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Contents

1	Meeting of Senate.....	4871
2	Government Document	4871
3	Consideration of Legislation	4871
4	Days of Meeting—Variation.....	4871
5	Consideration of Legislation	4871
6	States Grants (Primary and Secondary Education Assistance) Amendment Bill (No. 2) 2001.....	4872
7	Matters of Public Interest	4872
8	Questions	4873
9	Transport—Ansett Australia—Answers to Questions.....	4873
10	Notices	4873
11	Selection of Bills—Standing Committee—Report No. 14 of 2001	4877
12	Postponements	4878
13	Privileges—Standing Committee—Reference.....	4879
14	Rural and Regional Affairs and Transport References Committee— Reference	4879
15	Commonwealth Games—Melbourne.....	4879
16	Employment, Workplace Relations, Small Business and Education References Committee—Extension of Time to Report	4880
17	Finance and Public Administration Legislation Committee—Extension of Time to Report.....	4880
18	Economics References Committee—Extension of Time to Report.....	4880
19	Transport—Ansett Australia—Order for Production of Documents	4880
20	Veterans—Totally and Permanently Incapacitated Benefits	4881
21	Urgency Motion	4882
22	Notice of Motion	4882
23	Privileges—Standing Committee—100th Report.....	4882

24	Economics Legislation Committee—Report—Taxation Laws Amendment (Research and Development) Bill 2001	4883
25	Environment, Communications, Information Technology and the Arts Legislation Committee—Report—Trade Practices Amendment (Telecommunications) Bill 2001	4883
26	Employment, Workplace Relations, Small Business and Education Legislation Committee—Report—Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Bill 2001	4883
27	Finance and Public Administration Legislation Committee—Report—Commonwealth Electoral Amendment Bill 2001	4884
28	Scrutiny of Bills—Standing Committee—12th Report and Alert Digest No. 12 of 2001	4884
29	Economics Legislation Committee—Report—Annual Reports	4884
30	Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Australia's Relations with the Middle East	4884
31	Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Link between Aid and Human Rights	4884
32	Migration—Joint Standing Committee—Report—Review of State-Specific Migration Mechanisms.....	4885
33	Odgers' Australian Senate Practice—10th Edition—Document	4885
34	Auditor-General—Audit Reports Nos 10 and 11 of 2001-2002	4885
35	Australian Parliamentary Delegation to Slovak Republic, Republic of Croatia and Czech Republic—Document	4885
36	Documents	4885
37	Indexed Lists of Departmental and Agency Files—Order for Production of Documents—Documents	4886
38	Departmental and Agency Contracts—Order for Production of Documents—Documents	4886
39	Governor-General's Messages—Assent to Laws	4886
40	Committees—Changes in Membership.....	4886
41	Parliamentary Service Amendment Bill 2001.....	4887
42	Trade Practices Amendment (Telecommunications) Bill 2001	4887
43	Taxation Laws Amendment Bill (No. 4) 2001.....	4887
44	Environmental Legislation Amendment Bill (No. 2) 2001	4888
45	International Maritime Conventions Legislation Amendment Bill 2001.....	4888
46	Treaties—Joint Standing Committee—Change in Membership.....	4888
47	Environment, Communications, Information Technology and the Arts References Committee—Proposed Reference	4888
48	Government Documents—Consideration	4889
49	Adjournment.....	4889
50	Attendance	4889

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 GOVERNMENT DOCUMENT

The following government document was tabled:

Aboriginal Land Commissioner—Report for 2000-01.

3 CONSIDERATION OF LEGISLATION

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell), pursuant to notice, moved—That the provisions of paragraphs (5) to (7) of standing order 111 not apply to the Commonwealth Electoral Amendment Bill 2001, allowing it to be considered during this period of sittings.

Debate ensued.

On the motion of Senator Ludwig the debate was adjourned.

On the motion of Senator Ludwig the resumption of the debate was made an order of the day for 24 September 2001.

