

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

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**Contents**

1	Meeting of Senate .....	1765
2	Government Documents .....	1765
3	Australian Progressive Alliance—Statement by Leave .....	1765
4	Questions .....	1765
5	Governor-General—Answers to Questions .....	1765
6	Immigration—Trafficking for Prostitution—Answer to Question .....	1765
7	Petitions .....	1766
8	Notices .....	1766
9	Community Affairs Legislation Committee—Extension of Time to Report .....	1771
10	Legal and Constitutional Legislation Committee—Leave to Meet During Sitting .....	1772
11	Leave of Absence .....	1772
12	Economics Legislation Committee—Extensions of Time to Report .....	1772
13	Environment, Communications, Information Technology and the Arts References Committee—Leave to Meet During Sitting .....	1772
14	Postponements .....	1772
15	Hours of Meeting and Routine of Business—Variation .....	1773
16	Death of Former New South Wales Member of Parliament Jim Anderson .....	1773
17	Legal and Constitutional Legislation Committee—Report—Customs Legislation Amendment Bill (No. 2) 2002 .....	1773
18	Procedure—Standing Committee—First Report of 2003 .....	1774
19	Migration—Joint Standing Committee—Report—2003 Review of Migration Regulation 4.31B .....	1775
20	Employment, Workplace Relations and Education Legislation Committee— Interim Report—Workplace Relations Amendment (Protecting the Low Paid) Bill 2003 .....	1775
21	Foreign Affairs, Defence and Trade References Committee—Government Response—Recruitment and Retention of ADF Personnel .....	1775
22	Public Accounts and Audit—Joint Statutory Committee—Government Response—388th Report .....	1775
23	Government Documents .....	1775

24	Auditor-General—Audit Reports Nos 36 to 43 of 2002-03—Documents.....	1776
25	Departmental and Agency Contracts—Order for Production of Documents—Documents.....	1776
26	Indexed Lists of Departmental and Agency Files—Order for Production of Documents—Documents.....	1777
27	Foreign Affairs—Iraq—Nuclear Weapons—Document.....	1777
28	Health—Nuclear Testing—Cancer Deaths—Document.....	1777
29	National Schools Constitutional Convention 2003—Document.....	1777
30	Environment, Communications, Information Technology and the Arts Legislation Committee—Additional Information—Budget Estimates 2002-03.....	1777
31	Legal and Constitutional Legislation Committee—Additional Information—Additional Estimates 2002-03.....	1778
32	Documents.....	1778
33	Governor-General's Proclamations—Commencement of Provisions of Acts...	1781
34	Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002 [No. 2].....	1781
35	Criminal Code Amendment (Terrorism) Bill 2002 Wheat Marketing Amendment Bill 2002 Communications Legislation Amendment Bill (No. 1) 2002 Terrorism Insurance Bill 2003.....	1782
36	National Gallery Amendment Bill 2002 [2003].....	1782
37	Health Insurance Amendment (Diagnostic Imaging, Radiation Oncology and Other Measures) Bill 2002 Copyright Amendment (Parallel Importation) Bill 2002 Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 2) 2002 Family and Community Services Legislation Amendment Bill 2003 Dairy Industry Service Reform Bill 2003.....	1783
38	Inspector-General of Taxation Bill 2002 Family and Community Services Legislation Amendment (Australians Working Together and other 2001 Budget Measures) Bill 2002.....	1783
39	Taxation Laws Amendment Bill (No. 2) 2003.....	1783
40	Governor-General's Messages—Assent to Laws.....	1783
41	Governor-General.....	1785
42	Budget Statement and Documents 2003-04.....	1786
43	Particulars of Proposed Expenditure for 2003-04—Documents—Reference of Estimates to Legislation Committees.....	1786
44	Estimates of Proposed Expenditure for 2003-04—Portfolio Budget Statements—Parliamentary Departments—Documents.....	1787
45	Estimates of Proposed Expenditure for 2003-04—Portfolio Budget Statements—Portfolios and Executive Departments—Documents.....	1787
46	Adjournment.....	1787
47	Attendance.....	1788

**1 MEETING OF SENATE**

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

**2 GOVERNMENT DOCUMENTS**

The following government documents were tabled:

Australia and the Asian Development Bank—Report for 2001-02.

