

Procedural Digest 1991

The following information about procedural developments and items of procedural interest is adapted from the Department of the Senate's Procedural Information Bulletin. Details of legislation and other matters considered by the Senate may be found in *Business of the Senate 1 January 1991 - 31 December 1991*, available from the Senate Table Office.

Items are arranged in alphabetical order.

Abstentions

On 18 April the Australian Democrats expressed an intention of abstaining in the vote on an urgency motion calling for the recall of the Ambassador to Ireland and the Holy See, Mr Brian Burke. The motion was passed by 31 votes to 30. There is no provision in the procedures of the Senate for Senators to record an abstention; if Senators are present in the chamber when a vote is taken they must vote with the ayes or the noes, and can abstain only by leaving the chamber. Later in the day, Senator McLean, by leave, moved a motion to record the abstentions of members of his party, but the motion was negatived (lost).

Amendments to leave out clauses

When a bill is considered in committee of the whole the procedures are designed to ensure that every clause of the bill is agreed to by a majority. Very often, however, bills are taken as a whole by leave instead of clause by clause. Groups of amendments are often moved together by leave, and sometimes an amendment is to leave out a clause. Such an amendment involves the possibility of a clause being carried without a majority, because if the ayes and noes are equal in the Senate, the question is negatived. (Unlike the Speaker of the House of Representatives, the President does not have a casting vote.) A question "that the clause be left out" will be lost if there are equal numbers of ayes and noes, but if the question is framed "that the clause stand as printed" and the ayes and noes are equal, the clause that does not have majority support will not be agreed to.

Appropriation Bills

A special appropriation bill was introduced on 19 February to fund expenditures arising from the Gulf War. On the introduction of the bill, Senator Harradine exercised his right to have the various questions for the introduction of the bill divided so that he could speak on the motion for the first reading of the bill. Senator Harradine wished to express his concern about the intention to continue debate on the bill later that day. The Leader of the Opposition in the Senate joined the debate, and indicated that the Opposition might revive the use of the procedure whereby on the first reading of a bill which cannot be amended by the Senate, matters not relevant to the bill may be discussed.

The additional estimates contained in the additional appropriation bills were referred to the Estimates Committees on 14 March. The reference also covered the special additional appropriation bill passed earlier in the year in consequence of the Gulf War. This enabled Estimates Committees to examine the expenditure authorised by that bill.

The main round of Estimates Committee hearings took place in the sitting weeks from 3 to 12 September, during which the Committees heard evidence for a total of approximately 133 hours. Two Committees did not complete their examination of estimates during this period and subsequently held further hearings, clocking up approximately 170 hours of public hearings.

The appropriation bills were finally passed on 7 November. Notwithstanding lengthy scrutiny of the bills by Estimates Committees, consideration of the bills in committee of the whole was very extensive.

The statement of expenditure under the Advance to the Minister for Finance was the subject of considerable debate on 11 November before it was approved, indicating continuing scrutiny by Senators of expenditure from the Advance.

Australian Senate Practice

The sixth edition of *Australian Senate Practice*, by J.R. Odgers published by the Royal Australian Institute of Public Administration, was tabled in the Senate by Senator Durack on 15 October. Speaking to a motion to take note of the document, Senators Durack and Harradine referred to its value to the Senate and to the public, and to the circumstances of its publication after the death of the author in 1985.

Calling Senators in Debate

On 5 June, when the Senate was debating the matter of the leadership of the government, the Deputy-President called Senator McMullan, the Parliamentary Secretary Assisting the Treasurer, who moved a closure motion, which was successful. Opposition Senators questioned the action of the Deputy-President in calling Senator McMullan immediately after the Leader of the Government in the Senate had spoken, and asked him whether he knew in advance that Senator McMullan was going to move the closure. The Deputy-President stated that in departing from the practice of calling Senators from each side of the chamber alternately, he had been influenced by the fact that five Opposition Senators had spoken in succession before the Leader of the Government, and he confirmed that he had known in advance that Senator McMullan was going to move the closure.

On the following day the Deputy-President made a further statement on the matter. He incorporated in *Hansard* a document which was

circulated by the then Deputy-President in 1987 and which sets out the practices of the Senate in giving the call. The Deputy-President stated that perhaps he should have given more weight to the fact that Senator McMullan was moving the closure and potentially terminating the debate. He undertook to refer the matter to the Procedure Committee.

Censure motions

A motion to censure a minister was passed on 4 June. Senator Richardson, in his former capacity as Minister for the Environment, was censured for his handling of the matter of payment of money under an agreement to a timber processing firm.

In some houses when a motion of censure against the government or a minister is moved at the time normally devoted to question time, debate on the motion is regarded as replacing question time. Such a motion was moved in the Senate on 9 December at 2 pm when questions would normally have been called on. The view was taken, however, that the routine of business specified by the standing orders continued to operate unless some decision was made by the Senate to alter it, and therefore question time took place after the censure motion had been determined.

Delegated Legislation

Senator Harradine introduced on 20 June a private Senator's bill to amend the Acts Interpretation Act, which would provide for delegated legislation to be published in draft form before it is made, for the prohibition of prejudicial retrospectivity of delegated legislation to be clarified, and for the disallowance of parts of provisions in delegated legislation. These reforms have been under discussion for some years and have been referred to in past reports of the Regulations and Ordinances Committee.

Disallowable Instruments

One part of the extensive government amendments of the Transport and Communications Legislation Amendment Bill was designed to shorten the statutory periods for the disallowance of instruments under the Telecommunications Act. The normal statutory period for giving notice of disallowance and for disposing of a disallowance motion is shortened from 15 sitting days to 5 sitting days in respect of instruments made during a limited time. The amendments also provided for an affirmative resolution of both Houses which would circumvent the disallowance procedures.

The government indicated that the rationale for the amendments is to enable intending telecommunications carriers to conclude the processes of entering the industry more quickly. The Senate agreed to the amendments, but it was stressed that they were not regarded as a precedent and were accepted only because of the particular

circumstances surrounding the recent amendments to the Telecommunications Act.

Dissolution Proclamations

For many years proclamations by the Governor-General dissolving the House of Representatives for an ordinary general election have included a phrase purporting to discharge Senators from attendance. In 1988 it was pointed out by the then Clerk-Assistant (Table), in a paper published in *Papers on Parliament No 2*, that there is no constitutional basis for this practice and that it arose through a misreading of earlier dissolution proclamations.

On 16 August the President tabled correspondence between the Clerk of the Senate and Government House relating to the 1990 dissolution proclamation. The result of the correspondence is that the government's advisers have indicated that the phrase in question will not be included in future dissolution proclamations.