4 DAYS OF MEETING—VARIATION

The Assistant Treasurer (Senator Kemp), at the request of the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell) and pursuant to notice, moved—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”.

Debate ensued.

Question put and passed.

5 CONSIDERATION OF LEGISLATION

The Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts (Senator Ian Campbell), at the request of the Minister for Justice and Customs (Senator Ellison) and pursuant to notice, moved—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.

Debate ensued.

Question put and passed.

Senator Ian Campbell, at the request of Senator Ellison and pursuant to notice, moved—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.

Debate ensued.

Question put and passed.

6 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 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, debated.

Senator Carr moved the following request for an amendment:

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

Schedule 1, page 3 (after line 5), before item 1, insert:

1A Schedule 3 (table)

Repeal the table, substitute:

Capital grants for government schools	
Column 1	Column 2
Program year	Amount of grants (\$'000)
2001	229,821
2002	229,821
2003	229,821
2004	229,821
2005	
2006	
2007	

Note 1: Amounts for 2005, 2006 and 2007 will be inserted by an amending Act.

Note 2: The operation of section 106 may affect the amount of the grants.

Debate ensued.

At 12.45 pm: The Deputy President (Senator West) resumed the chair and the Temporary Chair of Committees (Senator McKiernan) reported progress.

7 MATTERS OF PUBLIC INTEREST

Matters of public interest were discussed.

At 2 pm—

8 QUESTIONS

Questions without notice were answered.

9 TRANSPORT—ANSETT AUSTRALIA—ANSWERS TO QUESTIONS

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

Debate ensued.

Question put and passed.

10 NOTICES

Senator Evans: To move 3 sitting days after today—That the Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2001 (No. 4), as contained in Statutory Rules 2001 No. 157 and made under the *Health Insurance Act 1973*, be disallowed.

Senator Cook: To move on the next day of sitting—That the Senate condemns the Government for introducing a goods and services tax after promising ‘never, ever’ to do so and for the damage that this regressive tax has done to small business, middle- and low-income earners, and particularly Australian families, through the botched way it has been implemented and continues to operate.

Senator Bartlett: To move on the next day of sitting—That there be laid on the table, by the Minister for the Environment and Heritage (Senator Hill), no later than immediately after motions to take note of answers on 26 September 2001, all documents held by the Great Barrier Reef Marine Park Authority (GBRMPA) or Environment Australia in relation to the following:

- (a) the assessment of the Ocean Drilling Project (ODP) leg 194 by GBRMPA, including the assessment of seismic impacts of drilling;
- (b) materials submitted by ODP in support of its permit application;
- (c) seismic survey information relating to seismic surveys conducted in preparation of leg 194 (including the 1999 cruise by the CSIRO vessel, the *Franklin*);
- (d) leg 133 of the ODP; and
- (e) the technology transfer or sale relating to research or data produced by or during legs 133 and 194 of the ODP.

Senator Bartlett: To move on the next day of sitting—That there be laid on the table, by the Minister for Industry, Science and Resources (Senator Minchin), no later than immediately after motions to take note of answers on 26 September 2001:

- (a) all documents held by the Australian Geological Survey Organisation or the Commonwealth Scientific and Industrial Research Organisation in relation to seismic surveys of the Townsville Basin, Marion Plateau, Queensland Basin and Queensland Plateau areas off the coast of Queensland, including survey maps, assessment reports (particularly relating to hydrocarbon potential) and documents relating to any industry participation in any of the surveys;

- (b) all documents relating to the sale of those survey results to private parties; and
- (c) all agreements with private industry relating to the undertaking of seismic surveys in any of the above areas.

The Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Crane): To move on the next day of sitting—That the Rural and Regional Affairs and Transport Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on 20 September 2001, from 7 pm, to take evidence for the committee's inquiry into the provisions of the Motor Vehicle Standards Amendment Bill 2001.