Australia and the IMF—Report for 2001-02.

Australia and the World Bank—Report for 2001-02.

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

Health Services Australia—Statement of corporate intent 2002-05.

Trade policy—Trade outcomes and objectives statement 2003.

**3 AUSTRALIAN PROGRESSIVE ALLIANCE—STATEMENT BY LEAVE**

Senator Lees, by leave, made a statement indicating that she now represents the Australian Progressive Alliance in the Senate.

**4 QUESTIONS**

Questions without notice were answered.

**5 GOVERNOR-GENERAL—ANSWERS TO QUESTIONS**

The Leader of the Opposition in the Senate (Senator Faulkner) moved—That the Senate take note of the answers given by the Minister for Defence (Senator Hill) to questions without notice asked today relating to the Governor-General (the Right Reverend Dr Peter Hollingworth, AC, OBE) and a report of the Diocesan Board of Inquiry.

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

Social Issues—Child abuse—Past handling of complaints of sexual abuse in the Anglican Church Diocese of Brisbane—Report of the Board of Inquiry, dated May 2003.

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Debate ensued.

Question put and passed.

**6 IMMIGRATION—TRAFFICKING FOR PROSTITUTION—ANSWER TO QUESTION**

Senator Greig moved—That the Senate take note of the answer given by the Minister for Justice and Customs (Senator Ellison) to a question without notice asked by Senator Greig today relating to the practice of ‘trafficking’ in women for prostitution.

Question put and passed.

## 7 PETITIONS

The following 4 petitions, lodged with the Clerk by the senators indicated, were received:

Senator Allison, from 41 petitioners, requesting that the Senate take action to review procedures relating to political asylum seekers and remove all practices which are manifestly inhumane or in contravention of national obligations.

Senator Bartlett, from 14 petitioners, requesting that the Senate take action to establish a judicial inquiry to investigate all activities of the Australian Government and its agencies relating to the sinking of a boat now identified as 'Suspected Illegal Entry Vessel X'.

Senator Bartlett, from 835 petitioners, requesting that the Senate support the Australian Democrats' motion opposing Australia's involvement in pre-emptive military action or a first strike against Iraq and call on the Government to pursue diplomatic initiatives towards disarmament in Iraq, and worldwide.

Senator Kemp, from 7 petitioners, requesting that the Senate oppose any change in the design or colour of the Australian national flag.

## 8 NOTICES

*Notices of motion:*

The Chair of the Employment, Workplace Relations and Education References Committee (Senator George Campbell): To move on the next day of sitting—That the time for the presentation of reports of the Employment, Workplace Relations and Education References Committee be extended as follows:

- (a) the refusal of the Government to respond to the order of the Senate of 21 August 2002 for the production of documents relating to financial information concerning higher education institutions—to 19 August 2003; and
- (b) labour market skills requirements—to 28 October 2003. (*general business notice of motion no. 441*)

The Chair of the Community Affairs Legislation Committee (Senator Knowles): To move on the next day of sitting—That the Community Affairs Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 15 May 2003, from 3.30 pm, to take evidence for the committee's inquiry into the Health Legislation Amendment (Private Health Insurance Reform) Bill 2003. (*general business notice of motion no. 442*)

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Cook): To move on the next day of sitting—That the Senate adopt the following recommendations of the Foreign Affairs, Defence and Trade References Committee in its report on materiel acquisition and management in Defence:

- (a) that the Senate request the Auditor-General to direct that the proposed 2003-04 audit of the Defence Materiel Organisation (DMO) by the Australian National Audit Office include a cultural audit that will assess:
  - (i) DMO's espoused corporate values and standards and staff compliance with these,
  - (ii) management and staff values, behaviours and competencies measured against the capability requirement,
  - (iii) employee attitudes, morale, beliefs, motivation,