Legislation

The two items of legislation creating the greatest procedural interest during the year were the *Wool Tax (Nos 1 to 5) Amendment Bills 1991* and the *Political Broadcasts and Political Disclosures Bill 1991*.

Wool Tax (Nos 1 to 5) Amendment Bills 1991

The package of bills for restructuring the wool industry was the subject of highly unusual proceedings which were not concluded until the last minute before the Senate rose for the winter long adjournment. It is believed that one aspect of those proceedings is quite unprecedented.

The most contentious matter in issue was the rate of tax on wool to be set by the legislation. The Government proposed a maximum rate of 15% under the bills, but both the Democrats and the Opposition wished to have a lower rate. The Democrats moved to substitute a rate of 12%, but this amendment was defeated. The Democrats then moved for a rate of 13% with the intention of giving the government, as Senator Bell expressed it, a last chance to vote for a rate closer to that proposed by the government before the even lower rate proposed by the Opposition was put. This second Democrat amendment, however, was defeated, and the Opposition amendment providing for a rate of 10% was then moved and carried. As they were bills imposing taxation, the amendments were moved in the form of requests to the House of Representatives.

Before dealing with the wool tax bills, the Senate had considered and amended two of the other bills in the package. With the rate of tax set, it was necessary to return to one of those bills to make a consequential amendment.

The non-government parties then adopted the tactic of sending the wool tax bills back to the House of Representatives while retaining in the Senate the other bills in the package. This was done by adjournment of the debate on the motion for the third reading of those bills and a motion fixing the resumption of the debate as an order for consideration after the wool tax bills were returned from the House and considered by the Senate. These tax bills, being the subject of requests, were not read a third time: the third reading of such bills does not take place until the Senate's requests have been dealt with.

On 20 June the wool tax bills were returned from the House of Representatives with the requested amendments not made. A government motion that the requests not be pressed was negatived, and a message was accordingly sent to the House indicating that the Senate had resolved to press the requests.

The bills were returned from the House of Representatives on the last day of the sittings with the requested amendments still not made, but with a government undertaking that a lower rate of taxation than the statutory ceiling of 15% would be initially set by regulation, and with a consequential amendment made to the bills. The government undertaking, however, did not satisfy the majority of the Senate, and the government motion that the requests not be pressed and that the substitute amendment be agreed to was negatived. The adjournment of the Senate was then moved.

In consequence of behind-the-scenes discussions, however, the question for the adjournment of the Senate was negatived after some debate, and the responsible Minister, Senator Cook, then by leave moved that the message from the House of Representatives be recommitted to the committee of the whole for reconsideration. The same motion as was previously negatived was then moved again in committee, this time accompanied by a government undertaking that the regulation-making power would be used to lower the rate of taxation initially to the figure of 12% originally suggested by the Democrats. This motion was carried, the resolution reported, the report of the committee adopted and the bills read a third time. It was then necessary to recommit three of the other bills to make amendments to them, one of which altered the amendment previously made. The motion for the recommittal of those bills could be moved to supersede the motion for the third reading, and this procedure, also not often used, was employed to get the bills back into committee and amended as required. Those bills were then reported and given a third reading, thereby allowing the package of legislation to be passed, when it had appeared only an hour or so before that the wool package was doomed to failure.

While these methods could be considered somewhat unusual, they allowed a last-minute agreement between the Houses to be reached. The primary device, whereby the House of Representatives message was recommitted after it had been considered, may be regarded as irregular. It depended for its effectiveness upon a message not having been dispatched to the House indicating that the Senate had again

resolved to press its requests. Had the message been sent, the motion could not have been moved. The motion had to be moved by leave, because there is no provision in the procedures for such a motion to recommit a House message which has already been dealt with. Once a message from the House of that sort has been considered a message should be sent to the House and there is then no basis for the Senate to change its mind unless the bill is again returned from the House. In a bicameral system of two Houses of virtually equal powers, however, it is important not to restrict unduly the methods by which the Houses may treat with each other and the means whereby they may reach agreement. It was for this reason that the revised standing orders adopted in 1989 retained the procedures for conferences between the Houses, although a conference has not been held for many decades.

Political Broadcasts and Political Disclosures Bill 1991

This bill was debated towards the end of the Budget sittings following an inquiry by a select committee. It was clear that the bill would be the subject of an intense political battle, because of the strong resistance by the Opposition to its principal aim, as it was originally drafted, to prohibit political advertisements on television and radio. The opening shots were fired on 2 December before proceedings on the bill had actually commenced, with two unusual notices of motion given by the Opposition. One motion provided for the bill to be divided, so as to separate the provisions relating to political broadcasts from the provisions relating to the disclosure of political donations, and specified the way in which the bill was to be divided and the amendments which were to be made to each resulting bill. The other motion provided for an instruction to the committee of the whole on the bill to divide the bill. These motions were eventually moved on 4 December, after the second reading of the bill, and were debated and negatived.

Before proceedings on the bill actually commenced, it was known that the Government and Australian Democrats had agreed to amend the bill so as to provide for certain restrictions on political broadcasts rather than a prohibition. This involved extensive amendment of the bill and the proceedings were expected to be extremely protracted. On 3 December, however, the Government and most of the Australian Democrats voted together to impose a limitation of debate, or a "guillotine" on the bill. The guillotine provided for proceedings on the bill to be concluded by 7.30pm on the following day. Normally in the Senate limitations of time provide for quantities of time rather than fixed terminating times. One of the indirect results of the fixed time was that the Senate sat all night on 3 December to conclude the second reading debate on the bill. In the past, a fixed-time guillotine has been regarded as suspending all other business until consideration of the bill in question is concluded, but this interpretation has not been followed for many years, and the normal routine of business continues where such a limitation is in place. Thus the normal routine of business was followed on 4 December.

Senators of the non-government parties and the independent Senators have had on the Notice Paper since 1986 contingent notices of motion to allow them to move suspension of standing orders to dispense with key elements of a guillotine, for example, the prohibition on debate on a motion declaring a bill to be an urgent bill, the limitation on debate on a motion to allot time for the consideration of the bill, and the limitation of time itself once imposed. On 3 December Senator Hill used one of these contingent notices to move suspension of standing orders in relation to the limitation of debate on the allotment of time. The suspension motion was negatived. Later in the debate Senator Hill attempted to move again the same suspension motion. The President then made a ruling, pointing out that this raised the possibility of an endless series of motions for the suspension of standing orders endlessly extending the time for debate on the allotment of time (in the past, it has been accepted that debate on a suspension motion, which is limited to 30 minutes, would not take up the time available for debate on the allotment of time). The President ruled that only one motion to suspend standing orders to extend the time allowed for debate could be moved pursuant to the contingent notice. This ruling was accepted at the time, but a similar ruling was to cause intense dispute later.

