

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 44

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**1 MEETING OF SENATE**

The Senate met at 9.30 am. The President (Senator the Honourable Paul Calvert) took the chair and read prayers.

**2 GOVERNMENT DOCUMENTS**

The following government documents were tabled:

- Aboriginal Hostels Limited—Report for the period 24 June 2001 to 23 June 2002.
- Administrative Appeals Tribunal—Report for 2001-02.
- Aged Care Standards and Accreditation Agency Limited—Report for 2001-02.
- Albury-Wodonga Development Corporation—Report for 2001-02.
- Australian Broadcasting Authority—Report for 2001-02.
- Australian Broadcasting Corporation (ABC)—Report for 2001-02.
- Australian Communications Authority—Report for 2001-02.
- Australian Competition and Consumer Commission—Report for 2001-02.
- Australian Hearing Services (Australian Hearing)—Report for 2001-02.
- Australian Institute of Criminology and Criminology Research Council—Reports for 2001-02.
- Australian Institute of Family Studies—Report for 2001-02.
- Australian Institute of Health and Welfare—Report for 2001-02.
- Australian Institute of Marine Science—Report for 2001-02.
- Australian Law Reform Commission—Report—No. 94—Report for 2001-02.
- Australian Maritime Safety Authority—Report for 2001-02.
- Australian National Maritime Museum—Report for 2001-02.
- Australian National Training Authority—
  - Australian vocational education and training system—Report for 2001—  
Volumes 1, 2 and 3.  
Report for 2001-02.
- Australian Nuclear Science and Technology Organisation (ANSTO)—Report for 2001-02.
- Australian Postal Corporation (Australia Post)—Report for 2001-02.
- Australian Prudential Regulation Authority—Report for 2001-02.
- Australian Research Council—Report for 2001-02.
- Australian War Memorial—Report for 2001-02.
- ComLand Limited—Report for 2001-02.
- Commissioner for Complaints [Aged care]—Report for 2001-02.
- Cotton Research and Development Corporation and Cotton Research and Development Corporation Selection Committee—Reports for 2001-02.
- Department of Agriculture, Fisheries and Forestry—Report for 2001-02.

Department of Family and Community Services—Report for 2001-02—Volumes 1 and 2.

Department of Foreign Affairs and Trade—Reports for 2001-02—

Volume 1—Department of Foreign Affairs and Trade.

Volume 2—Australian Agency for International Development (AusAID).

Department of Veterans' Affairs—Data-matching program—Report for 2001-02.

Director of Public Prosecutions—Report for 2001-02.

Family Court of Australia—Report for 2001-02.

Forest and Wood Products Research and Development Corporation and Forest and Wood Products Research and Development Corporation Selection Committee—Reports for 2001-02.

Great Barrier Reef Marine Park Authority—Report for 2001-02.

Health Insurance Commission—Equity and diversity program—Report for 2001-02.

Human Rights and Equal Opportunity Commission—Report for 2001-02.

Maritime Industry Finance Company Limited—Report for 2001-02.

Migration Review Tribunal—Report for 2001-02.

National Competition Council—Report for 2001-02.

National Industrial Chemicals Notification and Assessment Scheme—Report for 2001-02 on the operation of the *Industrial Chemicals (Notification and Assessment) Act 1989*.

National Museum of Australia—Report for 2001-02.

National Occupational Health and Safety Commission—Report for 2001-02.

National Office for the Information Economy—Report for 2001-02.

National Road Transport Commission—Report for 2001-02.

NetAlert Limited—Report for 2001-02.

Office of Parliamentary Counsel—Report for 2001-02.

Public Service Commissioner—Report for 2001-02, incorporating the report of the Merit Protection Commissioner.

Repatriation Commission, Department of Veterans' Affairs and the National Treatment Monitoring Committee—Reports for 2001-02, including reports pursuant to the *Defence Service Homes Act 1918* and the *War Graves Act 1980*.

Seafarers Safety, Rehabilitation and Compensation Authority—Report for 2001-02.

Social Security Appeals Tribunal—Report for 2001-02.

Special Broadcasting Service Corporation (SBS)—Report for 2001-02.

Stevedoring Industry Finance Committee—Report for 2001-02.

Telstra Corporation Limited—Equal employment opportunity program—Report for 2001-02.

Tobacco Research and Development Corporation—Report for 2001-02.

**3 ORDER OF BUSINESS—REARRANGEMENT**

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell) moved—That government business notice of motion no. 1 standing in his name for today, relating to the days and hours of meeting and routine of business for the first sitting week in November, be postponed till a later hour.

Question put and passed.

**4 HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION**

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell) amended his notice of motion by leave and, pursuant to notice, moved government business notice of motion no. 2—That—

(1) On Wednesday, 23 October 2002:

- (a) consideration of government documents shall not be proceeded with; and
- (b) the routine of business from 6.50 pm to 7.20 pm shall be consideration of the following bills:
  - Insurance and Aviation Liability Legislation Amendment Bill 2002
  - Family and Community Services Legislation Amendment (Budget Initiatives and Other Measures) Bill 2002
  - Family Law Legislation Amendment (Superannuation) (Consequential Provisions) Bill 2002
  - Aboriginal Land Rights (Northern Territory) Amendment Bill 2002.

(2) On Thursday, 24 October 2002:

- (a) the hours of meeting shall be 9.30 am to adjournment;
- (b) the routine of business shall be:
  - (i) Prayers,
  - (ii) Notices of motion; and
- (c) the Senate shall stand adjourned immediately after notices of motion to enable senators to attend a memorial service for the victims of terrorist attacks in Bali.

Question put and passed.