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

- (a) notes the disgraceful behaviour of unions during a rally concerning Ansett at Parliament House, where the Minister for Employment, Workplace Relations and Small Business (Mr Abbott) and other government members and senators were not given a chance to talk with Ansett employees who are concerned about entitlements and future employment;
- (b) further notes that government members and senators attended the rally with the intent to show support for workers and transport routes that have been affected by the demise of Ansett, particularly in rural and regional areas;
- (c) welcomes the efforts by staff at Aeropelican in the Hunter Valley, who want the local air service to continue and who are currently devising a plan to maintain that service in the future; and
- (d) calls on unions, which claim to represent workers, to support Aeropelican's efforts, instead of trying to make the issue a political one and sabotaging attempts to find solutions to the transport and worker entitlement problems at hand.

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

- (a) notes the release of photographs by Newcastle police showing people involved in the attacks of 13 July 2001 on a Commonwealth vehicle directed towards the Minister for Defence (Mr Reith) and the union's failure to identify those involved;
- (b) condemns the violence by union members during the ministerial visit, when business leaders and local companies were showcasing the Hunter's potential for defence investment; and
- (c) calls on those people involved in the violent demonstration to come forward to police and for unions to cooperate in the identification of anyone who caused damaged to the Commonwealth vehicle.

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

- (a) notes that:
 - (i) the Victorian Environmental Protection Authority (EPA) approval has been given to AES Golden Plains to build a peak-load power station at Stonehaven, 8km from Geelong, Victoria,
 - (ii) under Victorian EPA pollution controls, this old technology power station will potentially increase existing nitrous oxide levels over the Geelong region by 50 per cent when operating at full capacity, and

- (iii) the United States EPA attributes 20 per cent of hospital admissions in summer to asthma-related emergencies and names the production of low-level ozone from nitrous oxide as the main culprit;
- (b) encourages the local community and the Batesford and Geelong Action Group to continue their efforts to pursue a better outcome for the people of the Geelong region; and
- (c) calls on the Federal Government to work with the states to, as a matter of urgency, develop nationally consistent, world's best practice, energy efficiency and low pollution standards for all newly-commissioned power stations.

Senator Brown: To move on the next day of sitting—That the following matter be referred to the Legal and Constitutional References Committee for inquiry and report by 22 October 2001:

All aspects of the provisions of the Migration Amendment (Excision from Migration Zone) Bill 2001, the Migration Amendment (Excision from Migration Zone) (Consequential Provisions) Bill 2001, and the Border Protection (Validation and Enforcement Powers) Bill 2001.

Senator O'Brien: To move on the next day of sitting—That there be laid on the table by the Minister representing the Prime Minister, no later than 5 pm on 24 September 2001, the following documents:

- (a) all correspondence and other communications, including e-mails and briefing notes, between the Prime Minister, his office, the Department of Prime Minister and Cabinet, 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;
- (b) all correspondence and other communications, including e-mails and briefing notes, between the Prime Minister, his office, the Department of Prime Minister and Cabinet, and Air New Zealand relating to the ownership and operation of that airline and its subsidiaries from 1 January 2000; and
- (c) all submissions and other communications, including e-mails and briefing notes, from the Department of Prime Minister and Cabinet to the Prime Minister 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 Brown: To move on the next day of sitting—That the Senate—

- (a) recognises that failure to invest in public education is undermining Australia's capacity to meet its economic and social needs into this century and calls upon the next government to increase public education spending to meet the Organisation for Economic Co-operation and Development average by 2004;
- (b) recommends that this additional funding be distributed between all sectors of education including universities, TAFE, adult learning and schools;

- (c) is deeply concerned that the distribution of schools funds under the *States Grants (Primary and Secondary Education Assistance) Act 2000* is unfair, unjust and damaging, as evidenced by:
 - (i) the continued decline in public education's share of the total Commonwealth schools budget, and
 - (ii) the excessive and extravagant increases in annual per capita Commonwealth funding of many of the wealthiest private schools; and
- (d) calls for the next government, as a matter of urgency, to repeal this Act and replace it with legislation that:
 - (i) ensures that public education's share of Commonwealth schools funding is restored to at least 50 per cent by 2004 and to 70 per cent by 2007 by measures including increasing public education expenditure, curtailing the growth in total funding of private schools and decreasing the funding of the wealthier private schools, and
 - (ii) ensures that the distribution and quantity of federal funding of private schools neither exacerbates socio-economic inequality nor endangers the local, regional or national viability of the nation's government school systems as the dominant provider of primary and secondary education.