The bill was considered at length in committee of the whole on 4 December and extensive amendments were made to it, including amendments moved by all parties. A motion moved by the Government to extend the time allowed for the bill to noon on 5 December was agreed to and on the following day a further extension of time was agreed to (the standing order relating to the guillotine, standing order 142, has always been interpreted as allowing such motions for extensions of time). On 5 December a motion was moved by the Government to allow all circulated Opposition and Democrat amendments which had not been moved to be put at the expiration of the allocated time; the standing order contemplates only circulated government amendments being put in that circumstance.

In the committee of the whole on 5 December the Chairman of Committees ruled that a motion to suspend standing orders to remove the limitation of time on the bill could not be moved twice. On this occasion, however, the ruling was disputed and a motion of dissent was moved. The dissent having been reported to the Senate, the President upheld the Chairman's ruling and pointed out that it was then open to any Senator to move a motion of dissent from the President's ruling. This procedure, which is in accordance with the standing orders and long-established practice, was disputed, no doubt due to the heat of the occasion, and after some confused debate it was provided by motion, moved by leave, that the matter be dealt with by consideration of a motion to dissent from the *Chairman's* ruling. This motion of dissent was negatived and the committee of the whole then resumed.

On 9 December, in accordance with an undertaking given during debate, the President made a statement further explaining his and the Chairman's rulings. The essence of the statement is that when the

Senate has determined that a bill is an urgent bill and must be dealt with by a particular time, the Chair is under an obligation to ensure that the procedures do not operate in such a way as to subvert and frustrate that decision of the Senate. Once the Senate has been asked, by way of a motion to suspend standing orders pursuant to contingent notice, to change its mind and alter the limitation of time imposed on the bill, and had refused to do so, the Chair could not allow an endless series of motions to suspend standing orders which would defeat the limitation of time. The President's statement was extensively debated and eventually referred to the Procedure Committee. It appears from the debate that the matters in dispute were not so much the President's ruling in relation to suspension motions, but the fact that the President did not hear further argument before upholding the Chairman's ruling, and the refusal of the Chair to hear further points of order during the proceedings on the bill. In his statement the President pointed out that it is always open to the Chair to determine a matter without hearing any debate, and that an endless series of points of order (which also raise the possibility of an endless series of motions of dissent from the rulings of the Chair) could also be used to subvert the limitation of time, and that it must be open to the Chair to decline to entertain any further points of order.

Loan Bill

For the first time in a number of years a loan bill was introduced by the government; because the budget has been in surplus in recent years it has not been necessary for the government to seek parliamentary authorisation to borrow money to cover the deficit. The bill, debated on 13 March, applied to the 1990-91 financial year only. The government did not attempt to extend into future years the authorisation to borrow. Such attempts have previously been rejected by the Senate.

"Macklin motions"

A practice initiated by the Australian Democrats some years ago and named after the Australian Democrat Senator who first moved the motion continues to be employed towards the end of each period of sittings. Its effect is to set a deadline by which government bills to be considered by the Senate by the end of a period of sittings must be introduced into that House. A motion passed on 14 May set a deadline of 7 June for the Autumn sittings while the deadline for the Budget sittings was set as 15 November by a motion agreed to on 14 October. While most legislation continues to be introduced towards the end of a period of sittings, the setting of a cut-off date prevents any significant diminution in the level of scrutiny by the Senate.

Motions for Tabling of Documents

Frequent use is now being made of motions requiring the tabling of documents. Such matters often arise suddenly and may not relate to an item of business that is already before the Senate. A motion to bring on a completely new item of business can be moved only by leave or

by the suspension of standing orders. In order to overcome the requirement in standing order 209 for an absolute majority to carry a motion for the suspension of standing orders moved without notice, and to allow for a motion to bring on an item of new business, a contingent notice of motion is used. The contingent notice of motion enables a Senator, at virtually any time, to move a motion for the suspension of standing orders to allow a further motion to "provide for consideration of a matter". In order to bring on without notice some completely new item of business, therefore, two procedural steps are necessary: the suspension of standing orders pursuant to the contingent notice, followed by the motion to provide for consideration of the matters. The later motion usually provides that a motion relating to a particular matter may be moved forthwith and have precedence over all other business until determined. This provision is designed to prevent debate on the substantive motion being adjourned in the normal way, which, in relation to a motion moved by a Senator other than a minister, would put the substantive motion at the end of the list of general business for the next day of sitting.

These procedures were used on 8 May by the Leader of the Opposition in the Senate, Senator Hill, to enable him to move a motion requiring the tabling of documents relating to the intervention by the Minister for Administrative Services in the evaluation of certain tenders. A motion that the substantive motion be put forthwith was amended to provide that it be put at a later hour that day. It was so put and the matter was twice adjourned because an undertaking was given in relation to the tabling of the documents, which were tabled later in the day. The motion requiring the tabling was not called on again that day and so went to the bottom of the list of general business orders of the day.

These procedures were used to move a motion on 16 May to require the tabling of advice from the Human Rights Commissioner in relation to the government's proposal for a prohibition on political advertisements on radio and television. After the two procedural steps had been taken and the substantive motion moved, the Minister for Defence raised a point of order, the gist of which was that the document in question was advice to government and should not be tabled. After considerable discussion on the point of order, the debate was adjourned at the request of the Deputy-President to enable him to consider a ruling, which was delivered later in the day. Pointing out that standing order 164, which provides that documents may be ordered to be tabled, does not contain any exceptions or exemptions as to the documents which may be ordered to be tabled, the Deputy-President indicated that the argument which had taken place really related to the question of whether the motion should be passed rather than whether the motion was in order. If the responsible minister considered that there were reasons for not tabling the document, that was a matter which might be argued in debate. The motion was certainly in order. Debate on the motion continued, but it was negatived, the Leader of the Australian Democrats indicating that the document in question was advice on the government's proposal and that it would be more appropriate to await advice on the bill which

had been introduced after the preliminary advice had been given. On 28 May, the government tabled the advice from the Human Rights Commissioner and an advice from the Attorney-General's Department.

On 10 September the Senate agreed to an order requiring the government to table a tape recording of conversations between the Minister for Arts, Sport, the Environment, Tourism and Territories and representatives of conservation groups. This discussion had become the subject of conflicting reports and disputation. Under the standing orders, "documents" includes any item recording information, and covers sound and video recordings, specimens of which have been tabled previously.