**5 CONSIDERATION OF LEGISLATION**

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), pursuant to notice, moved government business notice of motion no. 3—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:

- Aboriginal Land Rights (Northern Territory) Amendment Bill 2002
- Broadcasting Legislation Amendment Bill (No. 1) 2002
- Egg Industry Service Provision Bill 2002
- Egg Industry Service Provision (Transitional and Consequential Provisions) Bill 2002
- Excise Laws Amendment Bill (No. 1) 2002
- Excise Tariff Amendment Bill (No. 2) 2002
- Excise Tariff Amendment Bill (No. 1) 2002

Customs Tariff Amendment Bill (No. 2) 2002  
 Family and Community Services Legislation Amendment (Budget Initiatives and Other Measures) Bill 2002  
 Inspector-General of Taxation Bill 2002  
 Insurance and Aviation Liability Legislation Amendment Bill 2002.

Debate ensued.

Senator Brown moved the following amendment:

Omit the following bills:

Broadcasting Legislation Amendment Bill (No. 1) 2002  
 Egg Industry Service Provision Bill 2002  
 Egg Industry Service Provision (Transitional and Consequential Provisions) Bill 2002  
 Excise Laws Amendment Bill (No. 1) 2002  
 Excise Tariff Amendment Bill (No. 2) 2002  
 Excise Tariff Amendment Bill (No. 1) 2002  
 Customs Tariff Amendment Bill (No. 2) 2002  
 Inspector-General of Taxation Bill 2002  
 Insurance and Aviation Liability Legislation Amendment Bill 2002.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 2

Senators—

Brown (Teller)	Nettle
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NOES, 45

Senators—

Allison	Ferguson	Ludwig	Ridgeway
Barnett	Ferris	Lundy	Scullion
Bartlett	Forshaw	Marshall	Tchen
Boswell	Greig	Mason	Tierney
Buckland	Heffernan	McLucas	Troeth
Campbell, George	Hogg	Moore	Vanstone
Campbell, Ian	Johnston	Murray	Watson
Carr	Kemp	O'Brien	Webber
Colbeck	Kirk	Patterson	Wong
Cook	Knowles	Payne	
Crossin (Teller)	Lees	Ray	
Eggleston	Lightfoot	Reid	

Question negatived.

The question was divided—

Question—That the motion in respect of all bills except the Inspector-General of Taxation Bill 2002 be agreed to—put and passed.

Question—That the motion in respect of the Inspector-General of Taxation Bill 2002 be agreed to—put and negatived.

6 **ORDER OF BUSINESS—REARRANGEMENT**

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell) moved—That government business notice of motion no. 4 standing in his name for today, relating to the consideration of legislation, be postponed till a later hour.

Question put and passed.

7 **WORKPLACE RELATIONS AMENDMENT (FAIR DISMISSAL) BILL 2002 [NO. 2]**

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

Message no. 179, dated 22 October 2002—A Bill for an Act to amend the *Workplace Relations Act 1996*, and for related purposes.

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell) 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 Ian Campbell 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.

8 **CRIMES AMENDMENT BILL 2002**

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

Message no. 180, dated 22 October 2002—A Bill for an Act to amend the *Crimes Act 1914*.

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

*Consideration of legislation:* Senator Ian Campbell, by leave, moved—That the provisions of paragraphs (5) to (7) of standing order 111 not apply to the bill, allowing it to be considered during this period of sittings.

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*Document:* Senator Ian Campbell tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the Crimes Amendment Bill 2002 in the 2002 spring sittings.

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Debate ensued.

Question put and passed.

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

Debate ensued.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

Senator Ian Campbell moved—That this bill be now read a third time.

Debate ensued.

Question put and passed.

Bill read a third time.

**9 EDUCATION SERVICES FOR OVERSEAS STUDENTS AMENDMENT BILL 2002**

Order of the day read for the adjourned debate on the motion of the Special Minister of State (Senator Abetz)—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.

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*In the committee*

Bill, taken as a whole by leave, debated and agreed to.

Bill to be reported without amendment.

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

On the motion of Senator Abetz the report from the committee was adopted and the bill read a third time.

**10 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (AUSTRALIANS WORKING TOGETHER AND OTHER 2001 BUDGET MEASURES) BILL 2002**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Treasurer (Senator Ian Campbell)—That this bill be now read a second time.

Debate resumed.

Senator Bishop moved the following amendment:

At the end of the motion, add “but the Senate condemns the Government’s unfair application of breach penalties on job seekers and calls on it to amend the breach penalty regime in line with principles outlined in the report of the *Independent Review of Breaches and Penalties in the Social Security System* (the Pearce review), including:



- (a) a rate reduction for first or second breaches of no more than 25 per cent of benefits;
- (b) breach and non-payment periods of a maximum of 8 weeks duration; and
- (c) reinstatement of benefits on compliance.

Debate ensued.

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*Documents:* Senator Harris, by leave, tabled the following documents:

Family and Community Services Legislation Amendment (Australians Working Together and other 2001 Budget Measures) Bill 2002—Copies of pages [2] from Centrelink web site pages—News Room—Speech—Electronic delivery of government services—Centrelink ‘Live Events’ framework, printed 23 October 2002.

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Debate continued.

*At 12.45 pm:* Debate was interrupted while Senator Nettle was speaking.

#### 11 MATTERS OF PUBLIC INTEREST

Matters of public interest were discussed.

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*Document:* Senator Mackay, by leave, tabled the following document:

Financial services—Tasmania—Vendor services—Copy of contractual documents provided by Never Pay Rent Again [vendor service] to home buyer.

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Further matters of public interest were discussed.

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*Document:* Senator Harris, by leave, tabled the following document:

Primary industries—Sugar industries—‘Australian sugar industry: The crisis... the realistic solutions’, dated 12 September 2002.