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 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:

Education, Training and Youth Affairs Legislation Amendment (Application of Criminal Code) Bill 2001
 Excise Tariff Amendment (Crude Oil) Bill 2001
 Health and Other Services (Compensation) Legislation Amendment Bill 2001
 Social Security and Veterans' Entitlements Legislation Amendment (Retirement Assistance for Farmers) Bill 2001
 Trade Practices Amendment (Telecommunications) Bill 2001.

Documents: Senator Ian Campbell tabled the following documents:

Consideration of legislation—Statements of reasons [5] for introduction and passage of certain bills in the 2001 spring sittings.

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 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:

Migration Amendment (Excision from Migration Zone) Bill 2001
 Migration Amendment (Excision from Migration Zone) (Consequential Provisions) Bill 2001
 Border Protection (Validation and Enforcement Powers) Bill 2001.

Document: Senator Ian Campbell tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of certain bills in the 2001 spring sittings.

11 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 14 OF 2001

The Chairman of the Selection of Bills Committee (Senator Calvert) tabled the following report:

SELECTION OF BILLS COMMITTEE

REPORT NO. 14 OF 2001

1. The committee met on 18 and 19 September 2001.

2. The committee resolved to recommend—

(a) That the following bill be *referred* to a committee as follows:

Bill title	Stage at which referred	Legislation committee	Reporting date
Disability Services Amendment (Improved Quality Assurance) Bill 2001	Immediately	Community Affairs	24 September 2001

(b) That the provisions of the following bills be *referred* to committees as follows:

Bill title	Stage at which referred	Legislation Committee	Reporting date
Commonwealth Inscribed Stock Amendment Bill 2001	Immediately	Economics	6 December 2001
Regional Forest Agreements Bill 2001	Immediately	Environment, Communications, Information Technology and the Arts	25 September 2001

(c) That the following bills *not* be referred to committees:

Abolition of Compulsory Age Retirement (Statutory Officeholders) Bill 2001

Defence Legislation Amendment (Application of Criminal Code) Bill 2001

Excise Tariff Amendment (Crude Oil) Bill 2001

Family and Community Services Legislation Amendment (Application of Criminal Code) Bill 2001

Family Assistance Estimate Tolerance (Transition) Bill 2001

Industry, Science and Resources Legislation Amendment (Application of Criminal Code) Bill 2001

Jurisdiction of the Federal Magistrates Service Legislation Amendment Bill 2001

Migration Legislation Amendment Bill (No. 6) 2001

Social Security and Veterans' Entitlements Legislation Amendment (Retirement Assistance for Farmers) Bill 2001.

Superannuation Legislation Amendment (Indexation) Bill 2001

3. The committee considered a proposal to refer the provisions of the Workplace Relations and Other Legislation Amendment (Small Business and Other Measures) Bill 2001 and resolved to **recommend** that the provisions of the bill be referred to the Employment, Workplace Relations, Small Business and Education Legislation Committee, for report on 12 November 2001. The government members of the committee dissented from the recommendation.

The committee recommends accordingly.

