in a Queensland gaol, nearly two months to the day since the previous Aboriginal death in custody in Western Australia on 18 June 2001;
- (b) acknowledges that:
  - (i) whereas Indigenous people in New South Wales were eight times more likely than the general population to be imprisoned in 1991, this figure rose to almost ten times more likely in 1998,
  - (ii) this over-representation of Indigenous Australians in our nation's gaols stems initially from their higher rate of appearance at court, which is amplified at the point of sentencing, with Indigenous offenders sentenced to prison at almost twice the rate of non-Indigenous offenders, and
  - (iii) this situation is contrary to the recommendations of the 1991 Royal Commission into Aboriginal Deaths in Custody, which emphasised the need to reduce the disproportionate levels of Aboriginal people in custody, and to use incarceration as a measure of last resort; and
- (c) calls on the Government:
  - (i) to re-affirm its commitment to addressing the unacceptably high levels of social, economic and cultural disadvantage experienced by Aboriginal Peoples and Torres Strait Islanders in recognition that this disadvantage contributes to Indigenous over-representation in our gaols, and
  - (ii) in consultation with Aboriginal Peoples and Torres Strait Islanders and their representative organisations, as well as state and territory governments, to commit to the development of a national strategy to reduce the rate at which Indigenous persons appear in court and the rate at which they are taken into custody.

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

- (a) notes that:
  - (i) the Victorian State Government recently rejected the petition of mercy for Heather Osland, who is serving a fourteen and a half year jail term for the murder of her abusive husband despite calls from the Release Heather Osland Group and 30 000 Victorians to do so, and
  - (ii) 330 000 Australian women reported to the Australian Bureau of Statistics in 1996 that they had experienced physical violence inflicted by their current partners and 1 070 000 by previous partners;
- (b) on behalf of women who suffer brutality at the hands of their partners, condemns the Victorian State Government for its lack of compassion in this case;
- (c) calls on state and territory governments to reform the law so that:
  - (i) ongoing and persistent abuse can be recognised as self defence in the consideration of murder charges, and
  - (ii) charges may be laid for physical violence with or without the involvement of the victim of abuse; and
- (d) calls on the Federal Government to increase its efforts to protect women and children from abuse.

Senator Brown: To move on the next day of sitting—That the following matter be referred to the Environment, Communications, Information Technology and the Arts References Committee for inquiry and report by 1 April 2002:

All aspects of the provisions of the Regional Forest Agreements Bill 2001, including, but not restricted to:

- (a) whether the legislation contravenes Australia's obligations under international agreements, including the Convention for the Protection of Biodiversity, the Framework Convention on Climate Change, the World Heritage Convention, the Ramsar Convention and agreements for the protection of migratory species;
- (b) whether the bill overrides section 42 of the *Environment Protection and Biodiversity Conservation Act 1999* and the implications of this for the protection of World Heritage, the protection of Wetlands of International Importance and the environmental impacts of taking actions whose primary purpose does not relate to forestry;
- (c) the compensation obligations to which the Commonwealth would be exposed if it took action to prevent forestry or mining operations or other activities in Regional Forest Agreement (RFA) areas;
- (d) whether it is fair to provide compensation to an industry whose activities are already heavily subsidised and which has no reverse obligation to compensate the Commonwealth or states for damage to the environment, including water quantity and quality, soils, carbon banks, biodiversity, heritage and landscape;
- (e) the need to ensure that workers' entitlements are protected; and
- (f) the need to ensure full parliamentary scrutiny of all RFAs before initial ratification and before any proposed renewal.

The Minister for Justice and Customs (Senator Ellison): To move on the next day of sitting—That the provisions of paragraphs (5) to (7) of standing order 111 not apply to the Royal Commissions and Other Legislation Amendment Bill 2001, allowing it to be considered during this period of sittings.

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*Document:* Senator Ellison tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the Royal Commissions and Other Legislation Amendment Bill 2001 in the 2001 spring sittings.

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The Minister for Justice and Customs (Senator Ellison): To move on the next day of sitting—That the provisions of paragraphs (5) to (7) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Interactive Gambling Amendment Bill 2001  
Parliamentary Service Amendment Bill 2001.

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*Documents:* Senator Ellison tabled the following documents:

Consideration of legislation—Statements of reasons [2] for introduction and passage of certain bills in the 2001 spring sittings.

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Senator O'Brien: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Transport and Regional Services, no later than 5 pm on 20 September 2001, the following documents:

- (a) the analysis, and any related reports, prepared by the Department of Transport and Regional Services of the application by Air New Zealand to the Australian Government for approval to take 100 percent ownership of Ansett Airlines;
- (b) any reports prepared for the department by consultants relating to the above analysis;
- (c) all correspondence and other communications, including e-mails and briefing notes, between Minister Anderson, his office, the Department of Transport and Regional Services, and Air New Zealand relating to the conditions placed on that company as part of the approval of its application to take 100 per cent ownership of Ansett Airlines;
- (d) all correspondence and other communications, including e-mails and briefing notes, between Minister Anderson, his office, the Department of Transport and Regional Services, and Air New Zealand relating to the ownership and operation of that airline and its subsidiaries from 1 January 2000; and
- (e) all submissions and other communications, including e-mails and briefing notes, from the Department of Transport and Regional Services to Minister Anderson relating to:

- (i) the approval of Air New Zealand's application to take 100 per cent ownership of Ansett Airlines and its compliance with conditions placed on its ownership and operation of Ansett Airlines as part of that approval, and
- (ii) the ownership and operation of Air New Zealand and its subsidiaries from 1 January 2000.