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Further matters of public interest were discussed.

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*At 2 pm—*

#### 12 QUESTIONS

Questions without notice were answered.

13 **SUPERANNUATION—ANSWER TO QUESTION**

Senator Sherry moved—That the Senate take note of the answer given by the Minister for Revenue and Assistant Treasurer (Senator Coonan) to a question without notice asked by Senator Sherry today relating to superannuation and the Australian Workforce Eligible Rollover Fund.

Debate ensued.

Question put and passed.

14 **ENVIRONMENT—RENEWABLE ENERGY—ANSWER TO QUESTION**

Senator Allison moved—That the Senate take note of the answer given by the Minister for Defence (Senator Hill) to a question without notice asked by Senator Allison today relating to renewable energy.

Question put and passed.

15 **PETITION**

The following petition, lodged with the Clerk by Senator Brown, was received:

From 3 886 petitioners, requesting that the Senate take action to prohibit the establishment of nuclear irradiation plants in Australia and to prohibit the process of food irradiation in Australia.

16 **NOTICE OF MOTION WITHDRAWN**

Senator Greig, pursuant to notice of intention given on 22 October 2002, withdrew business of the Senate notice of motion no. 1 standing in his name for 24 October 2002, relating to the disallowance of the Therapeutic Goods (Charges) Amendment Regulations 2002 (No. 1), as contained in Statutory Rules 2002 No. 144 and made under the *Therapeutic Goods (Charges) Act 1989*.

17 **SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 11 OF 2002**

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

## SELECTION OF BILLS COMMITTEE

## REPORT NO. 11 OF 2002

1. The committee met on Tuesday, 22 October 2002.
2. The committee resolved to recommend—That—
  - (a) the Trade Practices Amendment (Liability for Recreational Services) Bill 2002 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 3 December 2002;
  - (b) the order of the Senate of 15 May 2002 adopting the Committee's 3rd report of 2002 be varied to provide that the *provisions* of the Workplace Relations Amendment (Improved Protection for Victorian Workers) Bill 2002 be *referred immediately* to the Employment, Workplace Relations and Education Legislation Committee for inquiry and report by 12 November 2002;
  - (c) the following bills *not* be referred to committees:
    - Australian Broadcasting Corporation (Scrutiny of Board Appointments) Amendment Bill 2002
    - Higher Education Legislation Amendment Bill (No. 3) 2002
    - Migration Legislation Amendment (Migration Advice Industry) Bill 2002
    - Workplace Relations Legislation Amendment Bill 2002.

***The committee recommends accordingly.***

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

*Bill deferred from meeting of 19 March 2002*

Aviation Legislation Amendment Bill 2002

*Bills deferred from meeting of 20 August 2002*

Financial Sector Legislation Amendment Bill (No. 2) 2002

Occupational Health and Safety (Commonwealth Employment) Amendment  
(Employee Involvement and Compliance) Bill 2002

*Bills deferred from meeting of 24 September 2002*

Inspector-General of Taxation Bill 2002

International Tax Agreements Amendment Bill (No. 2) 2002

Taxation Laws Amendment Bill (No. 6) 2002

*Bill deferred from meeting of 15 October 2002*

Trade Practices Amendment Bill (No. 1) 2002

*Bill deferred from meeting of 22 October 2002*

Corporations Amendment (Repayment of Directors' Bonuses) Bill 2002.

Jeannie Ferris

Chair

23 October 2002.

Senator Ferris moved—That the report be adopted.

Senator Ludwig moved the following amendment:

At the end of the motion, add “and, in respect of the Inspector-General of Taxation Bill 2002, the bill be referred to the Economics Legislation Committee for inquiry and report by 3 December 2002”.

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

Main question, as amended, put and passed.

**18 POSTPONEMENTS**

Items of business were postponed as follows:

General business notice of motion no. 197 standing in the name of Senator Allison for today, relating to a response by the Australian Competition and Consumer Commission to an order of the Senate, postponed till 11 November 2002.

General business notice of motion no. 222 standing in the name of Senator Allison for today, relating to the Gembrook Primary School, postponed till 11 November 2002.

**19 NOTICE OF MOTION WITHDRAWN—DISABILITY DISCRIMINATION STANDARDS—  
APPROVAL**

Senator Allison, by leave, withdrew business of the Senate notice of motion no. 1 standing in her name for today, relating to a proposed amendment to the Disability Discrimination Standards for Accessible Public Transport 2002.

*Statement by leave:* The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), by leave, made a statement relating to the matter.

Senator Ian Campbell, by leave, moved—That—

- (1) In accordance with subsection 31(3) of the *Disability Discrimination Act 1992*, the Senate approves the Disability Discrimination Standards for Accessible Public Transport 2002, made under subsection 31(1) of the Act and tabled on 20 August 2002.
- (2) A message be sent to the House of Representatives acquainting the House with this resolution.

Question put and passed.

**20 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION REFERENCES COMMITTEE—  
EXTENSIONS OF TIME TO REPORT**

The Chair of the Employment, Workplace Relations and Education References Committee (Senator George Campbell), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 219—That the time for the presentation of reports of the Employment, Workplace Relations and Education References Committee be extended as follows:

- (a) education of students with disabilities—to 5 December 2002; and
- (b) small business employment—to 12 December 2002.

Question put and passed.