4. The committee **deferred** consideration of the following bills to the next meeting:

Bill deferred from meeting of 7 August 2001

Constitution Alteration (Appropriations for the Ordinary Annual Services of the Government) 2001

Bill deferred from meeting of 21 August 2001

State Elections (One Vote, One Value) Bill 2001

Bills deferred from meeting of 28 August 2001

Australian Citizenship Legislation Amendment Bill 2001

Employment, Workplace Relations and Small Business Legislation Amendment (Application of Criminal Code) Bill 2001

Royal Commissions and Other Legislation Amendment Bill 2001

Taxation Laws Amendment Bill (No. 5) 2001

Bills deferred from meeting of 18 September 2001

Health and Other Services (Compensation) Legislation Amendment Bill 2001

Health Legislation Amendment Bill (No. 3) 2001

Interactive Gambling Amendment Bill 2001

Taxation Laws Amendment Bill (No. 6) 2001.

Paul Calvert

Chair

19 September 2001.

Senator Calvert moved—That the report be adopted.

Senator Bartlett moved the following amendment:

At the end of the motion, add “but, in respect of the reporting date for the Regional Forest Agreements Bill 2001, omit ‘25 September 2001’, substitute ‘22 October 2001’ ”.

Debate ensued.

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

Main question put and passed.

12 POSTPONEMENTS

Items of business were postponed as follows:

General business notice of motion no. 1031 standing in the name of Senator Allison for today, proposing an order for the production of a report by the Australian Competition and Consumer Commission, postponed till 24 September 2001.

General business notice of motion no. 1032 standing in the name of Senator Allison for today, relating to a discussion paper on the location for the disposal of radioactive waste, postponed till 20 September 2001.

General business notice of motion no. 1035 standing in the name of Senator Allison for today, relating to the protection of women and children from abuse, postponed till 20 September 2001.

General business notice of motion no. 1034 standing in the name of Senator Ridgeway for today, relating to the death of an Aboriginal man in custody, postponed till 20 September 2001.

13 PRIVILEGES—STANDING COMMITTEE—REFERENCE

Senator McGauran, at the request of the Chair of the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund (Senator Ferris) 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 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.

Question put and passed.

14 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—REFERENCE

Senator O'Brien, also on behalf of Senator Greig, pursuant to notice of motion not objected to as a formal motion, moved—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.

Question put and passed.

15 COMMONWEALTH GAMES—MELBOURNE

Motion determined as not formal: Senator Bartlett, at the request of Senator Allison, asked that general business notice of motion no. 1033 standing in the name of Senator Allison for today, relating to the Melbourne Commonwealth Games, be taken as formal.

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

Postponement: Senator Bartlett, by leave and at the request of Senator Allison, moved—That general business notice of motion no. 1033 be postponed till the next day of sitting.

Question put and passed.

**16 EMPLOYMENT, WORKPLACE RELATIONS, SMALL BUSINESS AND EDUCATION
REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator O'Brien, at the request of the Chair of the Employment, Workplace Relations, Small Business and Education References Committee (Senator Collins) and pursuant to notice of motion not objected to as a formal motion, moved—That the time for the presentation of the report of the Employment, Workplace Relations, Small Business and Education References Committee on higher education be extended to 27 September 2001.

Question put and passed.

**17 FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—EXTENSION OF
TIME TO REPORT**

Senator McGauran, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Mason) 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 Finance and Public Administration Legislation Committee on the Charter of Political Honesty Bill 2000 and three related bills be extended to 28 February 2002.

Question put and passed.

18 ECONOMICS REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

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

Question put and passed.

19 TRANSPORT—ANSETT AUSTRALIA—ORDER FOR PRODUCTION OF DOCUMENTS

Senator O'Brien, 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 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.

Question put and passed.

20 VETERANS—TOTALLY AND PERMANENTLY INCAPACITATED BENEFITS

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

Question put.

The Senate divided—

AYES, 11

Senators—

Allison
Bartlett
Bourne (Teller)

Brown
Cherry
Harradine

Harris
Lees
Murray

Ridgeway
Stott Despoja

NOES, 41

Senators—

Abetz	Crossin	Lundy	Ray
Bishop	Denman	Mackay	Reid
Brandis	Eggleston	Mason	Schacht
Buckland	Ferguson	McGauran (Teller)	Sherry
Campbell, George	Ferris	McKiernan	Tambling
Campbell, Ian	Forshaw	McLucas	Tchen
Carr	Hogg	Murphy	Vanstone
Collins	Hutchins	Newman	West
Cook	Kemp	O'Brien	
Cooney	Lightfoot	Patterson	
Crane	Ludwig	Payne	

Question negatived.