On 12 September, a letter from the Leader of the Government was tabled, indicating that the government would not table the tape recording, but attaching an extract from the transcript of the tape recording. A motion to censure the government for its failure to table the tape recording was then carried. It was pointed out in the motion that, unlike previous refusals to provide documents in response to orders of the Senate, this refusal was not based upon any claim of executive privilege. A motion was then moved by Senator Coulter to require the tabling of an intergovernmental report connected with the matter, and debate on that motion was adjourned.

Orders for returns have been relatively common in recent years, but refusals by the government to comply with them have been rare. The last occasion of such a refusal occurred in 1982, when the then government declined to table certain documents relating to tax avoidance, on the ground that disclosure of the documents might prejudice legal proceedings.

Notices of Motion

In August 1990, standing order 76 relating to notices of motion was amended to require that a notice must consist of "a clear and succinct proposed resolution or order of the Senate relating to matters within the competence of the Senate," without extraneous matter or quotations. The reference to matters within the competence of the Senate was intended to prohibit motions congratulating sporting teams and the like. The President made a statement on 13 November indicating that notices were again becoming unduly prolix and that he intended to enforce the rules more strictly.

New Committees

Several new committees were established during the year. These included:

Joint Committee on Corporations and Securities (established 19 February 1991 on commencement of the *Australian Securities Commission Act 1989*);

Joint Select Committee on Certain Aspects of the Operation and Interpretation of the Family Law Act (established 13 March 1991);

Select Committee on Superannuation (established 5 June 1991);

Select Committee on Community Standards Relevant to the Supply of Services Utilising Telecommunications Technologies (established 21 June 1991);

Select Committee on Political Broadcasts and Political Disclosures (established 14 August 1991; reported 28 November 1991); and

Standing Committee on Rural and Regional Affairs (established 4 September 1991).

The last committee partly replaced the former *Select Committee on Animal Welfare* which presented its final reports to the Senate on 3 September 1991, and was thereby dissolved.

New Senators

Two new Senators were appointed during the year and a third appointment foreshadowed.

Following the resignation of Senator Peter Baume on 28 January 1991, his replacement, Senator John Tierney, was appointed by the Governor of New South Wales and sworn in on 12 February. The New South Wales Parliament was not sitting at the time. While other states take the view that an appointment to the Senate can only be made by the Governor if the state Parliament is prorogued, the New South Wales authorities interpret section 15 of the Constitution as allowing an appointment by the Governor whenever the state Parliament is not sitting. Where a Senator is chosen by the Governor to fill a casual vacancy, that Senator holds his place in the Senate only until the expiration of 14 days after the next sitting of the state Houses of Parliament; the Houses choose a person to hold the place after that time. Because the same person is invariably chosen for a vacancy on both occasions, it is usually said that the Senator's appointment has been 'confirmed', but technically the Senator has been chosen to fill a vacancy for two different periods. The 'confirmation' of Senator Tierney's appointment to the Senate by the New South Wales Parliament was notified to the Senate on 9 April 1991. It is the practice not to swear a Senator in again in these circumstances.

Senator Paul McLean resigned from the Senate on 22 August, following which the Senate adjourned for a week. During that week, the New South Wales Parliament appointed Senator Karin Sowada as his replacement. Senator Sowada was sworn in on 3 September 1991, the Senate's next sitting day.

Towards the end of 1991 Western Australian Green Senator, Jo Vallentine, announced that she would be submitting her resignation

from the Senate at the end of January 1992. It is expected that she will be replaced by Ms Christabel Chamarette.

Parliamentary Secretaries

The appointment of Senator McMullan, the Parliamentary Secretary assisting the Treasurer, as the Manager of Government Business resulted in his performing a greater role in the chamber and in questions to the President about his powers under the procedures of the Senate. In response to those questions the President made a statement on 18 June, in which he pointed out that apart from answering questions at question time, which only a minister could do, there were few procedural steps which could only be taken by a minister, and that when Senator McMullan took those steps he was taken to be acting on behalf of a minister, although that was not always indicated. The President pointed out that a statement by a Senator that he or she is acting on behalf of another Senator is invariably accepted by the Senate, and stated that the Chair intended to uphold that convention. The President incorporated in *Hansard* a paper on the powers of parliamentary secretaries which had been circulated at the time of Senator McMullan's appointment.

Senator McMullan then gave notice of a motion for an order which would empower a parliamentary secretary to do that which only a minister is empowered to do, except answer questions at question time. On the following day, Senator McMullan changed his motion to refer the proposed order to the Procedure Committee. This committee reported on 22 August, recommending that parliamentary secretaries be formally empowered to take certain procedural steps hitherto taken only by ministers, except answer questions at question time. On 3 September, the Senate agreed to a special order to this effect. The order covers the appearance of parliamentary secretaries before estimates committees on behalf of ministers.

Petition from Foreigners

The President referred on 6 March to a petition presented on the previous day, the propriety of which had been questioned by some Senators. The petition had been presented by leave because it was not in the proper form, but the cause of the Senators' concern was that it had been signed by foreign nationals resident outside Australia. The President pointed out that there is nothing to prevent the presentation of a petition from foreigners not resident in Australia. One can think of many circumstances in which such a petition is quite appropriate in the context of the traditional function of a petition seeking redress of grievances.

Private Senator's bill passed

Senator Watson's Income Tax Assessment (Valueless Shares) Amendment Bill was passed by the Senate on 17 October. Senator Watson is a member of the somewhat exclusive group of private Senators who have had more than one bill passed by the Senate. He

has also succeeded in having another of his bills, also relating to taxation matters, find its way to the statute book, although this was not done directly but by the government adopting his proposal in a government bill.

Privilege

The Committee of Privileges presented a report on 6 March 1991 on a case of alleged improper interference with a witness. The case was interesting in that the activity which was the subject of the report consisted of an apparent threat by a person to circulate a document containing an allegation that another person had given false evidence to a Senate committee, in an apparent attempt to influence that other person in relation to a contested position in a private association. This raised the question of whether such an action could be regarded as interference with a witness, as the action was apparently not taken in consequence of a witness's evidence and was not taken with any purpose of influencing a person in relation to evidence. The Committee found that there was not sufficient evidence of an intention to interfere with a witness to find that a contempt had been committed. The Committee's report was adopted by the Senate on 7 March.

On four occasions during the year, the Committee reported on cases of persons aggrieved by remarks made in the Senate. In each case, the Senate accepted the Committee's recommendation that a response by the aggrieved person be published.