**21 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION REFERENCES COMMITTEE—  
REFERENCE**

The Chair of the Employment, Workplace Relations and Education References Committee (Senator George Campbell), pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 3—That the following matters be referred to the Employment, Workplace Relations and Education References Committee for inquiry and report by the last sitting day in June 2003:

- (a) areas of skills shortage and labour demand in different areas and locations, with particular emphasis on projecting future skills requirements;
- (b) the effectiveness of current Commonwealth, state and territory education, training and employment policies, and programs and mechanisms for meeting current and future skills needs, and any recommended improvements;
- (c) the effectiveness of industry strategies to meet current and emerging skill needs;
- (d) the performance and capacity of Job Network to match skills availability with labour-market needs on a regional basis and the need for improvements;
- (e) strategies to anticipate the vocational education and training needs flowing from industry restructuring and redundancies, and any recommended improvements; and
- (f) consultation arrangements with industry, unions and the community on labour-market trends and skills demand in particular, and any recommended appropriate changes.

Question put and passed.

**22 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTINGS**

Senator Ferris, at the request of Senator Mason and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 220—That the Joint Standing Committee on Electoral Matters be authorised to hold public meetings during the sittings of the Senate on Monday, 11 November 2002, from 7.15 pm, and on Monday, 2 December 2002, from 7.15 pm, to take evidence for the committee's inquiry into the conduct of the 2001 federal election.

Question put and passed.

**23 INDIGENOUS AUSTRALIANS—STOLEN GENERATIONS—MRS VALERIE LINOW**

Senator Ridgeway, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 221—That the Senate—

- (a) notes that:
  - (i) Mrs Valerie Linow, an Aboriginal woman from New South Wales, was removed from her family at the age of 2 years and placed in children's homes in Bomaderry and then Cootamundra,
  - (ii) at the age of 14, Mrs Linow was placed on a rural property in New South Wales by the Aborigines Welfare Board and employed as a domestic worker,
  - (iii) Mrs Linow is the first member of the stolen generations to be awarded monetary compensation for the psychological trauma she suffered as a result of sexual assaults that occurred when she was employed as a domestic worker, and
  - (iv) by awarding Mrs Linow compensation of \$35 000, the New South Wales Victims Compensation Tribunal is distinguished as the first judicial body in Australia's history to award compensation to a member of the stolen generations for harm that occurred while in state care;
- (b) acknowledges that the success of Mrs Linow's case may give hope to other members of the stolen generations who suffered a similar fate and validate their conviction that the harm done to them does warrant and deserve compensation;
- (c) regrets that the Government has provided members of the stolen generations no alternative to the adversarial, costly and protracted court system for the resolution of their claims, with the result that many claims will continue to be defeated because of the applicants' inability to produce the necessary documentation or the witnesses to substantiate their claims; and
- (d) calls on the Government to:
  - (i) reconsider its opposition to the establishment of a more humane and compassionate response, particularly for those members of the stolen generations who have suffered harm as a consequence of the act of removal, and

- (ii) establish a reparations tribunal for the stolen generations, as recommended in the Legal and Constitutional References Committee report on the stolen generations, *Healing: A Legacy of Generations*, the Human Rights and Equal Opportunity Commission, the Aboriginal and Torres Strait Islander Commission, the Public Interest Advocacy Centre and the National Sorry Day Committee.

Question put and passed.

#### 24 INDIGENOUS AUSTRALIANS—NORTHERN TERRITORY—CUSTOMARY LAW

Senator Crossin, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 223—That the Senate—

- (a) notes the signing of the 1997 National Communiqué to Progress Indigenous Justice Issues by the Northern Territory Government confirming its commitment to reducing the over-representation of Indigenous people in all stages of the criminal justice system;
- (b) recognises that the 1997 communiqué commits all signatories to addressing customary law and its relationship with the criminal justice system;
- (c) notes that, in accordance with Australian and international law, Aboriginal customary law should be recognised consistently with universally-recognised human rights and fundamental freedoms; and
- (d) acknowledges that the Northern Territory Government is working in partnership with Indigenous people in moving to conduct an inquiry into Aboriginal customary law and its relationship with the criminal justice system.

Question put and passed.

#### 25 IMMIGRATION—KOREAN ASYLUM SEEKERS

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 224—That the Senate—

- (a) notes the rally in Sydney on 22 October 2002 of the Korean Solidarity for Human Rights Group, which is demanding an apology for the imprisonment in high security jails of two Korean asylum seekers who were neither convicted nor charged with any offence;
- (b) condemns the transfer of asylum seekers into the regular prison system as contrary to the strong tradition in Australia of, and legal commitment to, civil and human rights that protect individuals from imprisonment without conviction or charge; and
- (c) calls on the Government to end this practice immediately, bringing Australia back in line with commitments under the International Covenant on Civil and Political Rights.

Question put and negated. Both Australian Greens senators, by leave, recorded their votes for the ayes.

#### 26 MONASH UNIVERSITY TRAGEDY

Senator Allison, by leave and at the request of the Leader of the Australian Democrats (Senator Bartlett), moved—That the Senate—

- (a) extends its condolences and sympathies to the families of the people who died, and to those who were injured, in the shooting at Monash University on Monday, 21 October 2002; and
- (b) expresses its support to the staff and students affected by this tragic incident and thanks those whose courage and effective intervention prevented more people from being harmed.

Question put and passed.