- (iv) employee understanding of, for example, the DMO's customers, industry partners, strategies, business plans, roles and contributions to the overall mission of Defence,
  - (v) communication processes,
  - (vi) the effectiveness of change management programs, employee commitment to them and the extent of the benefits materialising, and
  - (vii) compliance with health and safety regulations;
- (b) that the Senate request the Auditor-General:
- (i) to produce, on an annual basis, a report on progress in major defence projects, detailing cost, time and technical performance data for each project,
  - (ii) to model the report on that ordered by the British House of Commons and produced by the United Kingdom Comptroller and Auditor General, and
  - (iii) to include in the report such analysis of performance and emerging trends as will enable the Parliament to have high visibility of all current and pending major projects; and
- (c) that the Senate, under standing order 164, order the production, upon its completion, of the report by the Director of Trials of the Review of Test and Evaluation in Defence, and refer the document to the Foreign Affairs, Defence and Trade References Committee for examination and report. (*general business notice of motion no. 443*)

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Cook): To move on the next day of sitting—That the Foreign Affairs, Defence and Trade References Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 19 June 2003, from 7 pm to 11 pm, to take evidence for the committee's inquiry into the examination of the Government's foreign and trade policy strategy. (*general business notice of motion no. 444*)

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Cook): To move on the next day of sitting—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade References Committee on an examination of the Government's foreign and trade policy strategy be extended to 20 August 2003. (*general business notice of motion no. 445*)

The Chair of the Select Committee on Superannuation (Senator Watson): To move on the next day of sitting—That the Select Committee on Superannuation be authorised to hold a public meeting during the sitting of the Senate on Thursday, 15 May 2003, from 3.30 pm, to take evidence for the committee's inquiry into planning for retirement. (*general business notice of motion no. 446*)

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Cook): To move on the next day of sitting—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade References Committee on the performance of government agencies in the assessment and dissemination of security threats in South East Asia in the period 11 September 2001 to 12 October 2002 be extended to 4 November 2003. (*general business notice of motion no. 447*)

The Chair of the Legal and Constitutional References Committee (Senator Bolkus): To move on the next day of sitting—That the Legal and Constitutional References Committee be authorised to hold public meetings during the sittings of the Senate on Wednesday, 14 May 2003, from 4.30 pm to 6 pm, and on Thursday, 15 May 2003, from 9.30 am to 11.30 am, to take evidence for the committee's inquiry into progress towards national reconciliation. (*general business notice of motion no. 448*)

The Chair of the Legal and Constitutional References Committee (Senator Bolkus): To move on the next day of sitting—That the time for the presentation of the report of the Legal and Constitutional References Committee on its inquiry on progress towards national reconciliation be extended to 11 August 2003. (*general business notice of motion no. 449*)

Senators Allison and Stott Despoja: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Science, no later than 1 pm on 15 May 2003, the document containing the list of potential sites for the location of a national store for intermediate level radioactive waste that has been prepared by the National Store Advisory Committee, referred to in the media release prepared by the Minister for Science, 'SA Ruled Out', dated 9 May 2003. (*general business notice of motion no. 450*)

Senator Allison: To move on the next day of sitting—That there be laid on the table, no later than 4 pm on Thursday, 15 May 2003, the most recent application documents from the Australian Grand Prix Corporation to the Federal Government for exemption from the *Tobacco Advertising Prohibition Act 1992* on the grounds of economic hardship, and the documents detailing the Government's reasons for being satisfied that the case for economic hardship was met. (*general business notice of motion no. 451*)

Senator Allison: To move on the next day of sitting—That there be laid on the table by the Minister for Defence, no later than 5 pm on Wednesday, 14 May 2003, the 'further information' CD-rom which is obtainable from Colliers International (Vic) Pty Ltd, regarding the expressions of interest in Defence land for sale at Point Nepean. (*general business notice of motion no. 452*)

Senator Allison: To move on the next day of sitting—That there be laid on the table by the Minister for Health and Ageing, no later than 3 pm on Thursday, 15 May 2003, the following documents:

- (a) the report of the Australian Technical Advisory Group on Immunisation (ATAGI), October 2002; and
- (b) the National Health and Medical Research Council report on the new ATAGI recommended vaccines, March 2003. (*general business notice of motion no. 453*)