21 URGENCY MOTION

The President informed the Senate that she had received a letter from Senator O'Brien advising that today he intended to move—That, in the opinion of the Senate, the following is a matter of urgency:

The failure of the Prime Minister (Mr Howard) and the Deputy Prime Minister (Mr Anderson) to act in Australia's interests by developing and implementing a strategy to protect the jobs of the employees of Ansett Australia and regional air services.

The proposal was supported by 4 senators.

Senator O'Brien moved the motion.

Debate ensued.

Question put and passed.

Senator O'Brien, pursuant to standing order 154, moved—That the resolution relating to Ansett Australia be communicated by message to the House of Representatives for concurrence.

Question put and passed.

22 NOTICE OF MOTION

Senator O'Brien, by leave, gave a notice of motion as follows: To move on the next day of sitting—That the order of the Senate of 19 September 2001 adopting the 14th report of 2001 of the Selection of Bills Committee be varied to provide that the Regional Forest Agreements Bill 2001 be referred to the Rural and Regional Affairs and Transport Legislation Committee instead of the Environment, Communications, Information Technology and the Arts Legislation Committee, for inquiry and report by 25 September 2001.

23 PRIVILEGES—STANDING COMMITTEE—100TH REPORT

The Chair of the Standing Committee of Privileges (Senator Ray) tabled the following report:

100th report—Possible unauthorised disclosure of draft report of Legal and Constitutional Legislation Committee, dated September 2001.

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

Senator Ray moved—That the Senate take note of the report.

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

Notice of motion: Senator Ray, by leave, gave a notice of motion as follows: To move on 26 September 2001—That the Senate endorse the findings at paragraphs 15(a) to (f) of the 100th report of the Committee of Privileges.

24 ECONOMICS LEGISLATION COMMITTEE—REPORT—TAXATION LAWS AMENDMENT (RESEARCH AND DEVELOPMENT) 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:

Taxation Laws Amendment (Research and Development) Bill 2001, dated September 2001, *Hansard* record of the committee's proceedings [2 vols] and submissions [29].

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

Senator George Campbell moved—That the Senate take note of the report.

Question put and passed.

25 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS LEGISLATION COMMITTEE—REPORT—TRADE PRACTICES AMENDMENT (TELECOMMUNICATIONS) BILL 2001

Pursuant to order, Senator Calvert, at the request of the Chair of the Environment, Communications, Information Technology and the Arts Legislation Committee (Senator Eggleston), tabled the following report and documents:

Trade Practices Amendment (Telecommunications) Bill 2001, dated September 2001, *Hansard* record of the committee's proceedings, documents presented to the committee and submissions [10].

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

26 EMPLOYMENT, WORKPLACE RELATIONS, SMALL BUSINESS AND EDUCATION LEGISLATION COMMITTEE—REPORT—WORKPLACE RELATIONS AMENDMENT (PROHIBITION OF COMPULSORY UNION FEES) BILL 2001

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

Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Bill 2001, dated September 2001, *Hansard* record of the committee's proceedings, document presented to the committee and submissions [25].

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

**27 FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—REPORT—
COMMONWEALTH ELECTORAL AMENDMENT BILL 2001**

Pursuant to order, Senator Calvert, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Mason), tabled the following report and documents:

Commonwealth Electoral Amendment Bill 2001, dated September 2001, *Hansard* record of the committee's proceedings, additional information and submissions [4].

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

**28 SCRUTINY OF BILLS—STANDING COMMITTEE—12TH REPORT AND ALERT DIGEST
NO. 12 OF 2001**

Senator O'Brien, at the request of the Chairman of the Standing Committee for the Scrutiny of Bills (Senator Cooney), tabled the following report and document:

12th report of 2001, dated 19 September 2001.