## 27 **DAYS AND HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION**

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell) amended his notice of motion by leave and, pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That—

- (1) On Monday, 11 November 2002:
  - (a) the hours of meeting shall be 9.30 am to 6.30 pm and 7.30 pm to 11.40 pm;
  - (b) the routine of business from 9.30 am to 2 pm and 7.30 pm to 11 pm shall be consideration of the Research Involving Embryos Bill 2002 and the Prohibition of Human Cloning Bill 2002; and
  - (c) the question for the adjournment of the Senate shall be proposed at 11 pm.
- (2) On Tuesday, 12 November 2002:
  - (a) the hours of meeting shall be 12.30 pm to 6.30 pm and 7.30 pm to 11.40 pm;
  - (b) the routine of business from 12.30 pm to 2 pm and 7.30 pm to 11 pm shall be consideration of the Research Involving Embryos Bill 2002 and the Prohibition of Human Cloning Bill 2002; and
  - (c) the question for the adjournment of the Senate shall be proposed at 11 pm.
- (3) On Wednesday, 13 November 2002:
  - (a) the hours of meeting shall be 9.30 am to 6.30 pm and 7.30 pm to 11.40 pm;
  - (b) the routine of business from 9.30 am to 12.45 pm and 7.30 pm to 11 pm shall be consideration of the Research Involving Embryos Bill 2002 and the Prohibition of Human Cloning Bill 2002; and
  - (c) the question for the adjournment of the Senate shall be proposed at 11 pm.
- (4) On Thursday, 14 November 2002:
  - (a) the hours of meeting shall be 9.30 am to adjournment; and
  - (b) the question for the adjournment of the Senate shall be proposed at 8 pm and standing order 54(5) shall apply as if it were Tuesday.
- (5) The Senate shall sit on Friday, 15 November 2002 and that:
  - (a) the hours of meeting shall be 9.30 am to 4.25 pm;
  - (b) the routine of business shall be government business only;
  - (c) the sitting of the Senate shall be suspended for 45 minutes from approximately 12.30 pm; and
  - (d) the question for the adjournment of the Senate shall be proposed at 3.45 pm.

*Statement by leave:* Senator Ian Campbell, by leave, made a statement relating to the motion.

Question put and passed.

**28 URGENCY MOTION—HEALTH—PROFESSIONAL INDEMNITY INSURANCE**

The Deputy President (Senator Hogg) informed the Senate that the President had received a letter from Senator Ridgeway advising that today he intended to move—That, in the opinion of the Senate, the following is a matter of urgency:

The need for the Federal Government to act to include midwives in the medical insurance rescue package, as by next week all agencies supplying contract and casual midwives – around one quarter of all working midwives – will be unable to obtain professional indemnity insurance cover precipitating an immediate crisis in the safe birthing of babies in both public and private hospitals.

The proposal was supported by 4 senators.

Senator Ridgeway moved the motion.

Debate ensued.

Question put and passed.

**29 CONSIDERATION OF COMMITTEE REPORTS—SUSPENSION OF STANDING ORDER 62(4)(b)**

The Minister for the Arts and Sport (Senator Kemp), by leave, moved—That so much of standing order 62(4)(b) be suspended as would prevent the debate on tabling and consideration of committee reports today exceeding 60 minutes and each senator speaking for the time specified in the list circulated in the chamber.

Question put and passed.

**30 PUBLICATIONS—STANDING COMMITTEE—4TH REPORT**

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

PUBLICATIONS COMMITTEE  
4TH REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the House of Representatives.

The Committee, having considered documents presented to the Parliament since 26 September 2002, recommends that the following be printed:

- Aboriginal Hostels Limited—Report for 2001-02.
- Aboriginals Benefit Account—Report for 2001-02.
- Administrative Appeals Tribunal—Report for 2001-02.
- Albury-Wodonga Development Corporation—Report for 2001-02.
- Australia Council—Report for 2001-02.
- Australian Broadcasting Authority—Report for 2001-02.
- Australian Broadcasting Corporation—Report for 2001-02.
- Australian Bureau of Statistics—Report for 2001-02.
- Australian Communications Authority—Report for 2001-02.
- Australian Competition and Consumer Commission—Report for 2001-02.
- Australian Customs Service—Report for 2001-02.



Australian Electoral Commission—Report for 2001-02.  
Australian Film Commission—Report for 2001-02.  
Australian Film, Television and Radio School—Report for 2001-02.  
Australian Fisheries Management Authority—Report for 2001-02.  
Australian Greenhouse Office—Report for 2001-02.  
Australian Hearing Services (Australian Hearing)—Report for 2001-02.  
Australian Industrial Relations Commission and Australian Industrial Registry—  
Reports for 2001-02.  
Australian Industry Development Corporation—Report for 2001-02.  
Australian Institute of Criminology and the Criminology Research Council—  
Reports for 2001-02.  
Australian Institute of Family Studies—Report for 2001-02.  
Australian Institute of Health and Welfare—Report for 2001-02.  
Australian Institute of Marine Science—Report for 2001-02.  
Australian Law Reform Commission—Report—No. 94—Report for 2001-02.  
Australian Maritime Safety Authority—Report for 2001-02.  
Australian National Maritime Museum—Report for 2001-02.  
Australian National Residue Survey—Report for 2001-02.  
Australian National Training Authority—  
    Australian vocational education and training system—Report for 2001—  
    Volumes 1, 2 and 3.  
    Report for 2001-02.  
Australian Nuclear Science and Technology Organisation (ANSTO)—Report for  
2001-02.  
Australian Postal Corporation (Australia Post)—Report for 2001-02.  
Australian Prudential Regulation Authority—Report for 2001-02.  
Australian Radiation Protection and Nuclear Safety Agency—Report for 2001-02.  
Australian Research Council—Report for 2001-02.  
Australian Safeguards and Non-Proliferation Office—Report for 2001-02.  
Australian Securities and Investments Commission—Report for 2001-02.  
Australian Sports Commission—Report for 2001-02.  
Australian Trade Commission (AUSTRADE)—Report for 2001-02.  
Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for  
2001-02.  
Australian War Memorial—Report for 2001-02.  
Australian Wine and Brandy Corporation—Report for 2001-02.  
Centrelink—Report for 2001-02.  
Comcare—Report for 2001-02, including the report of QWL Corporation Pty  
Limited.  
Commissioner for Complaints [Aged care]—Report for 2001-02.  
Commonwealth Director of Public Prosecutions—Report for 2001-02.  
Cotton Research and Development Corporation—Report for 2001-02.  
*Crimes Act 1914*—Controlled operations for 2001-02.