On other matters of privilege, the question of the application of statutory secrecy provisions to the work of parliamentary committees was again raised following contrary advice given in 1990 to the Joint Committee on the National Crime Authority on this question. The Solicitor-General had given advice that the secrecy provisions in the National Crime Authority Act may affect the giving of evidence before the Joint Committee, but this view was disputed by advice to the Committee from the Clerk of the Senate.

On 30 May, Senator Crichton-Browne tabled an opinion by the Attorney-General's Department suggesting that another set of statutory secrecy provisions could prevent the provision of evidence to a parliamentary committee. He also tabled a commentary by the Clerk on that opinion. Later the same day, yet another secrecy provision was raised and another Attorney-General's Department opinion was tabled by the Minister for Justice. This opinion, however, contradicted the other Departmental opinion tabled earlier, and indicated that secrecy provisions could not prevent the giving of evidence to a parliamentary committee. On 4 June, Senator Crichton-Browne tabled a commentary on the two opinions, pointing out the contradiction between them and suggesting the matter should be resolved.

The basic question in issue was whether statutory secrecy provisions, which say nothing about parliamentary inquiries, have any application to such inquiries. Largely on the basis that of the principle

that parliamentary privilege is not affected by a statutory provision except by express words, the advices given by the Clerk argue that such provisions have no such application.

On 16 August, the Minister for Foreign Affairs, on behalf of Senator Tate, the Minister representing the Attorney-General, tabled an opinion of the Solicitor-General which conceded that a statutory secrecy provision having general application does not apply to the provision of information to a parliamentary committee, on the basis that the law of parliamentary privilege is not altered by a statutory provision unless the provision clearly has that effect. However, the Solicitor-General's opinion also suggested that a statutory provision may alter the law of parliamentary privilege not only by express words but by 'necessary implication', and that the secrecy provisions of the National Crime Authority Act may have some application to the Joint Committee established under that Act.

On 9 September, Senator Crichton-Browne introduced a bill which would amend the Parliamentary Privileges Act to make it clear that the law of parliamentary privilege is not altered by another statutory provision except by express words.

The final matter of parliamentary privilege considered during 1991 arose in connection with the Transport and Communications Legislation Amendment Bill 1991, an omnibus bill amending various statutes in the transport and communications area. The bill contained provisions to amend the Parliamentary Proceedings Broadcasting Act to extend to the televising of the proceedings of the two Houses and their committees the absolute privilege currently given by the Act to radio broadcasts of the proceedings of the Houses.

It is not known how these provisions came to be included in the bill, and there appears to have been no consultation with the Houses before the provisions were introduced. In the proceedings on the bill in the Senate on 14 November, the provisions in question were struck out of the bill with the agreement of all parties. It was pointed out that the absolute privilege given to radio broadcasts was enacted when the only broadcast of proceedings was the virtually continuous radio broadcast by the Australian Broadcasting Commission. Now that television stations are authorised to televise extracts of proceedings of the Houses and their committees, the question of extending absolute privilege to those broadcasts involves different issues. It was also pointed out that the Parliamentary Privileges Act provides privilege for all fair and accurate reports of parliamentary proceedings, and that this cover is probably as much as is appropriate for the televising of extracts. Edited television extracts, it was pointed out, could constitute highly unfair and inaccurate reports of proceedings and should not have absolute privilege.

It appears that further consideration will need to be given to this matter of the appropriate protection to be given to broadcasts of proceedings.

Procedural changes

Several reports of the Procedure Committee were considered during the year and the recommendations of the Committee determined. The outstanding matter in the First Report of 1990, the proposed new procedure for the presentation and debate of committee reports, was referred back to the Procedure Committee on 12 February. The Second Report of 1990 was considered on 13 February and the following decisions were taken in relation to the major matter covered by the report:

Electronic Voting The Senate took note of the committee's recommendation that electronic voting not be introduced at this stage.

Disclosure of in camera evidence The Senate rejected a motion proposed by the majority of the committee which would have forbidden the disclosure of in camera evidence taken by a committee in a dissenting report, and passed the alternative resolution recommended by the minority, whereby guidelines are adopted for the treatment of in camera evidence in a dissenting report.

Access to Video Recordings of Senate Proceedings The Senate adopted the recommended resolution specifying conditions for access to video recordings of Senate proceedings by persons other than television stations.

Publication of Documents Presented During Adjournments On the recommendation of the committee, the Senate made permanent the authorisation of the publication of committee reports presented to the President during long adjournments of the Senate, and also agreed to a similar resolution relating to government documents presented to the President.

Reference of Bills to Committees The Senate rejected a recommendation that the orders of the Senate of 5 December 1989 containing the new procedures for the reference of bills to committees be terminated at the end of this period of sittings. This means that those procedures now remain in force until the end of the current session, which will probably last until the end of the current Parliament.

Committee Reports The Senate agreed to a proposal that the consideration of committee reports be transferred from Wednesdays to Thursdays.

Quorum

The bill to alter the quorum of the Senate from one-third to one-quarter of the Senators, which was first introduced in 1989 following a recommendation of the Select Committee on Legislation Procedures, was finally dealt with and passed on 21 August, on a division,

members of the Opposition opposing the bill. The House of Representatives agreed to the bill 12 September. The quorum of the Senate is now 19 Senators rather than 26.

Referral of Bills to Committees

The new procedures for the referral of bills to committees will remain in force until the end of the current session, which will probably last until the end of the current Parliament, following the rejection by the Senate of a recommendation by the Procedure Committee that they be terminated (*supra*). Numerous bills were referred to the standing committees under these procedures but the old procedures for referring bills remain in place and available to be used. A reminder of this was provided on 11 April when the Australian Capital Territory (Electoral) Amendment Bill 1991 was referred after the second reading to the Standing Committee on Environment, Recreation and the Arts on the motion of the responsible minister. In May, two more bills, the Defence Force superannuation legislation and the Sex Discrimination Bill 1991, were referred to committees under the old procedures, bypassing the Selection of Bills Committee.

The new procedures provide for expedited passage through the committee of the whole stage by way of a motion for the adoption of the standing committee's report. The question arose whether this procedure was available for bills referred under the old procedures. On a strict reading, the procedure was only available for bills referred under the new procedures but it was considered more rational to allow any bill referred to a committee, whether under the old or the new procedures, to be dealt with by that procedure. The rights of Senators are not abridged by this interpretation because any Senator can prevent the motion for the adoption of the standing committee's report by circulating amendments not recommended by the standing committee, thereby ensuring that the bill is considered in the normal way. There is also the opportunity to move further amendments to the bill by way of amendment to the motion for the adoption of the standing committee report, if the Senator proposing further amendments chooses to proceed that way. These applications of the procedures were adopted during the consideration of several bills which had been referred to committees under the old procedures.