Alert Digest No. 12 of 2001, dated 19 September 2001.

Report ordered to be printed on the motion of Senator O'Brien.

29 ECONOMICS LEGISLATION COMMITTEE—REPORT—ANNUAL REPORTS

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

Scrutiny of annual reports—No. 2 of 2001, dated September 2001.

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

**30 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—
AUSTRALIA'S RELATIONS WITH THE MIDDLE EAST**

Senator Calvert, on behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, tabled the following report and documents:

Australia's relations with the Middle East, dated August 2001, *Hansard* record of the committee's proceedings [12 vols] and submissions [12 vols].

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

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

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

**31 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—
LINK BETWEEN AID AND HUMAN RIGHTS**

Senator Payne, on behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, tabled the following report and documents:

The link between aid and human rights, dated August 2001, *Hansard* record of the committee's proceedings and submissions [3 vols].

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

Senator Payne moved—That the Senate take note of the report.

Question put and passed.

32 MIGRATION—JOINT STANDING COMMITTEE—REPORT—REVIEW OF STATE-SPECIFIC MIGRATION MECHANISMS

Senator McKiernan, on behalf of the Joint Standing Committee on Migration, tabled the following report and documents:

New faces, new places: Review of state-specific migration mechanisms, dated September 2001, *Hansard* record of the committee's proceedings [3 vols], minutes of proceedings and submissions [3 vols].

Senator McKiernan moved—That the Senate take note of the report.

Question put and passed.

33 ODGERS' AUSTRALIAN SENATE PRACTICE—10TH EDITION—DOCUMENT

The Acting Deputy President (Senator Bartlett) tabled the following document:

Odgers' Australian Senate Practice—10th edition (Centenary of Federation edition), 2001.

34 AUDITOR-GENERAL—AUDIT REPORTS NOS 10 AND 11 OF 2001-2002

The Acting Deputy President (Senator Bartlett) tabled the following documents:

Auditor-General—Audit reports for 2001-2002—

No. 10—Assurance and control assessment audit—Management of bank accounts by agencies.

No. 11—Performance audit—Administration of the Federation Fund programme.

The Leader of the Opposition in the Senate (Senator Faulkner), by leave, moved—That the Senate take note of Audit report no. 11 of 2001-2002.

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

35 AUSTRALIAN PARLIAMENTARY DELEGATION TO SLOVAK REPUBLIC, REPUBLIC OF CROATIA AND CZECH REPUBLIC—DOCUMENT

Senator Chapman, by leave, tabled the following document:

The Slovak Republic, the Republic of Croatia and the Czech Republic—Report of the Australian parliamentary delegation, 7 to 20 April 2001, dated September 2001.

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

Question put and passed.

36 DOCUMENTS

The following documents were tabled by the Clerk:

Aboriginal and Torres Strait Islander Commission Act—Aboriginal and Torres Strait Islander Commission (Regional Council Election) Amendment Rules 2001 (No. 1).

Australian Capital Territory (Planning and Land Management) Act—National Capital Plan—

Amendment 33.

Approval of Amendment 33.

Defence Act—Determination under section 58H—Defence Force Remuneration Tribunal—Determination No. 14 of 2001.

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

The following documents were 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—
 Attorney-General's portfolio.
 Comcare.
 Department of Defence.
 Department of Transport and Regional Services.
 Department of Veterans' Affairs.

38 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

The following documents were tabled pursuant to the order of the Senate of 20 June 2001:

Departmental and agency contracts—Letters of advice—
 Department of Industry, Science and Resources.
 Prime Minister and Cabinet portfolio.
 Productivity Commission.