Senator Allison: To move on the next day of sitting—That there be laid on the table, no later than 4 pm on Thursday, 15 May 2003, the letters exchanged between the Victorian and Federal Governments since 1 July 2001 concerning the Basslink project, other than those letters relating to the planning process. (*general business notice of motion no. 454*)

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

- (a) congratulates the South Australian Parliament on the recent passage of the Statutes Amendment (Equal Superannuation Entitlements for Same-Sex Couples) Bill 2002;

- (b) welcomes South Australia in joining with Western Australia, New South Wales, Victoria, Tasmania, Queensland and the Australian Capital Territory as jurisdictions that have ended discrimination against same-sex couples under superannuation law;
- (c) regrets that the Commonwealth has failed to address this discrimination under federal law; and
- (d) calls on the Government to end the discrimination against same-sex couples that is contained within the Commonwealth Superannuation Act. (*general business notice of motion no. 455*)

The Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Heffernan): To move on the next day of sitting—That the time for the presentation of the report of the Rural and Regional Affairs and Transport Legislation Committee on the provisions of the Wheat Marketing Amendment Bill 2002 be extended to 16 June 2003. (*general business notice of motion no. 456*)

The Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Heffernan): To move on the next day of sitting—That the time for the presentation of reports of the Rural and Regional Affairs and Transport Legislation Committee be extended as follows:

- (a) provisions of the Aviation Transport Security Bill 2003 and a related bill—to 24 June 2003; and
- (b) provisions of the Civil Aviation Amendment Bill 2003—to 24 June 2003. (*general business notice of motion no. 457*)

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

- (a) notes that 5 May 2003 was International Midwives Day;
- (b) recognises the vital role that midwives play in the Australian health system attending approximately 250 000 births in Australia each year, or 98 per cent of births;
- (c) also recognises that midwives are the most appropriate and cost effective type of health care provider to be assigned to the care of women in normal pregnancy and birth, including the risk assessment and the recognition of complications;
- (d) notes the problems still facing independent midwives and midwifery students in securing policies providing professional indemnity insurance;
- (e) notes that the Australian College of Midwifery approached the Government for financial assistance on this matter and that its request for around one million dollars has so far been ignored, in contrast with the medical profession, whose professional indemnity interests have been advanced by the Australian Medical Association and the Government; and
- (f) calls on the Government to meet with representatives of the midwifery profession in order to assist midwives in their inability to obtain adequate insurance cover. (*general business notice of motion no. 458*)

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

- (a) notes with sadness the passing of former African National Congress (ANC) Deputy President, Mr Walter Max Ulyate Sisulu;
- (b) remembers Mr Sisulu as a freedom fighter who dedicated his life to the struggle against apartheid and the oppressive former South African regime;

- (c) recognises that Mr Sisulu co-founded the Youth League of the ANC and played a major role in the anti-apartheid campaign, a role which resulted in his imprisonment from 1964 till 1989; and
- (d) pays tribute to Mr Sisulu's contribution to the freedom of black South Africans as well as being an inspiration for oppressed peoples all around the world. (*general business notice of motion no. 459*)

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

- (1) That a select committee, to be known as the Select Committee on Medicare, be appointed to inquire into and report by 26 June 2003 on the following matters:  
The access to and affordability of general practice under Medicare, with particular regard to:
  - (a) the social and economic reasons for the establishment of Medicare in 1984;
  - (b) more recent developments in Medicare, with regard to:
    - (i) the impact of the current rate of the Medicare Benefits Schedule on practitioner incomes and the viability of bulk-billing practices, and
    - (ii) the impact of general practice and specialist shortages nationally and regionally in terms of patients' ability to access appropriate care in an appropriate time;
  - (c) the likely impact on access, affordability and quality services for individuals, in the short- and longer-term, of the following Government-announced proposals:
    - (i) incentives for free care from general practitioners limited to health care card holders or those beneath an income threshold,
    - (ii) a change to bulk-billing arrangements to allow patient co-payment at point of services co-incident with bulk-billing reimbursement, and
    - (iii) the introduction of new safety nets with upfront 'excesses'; and
  - (d) alternatives in the Australian context that could improve the Medicare principles of access and affordability, within an economically sustainable system of primary care, in particular:
    - (i) whether the extension of federal funding to allied and dental health services could provide a more cost-effective health care system,
    - (ii) the implications of reallocating expenditure from the abolition or means-testing of the private health insurance rebate in terms of these alternatives, and
    - (iii) alternative remuneration models that would satisfy medical practitioners but would not compromise Medicare principles.
- (2) That the committee consist of 7 senators, 3 nominated by the Leader of the Government in the Senate, 3 nominated by the Leader of the Opposition in the Senate, and 1 nominated by minority groups and independent senators.
- (3) That the chair of the committee be elected by and from the members of the committee.
- (4) In the absence of agreement on the selection of a chair, duly notified to the President, the allocation of the chair be determined by the Senate.
- (5) That the deputy chair of the committee be elected by and from the members of the committee immediately after the election of the chair.