There is, however, one difference of treatment required for bills referred under the old procedures which cannot be ignored because of the explicit terms of standing order 115(3) and paragraph (8) of the new procedures. The standing order requires that where a bill has been reported on by a committee a future day is to be fixed for the next stage of the bill, and the automatic fixing of the day for the next stage under the new procedures cannot be separated from the operation of those procedures. It was necessary, therefore, that motions be passed on 29 and 30 May for the further consideration of bills referred to committees under the old procedures. On the first occasion of such a motion, the Manager of Government Business referred to the absence of a provision for automatic consideration of these bills, and suggested that the Procedure Committee consider the

matter. Standing Order 115 could easily be amended to provide for automatic further consideration of all bills reported from committees.

Regulations Disallowed

On 14 February, the Senate disallowed regulations which would have empowered the charging of an admission fee for the Australian War Memorial. After the disallowance motion was passed, the Minister for Justice and Consumer Affairs, Senator Tate, by leave moved a motion to refer matters arising from the making of the regulations to the Standing Committee on Community Affairs. His stated intention was to have that committee inquire into the financial implications of the disallowance of the regulations for the War Memorial. His motion was withdrawn when it was agreed that the matters he wished to be examined could be examined in the relevant Estimates Committee.

Special Sitings

The parliamentary year began with special sittings of both Houses on 21 and 22 January to consider a motion supporting the government's policy on the Gulf War.

When the leaders of the non-government parties announced that they wanted a special sitting to consider the commencement of hostilities against Iraq, it was certain that the Senate at least would sit, because under the long-standing provision, contained in the new standing orders, relating to the times of sitting, an absolute majority of Senators, represented by their party leaders, have the power to require the President to recall the Senate. In the event, the government decided that both Houses should meet.

As well as debating the Gulf War motion, the Senate transacted other business including the giving of notices and the tabling of documents. A Question Time was held on 22 January and other business included opposition motions relating to the situation in the Baltic States, and a motion condemning the Australian Broadcasting Corporation for its refusal to send messages through Radio Australia to Australian service personnel in the Gulf.

A special sitting also occurred at the beginning of 1992 when the President of the United States of America, Mr George Bush, visited Australia. The leaders of the major parties had expressed the intention of granting Mr Bush the honour of addressing both Houses of the Parliament at formal sittings of the Houses. A similar honour was conferred on the Australian Prime Minister when he visited Washington in 1988. Unlike the United States Congress, however, the Australian Parliament has not had a practice of "joint sessions" addressed by distinguished visitors, or, indeed, of allowing the Houses to be addressed by anyone other than their own members. It was therefore necessary to devise special resolutions to bring about the proposed occasion.

In framing the resolutions, it was necessary to make it clear that the proposed meeting was not in any sense a joint sitting of the Houses such as occurs under section 57 of the Constitution in relation to a continuing disagreement between the Houses over legislation which has been the subject of a simultaneous dissolution of the Houses. The occasion was therefore brought about in the following way. The House of Representatives passed a resolution inviting the US President to address the House at a special meeting to be held on 2 January 1992, and inviting the Senate to meet in the House of Representatives chamber for that purpose. This resolution was then forwarded to the Senate by message. The Senate then, on 28 November, passed a resolution inviting the US President to address the Senate and accepting the invitation of the House to meet in the House of Representatives chamber for that purpose. The Senate's resolution also concurred with provisions in the House's resolution to the effect that the address by the US President would be the only business transacted at the meeting, which would be concluded forthwith after the address. The Senate's resolution was passed only after some debate on the implications of it and a statement by the President explaining the provisions of the resolution.

Sub judice - the Westpac letters

It has long been a convention that matters subject to legal proceedings should not be debated in the Senate and successive Presidents have made rulings on the 'sub judice' principle. The principle was again tested during 1991 in relation to the so-called 'Westpac letters'. Speaking on the adjournment debate on 12 February about the lending activities of banks, Senator McLean indicated that he intended to refer to certain documents in his possession relating to the activities of the Westpac Banking Corporation. The President interrupted the debate and stated that he had received submissions from Westpac to the effect that the documents should not be disclosed in proceedings in the Senate, on the ground of the sub judice principle. Senator McLean had also made submissions to the President urging him to permit disclosure of the documents on public interest grounds and because of the right of the Senate to debate matters of public interest. In weighing up the competing claims, the President stated that disclosure of the documents would prejudice legal proceedings being undertaken by Westpac to have the documents suppressed by the courts, in that disclosure of the documents would probably terminate the proceedings. He ruled that the documents should not be disclosed. Senator McLean was also prevented from quoting parts of his correspondence with the President which would have indirectly revealed the contents of the documents.

The President's ruling aroused great controversy in the press. Senator McLean asked him to reconsider the ruling but the President declined to do so. Banking practices were the subject of an urgency motion proposed and then withdrawn by Senator McLean. This step was criticised by the Leader of the Opposition who successfully moved that the Senate invite Senator McLean to proceed with the urgency motion, which was duly debated and negatived.

The documents in question were read out in the South Australian Legislative Council on 20 February. Westpac continued its action in the courts, however, to have the documents suppressed, and on the basis that those actions were continuing, the President's ruling was not changed.

In response to questions in the Senate about the possible use of the documents by the Senate Standing Committee on Legal and Constitutional Affairs in relation to its inquiry into the cost of justice, the President replied that the committee could have the documents laid before it and hear evidence in relation to them, but in considering the publication of the documents, the committee should have regard to the President's ruling in the Senate. In the absence of a contrary order by the Senate, a committee had power to order the publication of documents laid before it.

On 5 March, Senator McLean asked the President whether he would review his ruling following a judgment by the New South Wales Supreme Court dismissing an application to remove the injunctions against publication of the documents. The President stated that he would not alter his ruling while that judgment was subject to appeal in the New South Wales Court of Appeal, but indicated that he might review his ruling when the judgment of the Court of Appeal was known.

On 7 March the President informed the Senate that the documents in question had been ordered to be published by the House of Representatives Standing Committee on Finance and Public Administration, that the Managing Director of Westpac Banking Corporation had indicated to the Committee that the bank would not contest the action to have the injunctions removed, and that in view of these developments, the ruling of 12 February was no longer operative. Senator McLean then tabled the documents by leave.

The sub judice principle was again raised in August when Senator Aulich took a point of order in relation to a notice of motion given by Senator Baume. The basis of the point of order was that the notice of motion was making allegations against a person who was the subject of criminal proceedings, which proceedings were mentioned in the notice but which were not connected with the allegations. The point of order raised the possibility that legal proceedings could be prejudiced by making allegations against a person even the allegations were not connected with matters at issue in the criminal proceedings. The President, in accordance with the less restrictive interpretation of the sub judice principle in recent years, ruled that the notice was in order as long as it did not refer to the merits of the legal proceedings.