39 GOVERNOR-GENERAL'S MESSAGES—ASSENT TO LAWS

Messages from His Excellency the Governor-General were reported, informing the Senate that he had assented to the following laws:

22 August 2001—Message No. 33—
Migration Legislation Amendment (Application of Criminal Code) Act 2001 (Act No. 97, 2001)
Superannuation Legislation Amendment (Post-retirement Commutations) Act 2001 (Act No. 98, 2001)
Trade Marks and Other Legislation Amendment Act 2001 (Act No. 99, 2001)
Workplace Relations Amendment (Termination of Employment) Act 2001 (Act No. 100, 2001)
 4 September 2001—Message No. 34—
Space Activities Amendment (Bilateral Agreement) Act 2001 (Act No. 101, 2001)
Veterans' Affairs Legislation Amendment (2001 Budget Measures) Act 2001 (Act No. 102, 2001)
Alcohol Education and Rehabilitation Account Act 2001 (Act No. 103, 2001).

40 COMMITTEES—CHANGES IN MEMBERSHIP

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

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth), by leave, moved—That senators be discharged from and appointed to committees as follows:

Legal and Constitutional References Committee—
 Substitute member: Senator Mason to replace Senator Payne for the consideration of the provisions of the Migration Legislation Amendment Bill (No. 6) 2001

Rural and Regional Affairs and Transport Legislation Committee—

Substitute member: Senator Forshaw to replace Senator Mackay for the consideration of the provisions of the Motor Vehicle Standards Amendment Bill 2001.

Question put and passed.

41 PARLIAMENTARY SERVICE AMENDMENT BILL 2001

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

Message no. 808, dated 30 August 2001—A Bill for an Act to amend the *Parliamentary Service Act 1999*, and for related purposes.

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth), at the request of the President, 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 Troeth moved—That this bill be now read a second time.

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

42 TRADE PRACTICES AMENDMENT (TELECOMMUNICATIONS) BILL 2001

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

Message no. 809, dated 30 August 2001—A Bill for an Act to amend the *Trade Practices Act 1974*, and for related purposes.

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth) 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 Troeth moved—That this bill be now read a second time.

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

43 TAXATION LAWS AMENDMENT BILL (NO. 4) 2001

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

Message no. 810, dated 17 September 2001—A Bill for an Act to amend the law relating to taxation, and for related purposes.

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth) 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 Troeth moved—That this bill be now read a second time.

Explanatory memorandum: Senator Troeth tabled a revised explanatory memorandum relating to the bill.

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

44 ENVIRONMENTAL LEGISLATION AMENDMENT BILL (NO. 2) 2001

A message from the House of Representatives was reported agreeing to the following bill without amendment:

Message no. 807, dated 30 August 2001—Environmental Legislation Amendment Bill (No. 2) 2001.

45 INTERNATIONAL MARITIME CONVENTIONS LEGISLATION AMENDMENT BILL 2001

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

Message no. 813, dated 18 September 2001—International Maritime Conventions Legislation Amendment Bill 2001.

46 TREATIES—JOINT STANDING COMMITTEE—CHANGE IN MEMBERSHIP

A message from the House of Representatives was reported acquainting the Senate with a change in the membership of the Joint Standing Committee on Treaties, as follows:

Message no. 811, dated 18 September 2001—Mr Pearce in place of Mr AP Thomson.

47 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS REFERENCES COMMITTEE—PROPOSED REFERENCE

Senator Brown, pursuant to notice, moved—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.

Debate ensued.

At 6.50 pm: Debate was interrupted while Senator Bartlett was speaking.

48 GOVERNMENT DOCUMENTS—CONSIDERATION

The government document tabled earlier today (*see entry no. 2*) was called on but no motion was moved.

49 ADJOURNMENT

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

Debate ensued.

Time expired: The debate reached the limit of 40 minutes.

The Senate adjourned at 7.30 pm till Thursday, 20 September 2001 at 9.30 am.

50 ATTENDANCE

Present, all senators except Senators Crowley*, Gibbs, Greig* and Knowles (* on leave).

HARRY EVANS

Clerk of the Senate