- (6) That the deputy chair act as chair when there is no chair or the chair is not present at a meeting.
- (7) That the quorum of the committee be 3 members.
- (8) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings and the evidence taken and such interim recommendations as it may deem fit.
- (9) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any such subcommittee any of the matters which the committee is empowered to consider.
- (10) That the quorum of a subcommittee be 2 members.
- (11) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.
- (12) That the committee be empowered to print from day to day such documents and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public. (*general business notice of motion no. 460*)

Senator Brown: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Science (Senator Alston), no later than 3.30 pm on 17 June 2003, all documents dated 1 January 2001 or later relating to the hiring out and work undertaken by the public relations company Hill and Knowlton, in relation to nuclear issues, including the nuclear waste dump. (*general business notice of motion no. 461*)

*Intention to withdraw:* The Leader of the Australian Democrats (Senator Bartlett), pursuant to standing order 78, gave notice of his intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notice of motion no. 1 standing in his name for the next day of sitting for the disallowance of items [2356], [2357] and [2358] of Schedule 2 to the Migration Amendment Regulations 2002 (No. 10), as contained in Statutory Rules 2002 No. 348 and made under the *Migration Act 1958*.

*Notice of motion withdrawn:* Senator Cherry, at the request of Senator Stott Despoja and pursuant to notice of intention given on 27 March 2003, withdrew business of the Senate notice of motion no. 1 standing in the name of Senator Stott Despoja for today for the disallowance of the Customs (Prohibited Exports) Amendment Regulations 2003 (No. 1), as contained in Statutory Rules 2003 No. 17 and made under the *Customs Act 1901*.

## 9 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Ferris, by leave and at the request of the Chair of the Community Affairs Legislation Committee (Senator Knowles), moved—That the time for the presentation of the report of the committee on the Health Legislation Amendment (Private Health Insurance Reform) Bill 2003 be extended to 16 June 2003.

Question put and passed.

**10 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Ferris, by leave and at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), moved—That the Legal and Constitutional Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on 14 May 2003, from 3.30 pm to 4.30 pm, to take evidence for the committee's inquiry into the provisions of the Australian Human Rights Commission Legislation Bill 2003.

Question put and passed.

**11 LEAVE OF ABSENCE**

Senator Ferris, by leave and at the request of Senator Nettle, moved—That leave of absence be granted to Senator Nettle for 13 May 2003, on account of ill health.

Question put and passed.

**12 ECONOMICS LEGISLATION COMMITTEE—EXTENSIONS OF TIME TO REPORT**

Senator Ferris, by leave and at the request of the Chair of the Economics Legislation Committee (Senator Brandis), moved—That the time for the presentation of the report of the committee on the provisions of the Terrorism Insurance Bill 2003 be extended to 14 May 2003.

Question put and passed.

Senator Ferris, by leave and at the request of Senator Brandis, moved—That the time for the presentation of the report of the committee on the provisions of the Designs Bill 2002 and a related bill be extended to 28 May 2003.

Question put and passed.

**13 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING**

The Chair of the Environment, Communications, Information Technology and the Arts References Committee (Senator Cherry), by leave, moved—That the Environment, Communications, Information Technology and the Arts References Committee be authorised to hold a public meeting during the sitting of the Senate on 14 May 2003, from 11 am to 1 pm, to take evidence for the committee's inquiry into the Australian telecommunications network.