Tabling of Documents by Minister

Documents required to be tabled by statutory provisions, including delegated legislation made under statutes, are usually forwarded to the Clerk of the Senate and tabled by the Clerk at the appropriate

time. There is, however, nothing to prevent such documents being tabled by some other method, including by a minister or by another Senator. An example of this occurred on 8 May with the tabling by a minister of certain determinations under the Social Security Act. These determinations related to the controversial question of rates of interest deemed to be earned by the funds of social security benefits recipients, and were tabled immediately after they were made, the government obviously wishing to have them tabled without delay.

Television

The order of the Senate allowing the televising of Senate proceedings was amended on 9 May on the motion of Senator Vanstone to remove the prohibition on televising the adjournment debate.

Unanswered Questions on Notice

During 1991 there was regular use of the procedure for extracting answers to questions on notice which remain unanswered for thirty days. The established practice now is that if an explanation of failure to answer questions within thirty days is not forthcoming when requested at the end of question time, a motion for an order for the answers and explanations to be tabled is moved.

Unparliamentary language

An interesting discussion on unparliamentary language took place on 14 and 15 October. In response to questions about a ruling he had made, the Deputy-President explained that, while a statement that a Senator had misled the Senate was not necessarily unparliamentary, because it did not necessarily imply that a Senator had wilfully or deliberately misled the Senate, as with all expressions regard must be had to the context of the use of it. Other words uttered by a Senator had led him to conclude that such an implication was being made. This assessment of the significance of the Senator's word was subsequently disputed. The distinction between saying that a Senator had misled the Senate and saying that a Senator has deliberately misled the Senate is similar in principle to the distinction between saying that a Senator's statements are not correct and saying that they are lies.

Unproclaimed legislation

A list of legislation which commences on proclamation but which has not yet been proclaimed was tabled, in accordance with an order of the Senate, on 30 May. The list contains reasons for the non-proclamation of legislation and enables this aspect of government action to be scrutinised.

Appendix - Senate Committees

Committee Reports Presented

During the year, the following reports were presented by Senate Standing, Joint and Select Committees:

Committee of Privileges

Possible improper influence or penalty on a witness in respect of evidence before a Senate committee (30th Report) (6 March 1991)

Person referred to in the Senate (Sir William Keys) (31st Report) (11 March 1991)

Person referred to in the Senate (Ms Patsy Harmsen) (32nd Report) (21 June 1991)

Person referred to in the Senate (Dr Alex Proudfoot, FRACP) (33rd Report) (3 September 1991)

Person referred to in the Senate (Ms Jeannie Cameron) (34th Report) (14 November 1991)

Committee's work since the passage of Privilege Resolutions of 25 February 1988 (35th Report) (2 December 1991)

Procedure Committee

First Report of 1991: Powers and functions of Parliamentary Secretaries in the Senate (22 August 1991)

Second Report of 1991: Presentation of committee reports; Estimates committees; Deputy-chairmen of standing committees; calling of Senators in debate; Restoration of bills to the notice paper; Government responses to committee reports (12 September 1991)

Regulations and Ordinances Committee

88th Report - Report for 1989-90 (16 May 1991)

89th Report - Report on Scrutiny by the Committee of Regulations made under the *Sex Discrimination Act 1984* (16 October 1991)

90th Report - Annual Report 1990-91 (12 December 1991)

Scrutiny of Bills Committee

Reports - First Report to Twenty-second Report

Alert Digests - First to Twenty-second

Standing Committee on Community Affairs

National Health Amendment Bill 1991 (18 June 1991)

National Food Authority Bill 1991 (18 June 1991)

Social Security (Disability and Sickness Support) Amendment Bill 1991 (22 August 1991)

Report on the examination of annual reports - No. 1 of 1991 (12 September 1991)

Health Insurance Amendment Bill 1991 (11 November 1991)

Health and Community Services Legislation Amendment Bill 1991 (Clauses 13, 38 and 53) (2 December 1991)

Standing Committee on Employment Education and Training

Active Citizenship Revisited (14 March 1991)

Education Services (Export Regulation) Bill 1990 (7 May 1991)

Report on the examination of annual reports (5 September 1991)

Come in Cinderella: The emergence of adult and community education (27 November)

Standing Committee on Environment, Recreation and the Arts

Australian Capital Territory (Electoral) Amendment Bill 1991 (28 May 1991)

Report on the examination of annual reports (21 June 1991)

Australian Capital Territory Self-Government Legislation Amendment Bill 1991 (26 November 1991)

Standing Committee on Finance and Public Administration

Estimates Committee documentation and procedures (9 May 1991)

Military Superannuation and Benefits Bill 1991 and Defence Force Superannuation Legislation Amendment Bill 1991 (28 May 1991)

Petroleum Resource Rent Legislation Amendment Bill 1991. Clause 15 of the Petroleum (Submerged Lands) Amendment Bill 1991 and Clause 4 of the Petroleum (Submerged Lands) (Royalty) Amendment Bill 1991 (5 June 1991)

Health Legislation (Pharmaceutical Benefits) Amendment Bill 1991 (Clause 7) (18 June 1991)

Report on annual reports tabled July 1990-June 1991 (21 June 1991)

List of Commonwealth Bodies (presented to Acting Deputy-President on 27 June 1991, pursuant to resolution of the Senate of 13 February 1991; tabled 13 August 1991)

General Insurance Supervisory Levy Amendment Bill 1991, Insurance Laws Amendment Bill 1991, Life Insurance Policy Holders' Protection Levies Bill 1991, Life Insurance Policy Holders' Protection Levies Collection Bill 1991, Life Insurance Supervisory Levy Amendment Bill 1991, Insurance Acquisitions and Takeovers Bill 1991 (8 October 1991)

Fringe Benefits Tax Amendment Bill 1991, Income Tax (International Agreements) Amendment Bill (No. 2) 1991, Income Tax (Deferred Interests Securities) (Tax File Number Withholding Tax) Bill 1991 and Taxation Laws Amendment Bill (No. 3) 1991 (26 November 1991)

Standing Committee on Foreign Affairs, Defence and Trade

United Nations peacekeeping and Australia (29 May 1991)

Scrutiny of annual reports - No. 1 of 1991 (21 June 1991)

Report on the examination of annual reports - No. 2 of 1991 (11 December 1991)