- Dairy Research and Development Corporation and Dairy Research and Development Corporation Selection Committee—Reports for 2001-02.
- Defence Housing Authority—Report for 2001-02.
- Department of Agriculture, Fisheries and Forestry—Report for 2001-02.
- Department of Communications, Information Technology and the Arts—Report for 2001-02.
- Department of Family and Community Services—Report for 2001-02—Volumes 1 and 2.
- Department of Foreign Affairs and Trade—Report for 2001-02—  
Volume 1—Department of Foreign Affairs and Trade.  
Volume 2—Australian Agency for International Development (AusAID).
- Department of the Prime Minister and Cabinet—Report for 2001-02.
- Department of Transport and Regional Services—Report for 2001-02.
- Export Finance and Insurance Corporation (EFIC)—Report for 2001-02.
- Family Court of Australia—Report for 2001-02.
- Film Australia Limited—Report for 2001-02.
- Fisheries Research and Development Corporation—Report for 2001-02.
- Forest and Wood Products Research and Development Corporation—Report for 2001-02.
- Grains Research and Development Corporation—Report for 2001-02.
- Grape and Wine Research and Development Corporation and Grape and Wine Research and Development Corporation Selection Committee—Reports for 2001-02.
- Great Barrier Reef Marine Park Authority—Report for 2001-02.
- Human Rights and Equal Opportunity Commission—  
Report for 2001-02.  
Report—Visits to immigration detention facilities by the Human Rights Commission 2001, August 2002.
- Indigenous Land Corporation—Report for 2001-02.
- International Air Services Commission—Report for 2001-02.
- Joint Coal Board—Report for the period 1 July to December 2001. [Final]
- Land and Water Resources Research and Development Corporation (Land and Water Australia) and Land and Water Australia Selection Committee—Reports for 2001-02.
- Medibank Private—Report for 2001-02.
- Migration Review Tribunal—Report for 2001-02.
- National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2001-02.
- National Competition Council—Report for 2001-02.
- National Gallery of Australia—Report for 2001-02.
- National Industrial Chemicals Notification and Assessment Scheme—Report for 2001-02 on the operation of the *Industrial Chemicals (Notification and Assessment) Act 1989*.
- National Library of Australia—Report for 2001-02.

National Museum of Australia—Report for 2001-02.  
National Occupational Health and Safety Commission—Report for 2001-02.  
National Registration Authority for Agricultural and Veterinary Chemicals—Report for 2001-02.  
National Road Transport Commission—Report for 2001-02.  
Office of Parliamentary Counsel—Report for 2001-02.  
Public Service Commissioner—Report for 2001-02, incorporating the report of the Merit Protection Commissioner.  
Repatriation Commission, Department of Veterans' Affairs and the National Treatment Monitoring Committee—Reports for 2001-02, including reports pursuant to the *Defence Service Homes Act 1918* and the *War Graves Act 1980*.  
Repatriation Medical Authority—Report for 2001-02.  
Royal Australian Mint—Report for 2001-02.  
Rural Industries Research and Development Corporation and Rural Industries Research and Development Corporation Selection Committee—Reports for 2001-02.  
Safety, Rehabilitation and Compensation Commission—Report for 2001-02.  
Seafarers Safety, Rehabilitation and Compensation Authority—Report for 2001-02.  
Social Security Appeals Tribunal—Report for 2001-02.  
Special Broadcasting Service Corporation (SBS)—Report for 2001-02.  
Sugar Research and Development Corporation and Sugar Research and Development Corporation Selection Committee—Reports for 2001-02.  
Telstra Corporation Limited—Report for 2001-02.  
Tobacco Research and Development Corporation—Report for 2001-02.  
Torres Strait Regional Authority—Report for 2001-02.  
*Witness Protection Act 1994*—Report for 2001-02 on the operation of the Act.

Senator Richard Colbeck

Chairman

23 October 2002

Senator Ferris moved—That the report be adopted.

Question put and passed.

**31 SCRUTINY OF BILLS—STANDING COMMITTEE—13TH REPORT AND ALERT DIGEST  
NO. 12 OF 2002**

The Chairman of the Standing Committee for the Scrutiny of Bills (Senator McLucas) tabled the following report and document:

Scrutiny of Bills—Standing Committee—

13th report of 2002, dated 23 October 2002.

Alert Digest No. 12 of 2002, dated 23 October 2002.

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

*Statement by leave:* Senator McLucas, by leave, made a statement relating to the report.

**32 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—  
REPORT—REGULATIONS AND ASIC POLICY STATEMENTS MADE UNDER THE  
FINANCIAL SERVICES REFORM ACT 2001**

The Chair of the Parliamentary Joint Committee on Corporations and Financial Services (Senator Chapman) tabled the following report and documents:

Corporations and Financial Services—Joint Statutory Committee—Regulations and ASIC policy statements made under the *Financial Services Reform Act 2001*—Report, dated October 2002, *Hansard* record of proceedings [4 vols], documents presented to the committee and submissions [40].

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

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

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

**33 A CERTAIN MARITIME INCIDENT—SELECT COMMITTEE—REPORT**

The Chair of the Select Committee on a Certain Maritime Incident (Senator Cook) tabled the following report and documents:

A Certain Maritime Incident—Select Committee—Report, dated October 2002, *Hansard* record of proceedings [15 vols], report of the independent assessor to the committee (SJ Odgers, SC), dated 21 August 2002, documents presented to the committee and submissions [30].