Senator Harris: To move on the next day of sitting—That the Senate calls on the Government to:

- (a) increase Totally and Permanently Incapacitated (TPI) benefits to 75 per cent of average weekly earnings;
- (b) provide assistance to the wives of TPI recipients for travel and accommodation when they accompany their partners for treatment relating to their disabilities;
- (c) formally recognise the organisation, 'Partners for Veterans', established in Dubbo and the benefits this organisation provides, and facilitate the establishment of similar support groups within Australia;
- (d) ensure that children of TPI recipients, not resident with them, are able to access medicines and medical facilities, the need for which has arisen as a direct result of their parent's TPI status;
- (e) ensure that, upon the death of TPI recipients, their partners continue to receive the same level of compensation; and
- (f) recognising the physical and emotional stress of being on call 24 hours a day for extended periods of hazardous service, and mindful of the high fatality and injury levels associated with this level of preparedness, amend the applicable legislation for that service to be recognised in assessment for TPI status.

Senators O'Brien and Greig: To move on the next day of sitting—That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 28 March 2002:

The role of the Federal Government in the sale of Ansett Australia to Air New Zealand and the events leading up to, and the collapse of, the Ansett group of companies.

#### **11 LEAVE OF ABSENCE**

Senator O'Brien, by leave, moved—That leave of absence be granted to Senator Crowley for the period 17 September to 13 December 2001, on account of parliamentary business overseas.

Question put and passed.

Senator Bourne, by leave, moved—That leave of absence be granted to Senator Greig for the period 18 September to 20 September 2001, on account of ill health.

Question put and passed.

#### **12 HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION**

The Minister for Justice and Customs (Senator Ellison), by leave, moved—That on Tuesday, 18 September 2001:

- (a) the hours of meeting shall be 2 pm to 6.30 pm, and 7.30 pm to 11.10 pm;

- (b) the routine of business from 7.30 pm to 10.30 pm shall be government business order of the day no. 1 (States Grants (Primary and Secondary Education Assistance) Amendment Bill (No. 2) 2001), second reading speeches only;
- (c) if a division is called for after 7.30 pm, the matter before the Senate shall be adjourned until the next day of sitting at a time fixed by the Senate; and
- (d) the question for the adjournment of the Senate shall be proposed at 10.30 pm.

Question put and passed.

### 13 POSTPONEMENTS

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 24 September 2001.

### 14 CONSIDERATION OF LEGISLATION

*Motion determined as not formal:* The Minister for Justice and Customs (Senator Ellison), at the request of Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell), asked that government business notice of motion no. 1 standing in the name of Senator Ian Campbell for today, relating to the consideration of legislation, be taken as formal.

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

### 15 AUSTRALIA AND THE UNITED STATES OF AMERICA—ALLIANCE

The Minister for Justice and Customs (Senator Ellison), at the request of the Leader of the Government in the Senate (Senator Hill) and pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes that this year marks the 50th anniversary of the alliance between Australia and the United States of America under the ANZUS Treaty;
- (b) reaffirms the commitment of Australia to that alliance, recognising its fundamental importance to this nation's ongoing security;
- (c) recognises that the alliance has significantly contributed to peace and security in the Asia Pacific and beyond;
- (d) expresses its profound gratitude to the men and women of both nations who have served together throughout the world in defence of freedom and in the pursuit of peace and prosperity for all;
- (e) acknowledges that this is an alliance between two peoples forever committed to democracy, and its foundation stones of freedom of speech, freedom of the press, and the independence and authority of the rule of law; and
- (f) affirms its beliefs that the alliance will continue playing a vital role in a changing world, building a prosperous and secure future for our two nations, the Asia-Pacific region and the global community.

Question put and passed.

**16 STANDING COMMITTEE OF PRIVILEGES—99TH REPORT—CONSIDERATION**

The Chair of the Standing Committee of Privileges (Senator Ray), pursuant to notice of motion not objected to as a formal motion, moved—

- (1) That the Senate endorse the findings at paragraphs 60(a) to (g) of the 99th report of the Committee of Privileges.
- (2) That the Senate impose the penalty recommended at paragraph 61(b) of the 99th report of the Committee of Privileges, and agree in principle to the committee's recommendation at paragraph 61(a).

Question put and passed.

**17 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE**

The Deputy President (Senator West) informed the Senate that Senator O'Brien had proposed that the following matter of public importance be submitted to the Senate for discussion:

The role of the Howard Government in the collapse of the Ansett group of companies, with the consequent loss of competition, thousands of jobs and many aviation services for regional Australia.

The proposal was supported by 4 senators.

Discussion ensued.

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*Document:* The Minister for Regional Services, Territories and Local Government (Senator Ian Macdonald) tabled the following document:

Transport—Ansett group—Copy of document: *Shareholder information*—List of top twenty shareholders, 31 August 2001.

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Discussion concluded.

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*At 7.30 pm—*

**18 COMMUNICATIONS—TELSTRA—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth), by leave, made a statement and, pursuant to the order of the Senate of 28 August 2001, tabled the following documents:

Communications—Telstra—Copy of documents constituting the E71 database [2 186 pages].

**19 STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) AMENDMENT  
BILL (NO. 2) 2001**

Order of the day read for the adjourned debate on the motion of the Minister for Communications, Information Technology and the Arts (Senator Alston)—That this bill be now read a second time.

Debate ensued.

On the motion of the Minister for the Environment and Heritage (Senator Hill) the debate was adjourned till the next day of sitting.

**20 ADJOURNMENT**

The Minister for the Environment and Heritage (Senator Hill) moved—That the Senate do now adjourn.

The Senate adjourned at 8.21 pm till Wednesday, 19 September 2001 at 9.30 am.

**21 ATTENDANCE**

Present, all senators except Senators Crowley\*, Ferris, Gibbs, Greig\*, Hogg, Knowles, Mackay and McKiernan (\* on leave).

**HARRY EVANS**  
Clerk of the Senate