Question put and passed.

**14 POSTPONEMENTS**

Items of business were postponed as follows:

Business of the Senate notice of motion no. 2 standing in the name of Senator Brown for 14 May 2003, relating to the disallowance of Amendment 41 of the National Capital Plan (Gungahlin Drive Extension), postponed till 26 June 2003.

Business of the Senate notice of motion no. 3 standing in the name of Senator Brown for 14 May 2003, relating to the disallowance of the Space Activities Amendment Regulations 2003 (No. 1), postponed till 26 June 2003.

General business notice of motion no. 439 standing in the name of Senator Stott Despoja for today, relating to the effects of the media on the body image of young women, postponed till 15 May 2003.

General business notice of motion no. 440 standing in the name of Senator Brown for today, relating to the north-east peninsula of Recherche Bay in Southern Tasmania, postponed till 15 May 2003.

#### 15 HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That the hours of meeting for Tuesday, 13 May 2003 shall be from 2 pm to 6.30 pm and 8 pm to adjournment, and for Thursday, 15 May 2003 shall be from 9.30 am to 6 pm and 7.30 pm to adjournment, and that:

- (a) the routine of business from 8 pm on Tuesday, 13 May 2003 shall be:
  - (i) Budget statement and documents 2003-04 to be tabled,
  - (ii) particulars of proposed expenditure to be tabled and referred to legislation committees,
  - (iii) portfolio budget statements for parliamentary and executive departments to be tabled, and
  - (iv) adjournment; and
- (b) the routine of business from 7.30 pm on Thursday, 15 May 2003 shall be:
  - (i) Budget statement and documents—party leaders and independent senators to make responses to the statement and documents for not more than 30 minutes each, and
  - (ii) adjournment.

Question put and passed.

#### 16 DEATH OF FORMER NEW SOUTH WALES MEMBER OF PARLIAMENT JIM ANDERSON

Senator Hutchins, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 438—That the Senate—

- (a) notes:
  - (i) the passing of Mr Jim Anderson, the former Member for Londonderry, following his sudden death on the morning of Saturday, 22 March 2003, and
  - (ii) the valuable contribution of Mr Anderson made to the labour movement, the Australian Labor Party and the State of New South Wales; and
- (b) expresses its condolences to Mr Anderson's family and friends.

Question put and passed.

#### 17 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—CUSTOMS LEGISLATION AMENDMENT BILL (NO. 2) 2002

The Deputy President (Senator Hogg) tabled the following report and documents received on 4 April 2003:

Legal and Constitutional Legislation Committee—Customs Legislation Amendment Bill (No. 2) 2002—Report, dated April 2003, *Hansard* record of proceedings, additional information and submissions [5].

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

**18 PROCEDURE—STANDING COMMITTEE—FIRST REPORT OF 2003**

The Deputy President (Senator Hogg) tabled the following report received on 17 April 2003:

Procedure—Standing Committee—First report of 2003—Time of meeting on Tuesday; Senators breastfeeding infants; Deadline for receipt of bills; Presentation of the budget; Committee meetings during adjournment debate; Formal motions, dated April 2003.

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

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), by leave, moved—That the recommendation of the Procedure Committee in its first report of 2003 relating to senators breastfeeding infants be adopted, and standing orders be amended as set out in the report with immediate effect.

Question put and passed.

Accordingly, standing order 175 was amended to read as follows:

**175 Conduct of visitors**

- (1) Visitors may attend, in the galleries provided, a sitting of the Senate.
- (2) A person other than a senator, a clerk at the table or an officer attending on the Senate may not:
  - (a) attend a meeting of the Senate in private session; or
  - (b) enter any part of the Senate chamber reserved for senators while the Senate is sitting.
- (3) **Paragraph (2) does not apply in respect of a senator breastfeeding an infant.**
- (4) The Usher of the Black Rod shall, subject to any direction by the Senate or the President, take into custody any person who enters any part of the chamber reserved for senators while the Senate is sitting, or causes a disturbance in or near the chamber, and a person so taken into custody shall be discharged out of custody in accordance with an order of the Senate.