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

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

Debate ensued.

Question put and passed.

**34 AUDITOR-GENERAL—AUDIT REPORT NO. 13 OF 2002-03**

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

Auditor-General—Information support services—Benchmarking the internal audit function: Follow-on report—Benchmarking study (Report no. 13 of 2002-03).

**35 JOINT HOUSE DEPARTMENT—REPORT FOR 2001-02**

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

Joint House Department—Report for 2001-02.

**36 DOCUMENTS**

The following documents were tabled by the Clerk:

Australian Bureau of Statistics Act—Proposal No. 15 of 2002.

Australian Meat and Live-stock Industry Act—

Australian Meat and Live-stock Industry (Beef Export to the United States of America — Quota Year 2003) Order 2002.

Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Amendment Order 2002 (No. 1).

Class Ruling CR 2001/1 (Addendum).

Defence Act—Determination under section 58H—Defence Force Remuneration Tribunal—Determination No. 18 of 2002.

Goods and Services Tax Ruling GSTR 2002/5.

Health Insurance Act—

Health Insurance (Amendment) Determination HS/08/2002.

Health Insurance (Transurethral Needle Ablation) Determination HS/07/2002.

Taxation Determination TD 2002/24.

**37 COMMITTEES—CHANGES IN MEMBERSHIP**

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

The Minister for Forestry and Conservation (Senator Ian Macdonald), by leave, moved—That senators be discharged from and appointed to committees as follows:

**Economics Legislation and References Committees—**

Appointed—Participating member: Senator Buckland

**Environment, Communications, Information Technology and the Arts Legislation Committee—**

Appointed—Substitute member: Senator Barnett to replace Senator Tierney for the committee's inquiry into the provisions of the Renewable Energy (Electricity) Amendment Bill 2002.

Question put and passed.

**38 ADMINISTRATOR'S MESSAGE—ASSENT TO LAW**

A message from His Excellency the Administrator of the Commonwealth of Australia was reported, informing the Senate that he had assented to the following law:

21 October 2002—Message No. 28—*Higher Education Funding Amendment Act 2002* (Act No. 87, 2002).

**39 BROADCASTING SERVICES AMENDMENT (MEDIA OWNERSHIP) BILL 2002**

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

Message no. 178, dated 21 October 2002—A Bill for an Act to amend the *Broadcasting Services Act 1992*, and for other purposes.

The Minister for Forestry and Conservation (Senator Ian Macdonald) 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 Ian Macdonald moved—That this bill be now read a second time.

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*Explanatory memorandum:* Senator Ian Macdonald tabled a revised explanatory memorandum relating to the bill.

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

40 **ENVIRONMENT—GREAT BARRIER REEF MARINE PARK—MOTION FOR DISALLOWANCE**

The Leader of the Australian Democrats (Senator Bartlett), also on behalf of Senator McLucas and pursuant to notice, moved business of the Senate notice of motion no. 2—That the Great Barrier Reef Marine Park Amendment Regulations 2002 (No. 5), as contained in Statutory Rules 2002 No. 209 and made under the *Great Barrier Reef Marine Park Act 1975*, be disallowed.

Debate ensued.

The Minister for Forestry and Conservation (Senator Ian Macdonald) moved—That the debate be adjourned.

Question put and negatived.

Debate continued.

Question put and passed.

41 **RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—REPORT—EGG INDUSTRY SERVICE PROVISION BILL 2002 [AND] EGG INDUSTRY SERVICE PROVISION (TRANSITIONAL AND CONSEQUENTIAL PROVISIONS) BILL 2002**

Pursuant to order, Senator Eggleston, at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Heffernan), tabled the following report and documents:

Rural and Regional Affairs and Transport Legislation Committee—Provisions of the Egg Industry Service Provision Bill 2002 [and] Egg Industry Service Provision (Transitional and Consequential Provisions) Bill 2002—Report, dated October 2002, *Hansard* record of proceedings and submissions [8].

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

42 **CRIMINAL CODE AMENDMENT (TERRORIST ORGANISATIONS) BILL 2002**

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

Message no. 181, dated 23 October 2002—A Bill for an Act to amend the *Criminal Code* in relation to terrorist organisations, and for related purposes.

The Minister for Forestry and Conservation (Senator Ian Macdonald) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

*Consideration of legislation:* Senator Ian Macdonald, by leave, moved—That the provisions of paragraphs (5) to (7) of standing order 111 not apply to the bill, allowing it to be considered during this period of sittings.

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*Document:* Senator Ian Macdonald tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the Criminal Code Amendment (Terrorist Organisations) Bill 2002 in the 2002 spring sittings.

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Question put and passed.

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

Debate ensued.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Minister for Justice and Customs (Senator Ellison) the bill was read a third time.

#### 43 COMMITTEES—APPOINTMENT OF MEMBERS

The Acting Deputy President (Senator Bolkus) informed the Senate that the President had received letters nominating senators to be members of various committees.

The Minister for Justice and Customs (Senator Ellison), by leave, moved—That senators be appointed to committees as follows:

**Economics Legislation and References Committees—**

Appointed—Participating member: Senator Ludwig

**Employment, Workplace Relations and Education Legislation Committee—**

Appointed—Participating member: Senator Marshall.

Question put and passed.

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*After 6.50 pm—*

#### 44 ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT BILL 2002

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Treasurer (Senator Ian Campbell)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Minister for Forestry and Conservation (Senator Ian Macdonald) the bill was read a third time.