Standing Committee on Industry, Science and Technology

Rescue the Future - Reducing the impact of the greenhouse effect (presented to the President on 23 January 1991, pursuant to order of the Senate of 23 August 1990; tabled 12 February 1991)

Fisheries Administration Bill 1991, Fisheries Management Bill 1991, Fisheries Agreements (Payments) Bill 1991, Fisheries Legislation (Consequential Provisions) Bill 1991, Fishing Levy Bill 1991, Foreign Fishing Licences Levy Bill 1991, Statutory Fishing Rights Charge Bill 1991 (First Report) (18 June 1991)

Primary Industries (Industry Councils) Bill 1991 (18 June 1991)

Australia's anti-dumping and countervailing legislation (21 June 1991)

Scrutiny of annual reports: Reports tabled - Budget sittings 1990 (21 June 1991)

Fisheries Administration Bill 1991, Fisheries Management Bill 1991, Fisheries Agreements (Payments) Bill 1991, Fisheries Legislation (Consequential Provisions) Bill 1991, Fishing Levy Bill 1991, Foreign Fishing Licences Levy Bill 1991, Statutory Fishing Rights Charge Bill 1991 (Second Report) (13 August 1991)

Fisheries Administration Bill 1991, Fisheries Management Bill 1991, Fisheries Agreements (Payments) Bill 1991, Fisheries Legislation (Consequential Provisions) Bill 1991, Fishing Levy Bill 1991, Foreign Fishing Licences Levy Bill 1991, Statutory Fishing Rights Charge Bill 1991 (Final Report) (9 October 1991)

Report on the examination of annual reports - No. 2 of 1991 (12 December 1991)

Standing Committee on Legal and Constitutional Affairs

Crimes (Investigation of Commonwealth Offences) Amendment Bill 1990 (9 April 1991)

Trusts (Hague Convention) Bill 1991 (9 April 1991)

Aboriginal Development Commission - Legal costs in relation to Senate privileges matter (14 May 1991)

Sex Discrimination Amendment Bill 1991 (29 May 1991)

Scrutiny of annual reports - No. 1 of 1991 (4 June 1991)

Unauthorised procurement and disclosure of information (5 June 1991)

Health Legislation (Pharmaceutical Benefits) Amendment Bill 1991 (Clause 11) (18 June 1991)

Copyright Amendment Bill 1991 (16 August 1991)

The twentieth anniversary of the Committee (2 December 1991)

Scrutiny of annual reports - No. 2 of 1991 (9 December 1991)

The adequacy of existing legislative controls in the *Trade Practices Act 1974* over mergers, monopolies and acquisitions (19 December 1991)

Discussion and background papers presented in relation to the inquiry into the cost of legal services and litigation in Australia:

No 1 - Cost of Legal Services and Litigation: Introduction to the Issues (17 April 1991)

No 2 - Lawyers' Fees (17 April 1991)

No 3 - Contingency Fees (16 May 1991)

No 4 - Methods of Dispute Resolution (9 September 1991)

A Survey of reforms to the English legal profession

Standing Committee on Rural and Regional Affairs

Report on the examination of annual reports - No. 1 of 1991 (12 December 1991)

Standing Committee on Transport, Communications and Infrastructure

Aspects of the proposal for a Very Fast Train (13 March 1991)

Scrutiny of Annual Reports - No. 1 of 1991 (17 June 1991)

Carriage of Goods by Sea Bill 1991 (3 September 1991)

Broadcasting Amendment Bill 1991 (17 October 1991)

Report on the examination of annual reports - No. 2 of 1991 (11 December 1991)

National Road Transport Commission Bill 1991 (18 December 1991)

Select Committee on Animal Welfare

Culling of large feral animals in the Northern Territory (21 June 1991)

Transport of livestock within Australia (presented to the President on 8 August 1991, pursuant to resolution of the Senate of 13 February 1991; tabled 3 September 1991)

Equine welfare in competitive events other than racing (presented to the President on 8 August 1991, pursuant to resolution of the Senate of 13 February 1991; tabled 3 September 1991)

Aspects of animal welfare in the racing industry (presented to the President on 8 August 1991, pursuant to resolution of the Senate of 13 February 1991; tabled 3 September 1991)

Select Committee on Community Standards Relevant to the Supply of Services Utilising Telecommunications Technologies

Telephone services (Interim Report) (12 December 1991)

Select Committee on Political Broadcasts and Political Disclosures

Political Broadcasts and Political Disclosures Bill 1991 (28 November 1991)

Select Committee on Superannuation

Background document (9 December 1991)

References to Committees

The following matters, excluding legislation, were referred to committees during 1991:

Community Affairs

Implementation of the pharmaceutical restructuring measures (3 June 1991)

Medicare benefits (19 December 1991)

Employment, Education and Training

Proposal to divest the Australian National University of administrative and financial control of the John Curtin School of Medical Research (3 December 1991)

Finance and Public Administration

Management and operations of the Department of Foreign Affairs and Trade (19 June 1991)

Foreign Affairs, Defence and Trade

Relations between Australia and the republics of Latin America (9 April 1991)

Industry, Science and Technology

Generation, transmission, distribution and use of electricity and gas in Australia (21 June 1991)

Legal and Constitutional Affairs

Adequacy of the existing legislative controls in the Trade Practices Act over mergers and acquisitions (16 May 1991)

Rural and Regional Affairs

National Drought Policy (7 November 1991)

Lot feeding in Australia (7 November 1991)

Transport, Communications and Infrastructure

Satellite launching facilities in Australia and the role of the Government (9 April 1991)

Community Standards Relevant to the Supply of Services Utilising Telecommunications Technologies (select committee) (21 June 1991)

Superannuation (select committee) (5 June 1991)

Joint Statutory Committee on Corporations and Securities

Proposals for the establishment of a scheme for the voluntary administration of insolvent companies (28 November 1991)

Joint Committee on Electoral Matters

Resource sharing in the conduct of elections (9 September 1991)

Joint Committee on Foreign Affairs, Defence and Trade

Annual Report by the Department of Foreign Affairs and Trade on the Government's international efforts to promote and protect human rights (7 May 1991)

Australia's relations with Indonesia (20 June 1991)

Australia's relationship with the World Bank and the IMF (27 November 1991)

Defence Report 1990-91 (15 November 1991)

Joint Committee on Migration Regulations

Refugee/humanitarian visas and permits

Review arrangements

Conditional migrant entry (1 July 1991).

Further information about Senate committee activities is available from the Clerk-Assistant (Committees) or the Senior Clerk of Committees, The Senate, Parliament House, Canberra. (06) 277 3371 or (06) 277 3506