**45 ASPECTS OF THE ADMINISTRATION OF THE PARLIAMENT—REVIEW BY THE PARLIAMENTARY SERVICE COMMISSIONER—FINAL REPORT—DOCUMENTS**

The President made a statement relating to a review by the Parliamentary Service Commissioner into aspects of the administration of the Parliament and tabled the following documents:

Aspects of the administration of the Parliament—Review by the Parliamentary Service Commissioner—

Final report, dated September 2002.

Letter to the President of the Senate from the Parliamentary Service Commissioner, dated 30 September 2002.

Parliament—Master of its own household?—Draft research paper prepared by Jill Adams, Australian Public Service Commission, dated September 2002.

**46 ROUTINE OF BUSINESS—VARIATION**

The Minister for Forestry and Conservation (Senator Ian Macdonald), by leave, moved—That the question for the adjournment not be proposed today till after a motion for the adjournment is moved by a minister.

Question put and passed.

**47 INSURANCE AND AVIATION LIABILITY LEGISLATION AMENDMENT BILL 2002**

Order of the day read for the adjourned debate on the motion of the Minister for Justice and Customs (Senator Ellison)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Minister for Forestry and Conservation (Senator Ian Macdonald) the bill was read a third time.

**48 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (BUDGET INITIATIVES AND OTHER MEASURES) BILL 2002**

Order of the day read for the adjourned debate on the motion of the Minister for Justice and Customs (Senator Ellison)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.



No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Minister for Forestry and Conservation (Senator Ian Macdonald) the bill was read a third time.

49 **FAMILY LAW LEGISLATION AMENDMENT (SUPERANNUATION) (CONSEQUENTIAL PROVISIONS) BILL 2002**

Order of the day read for the adjourned debate on the motion of the Minister for Health and Ageing (Senator Patterson)—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.

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*In the committee*

Bill taken as a whole by leave.

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*Explanatory memorandum:* The Minister for Forestry and Conservation (Senator Ian Macdonald) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

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On the motion of Senator Ian Macdonald the following amendments, taken together by leave, were debated and agreed to:

Schedule 1, page 3 (after line 4), before item 1, insert:

**1AAA Section 90MD (at the end of paragraph (b) of the definition of operative time)**

Add “or paragraph 90MLA(2)(c) as appropriate”.

Schedule 1, page 3 (after line 9), after item 1, insert:

**1AA After subsection 90ML(4)**

Insert:

(4A) Subsection (4) does not apply if the splittable payment is made in circumstances in which section 90MLA applies.

Note: A defendant bears an evidential burden in relation to the matter in subsection (4A) (see subsection 13.3(3) of the *Criminal Code*).

**1AB After section 90ML**

Insert:

**90MLA Some splittable payments payable if payment flag operating**

- (1) This section applies if:
  - (a) a superannuation interest (*original interest*) a person has in an eligible superannuation plan (*old ESP*) is identified in a superannuation agreement; and
  - (b) a payment flag under section 90ML is operating on the original interest; and
  - (c) a splittable payment is made by the trustee of the old ESP to the trustee of another eligible superannuation plan (*new ESP*) in respect of the original interest as part of a successor fund transfer.
- (2) If this section applies, then:
  - (a) the new interest in the new ESP is taken to be the original interest identified in the superannuation agreement; and
  - (b) the payment flag operates on the new interest; and
  - (c) despite section 90MK, the operative time for the payment flag in respect of the new interest is the time that the payment to the trustee of the new ESP is made.
- (3) In this section:
 

*successor fund transfer* means the transfer of a person's superannuation interest in the old ESP in circumstances where:

  - (a) the new ESP confers on the person, in relation to the new interest, equivalent rights to the rights the person had in relation to the original interest; and
  - (b) before the transfer, the trustee of the new ESP had agreed with the trustee of the old ESP to the conferral of such rights.

Schedule 1, page 3 (after line 22), after item 1B, insert:

**1C At the end of Division 3 of Part VIIIB**

Add:

**90MUA Some splittable payments may be made without leave of court**

- (1) A flagging order made under subsection 90MU(1) in relation to a superannuation interest (*original interest*) a person has in an eligible superannuation plan (*old ESP*) does not apply to a splittable payment if the splittable payment is made by the trustee of the old ESP to the trustee of another eligible superannuation plan (*new ESP*) in respect of the original interest as part of a successor fund transfer.
- (2) If the splittable payment is made, then the flagging order is taken to be made in relation to the new interest from the time that the payment to the trustee of the new ESP is made.
- (3) In this section:
 

*successor fund transfer* means the transfer of a person's superannuation interest in the old ESP in circumstances where:

- (a) the new ESP confers on the person, in relation to the new interest, equivalent rights to the rights the person had in relation to the original interest; and
- (b) before the transfer, the trustee of the new ESP had agreed with the trustee of the old ESP to the conferral of such rights.

Schedule 1, page 3 (after line 31), at the end of the Schedule, add:

**5 Subsection 90MZD(2)**

Omit “on any person who subsequently becomes the trustee of that eligible superannuation plan.”, substitute:

on:

- (a) any person who subsequently becomes the trustee of that eligible superannuation plan; or
- (b) in a case where section 90MUA applies—a person who is the trustee, or any person who subsequently becomes the trustee, of the new ESP.

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

On the motion of the Minister for Forestry and Conservation (Senator Ian Macdonald) the report from the committee was adopted and the bill read a third time.

**50 ADJOURNMENT**

The Minister for Forestry and Conservation (Senator Ian Macdonald) moved—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 8.07 pm till Thursday, 24 October 2002 at 9.30 am.

**51 ATTENDANCE**

Present, all senators except Senators Denman\* and Stott Despoja (\* on leave).

**HARRY EVANS**  
Clerk of the Senate