*Notices of motion:* Senator Ian Campbell, by leave, gave notices of motion as follows: To move on the next day of sitting—

No. 1—That the recommendation of the Procedure Committee in its first report of 2003 relating to times of meeting on Tuesday be adopted, and standing orders be amended as set out in the report with immediate effect.

No. 2—That the recommendation of the Procedure Committee in its first report of 2003 relating to the deadline for receipt of bills be adopted, and standing orders be amended as set out in the report with immediate effect.

No. 3—That the recommendation of the Procedure Committee in its first report of 2003 relating to committee meetings during adjournment debate be adopted, and standing orders be amended as set out in the report with immediate effect.

**19 MIGRATION—JOINT STANDING COMMITTEE—REPORT—2003 REVIEW OF  
MIGRATION REGULATION 4.31B**

The Deputy President (Senator Hogg) tabled the following report and documents received on 29 April 2003:

Migration—Joint Standing Committee—2003 Review of Migration Regulation 4.31B—Report, dated April 2003, *Hansard* record of proceedings [2 vols] and submissions [9].

**20 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION LEGISLATION  
COMMITTEE—INTERIM REPORT—WORKPLACE RELATIONS AMENDMENT  
(PROTECTING THE LOW PAID) BILL 2003**

The Deputy President (Senator Hogg) tabled the following report received on 2 May 2003:

Employment, Workplace Relations and Education Legislation Committee—Workplace Relations Amendment (Protecting the Low Paid) Bill 2003—Interim report, dated 15 April 2003.

*Extension of time to report:* Senator Ferris, by leave and at the request of the Chair of the Employment, Workplace Relations and Education Legislation Committee (Senator Tierney), moved—That the time for the presentation of the final report of the committee on the Workplace Relations Amendment (Protecting the Low Paid) Bill 2003 be extended to 19 June 2003.

Question put and passed.

**21 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—  
GOVERNMENT RESPONSE—RECRUITMENT AND RETENTION OF ADF PERSONNEL**

The Deputy President (Senator Hogg) tabled the following document received on 15 April 2003:

Foreign Affairs, Defence and Trade References Committee—Report—Recruitment and retention of ADF personnel—Government response, dated April 2003.

**22 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—GOVERNMENT  
RESPONSE—388TH REPORT**

The Deputy President (Senator Hogg) tabled the following document received on 6 May 2003:

Public Accounts and Audit—Joint Statutory Committee—388th report—Review of the accrual budget documentation—Government response.

**23 GOVERNMENT DOCUMENTS**

The Deputy President (Senator Hogg) tabled the following documents received on the dates indicated:

Failure of HIH Insurance—Royal Commission—Report by the Royal Commissioner the Honourable Justice Neville Owen, dated April 2003—

Volume I—A corporate collapse and its lessons. [*Received 16 April 2003*]

Volume II—Reasons, circumstances and responsibilities. [*Received 16 April 2003*]

Volume III—Reasons, circumstances and responsibilities. [*Received 16 April 2003*]

- Higher education—Report for the 2003-05 triennium. [*Received 24 April 2003*]  
 Independent Soccer Review Committee—Report into the structure, governance and management of soccer in Australia, April 2003. [*Received 7 April 2003*]  
 Payments System Board—Report for 2001-02. [*Received 28 March 2003*]  
 Pharmaceutical Benefits Pricing Authority—Report for 2001-02. [*Received 6 May 2003*]  
*Product Stewardship (Oil) Act 2000*—Product stewardship arrangements for waste oil—Report for 2001-02. [*Received 29 April 2003*]  
*Stevedoring Levy (Collection) Act 1998*—Reports for—  
 2001. [*Received 30 April 2003*]  
 2002. [*Received 30 April 2003*]

#### 24 AUDITOR-GENERAL—AUDIT REPORTS NOS 36 TO 43 OF 2002-03—DOCUMENTS

The Deputy President (Senator Hogg) tabled the following documents received on the dates indicated:

Auditor-General—Audit reports for 2002-03—

- No. 36—Performance audit—Monitoring of industry development commitments under the IT outsourcing initiative: Department of Communications, Information Technology and the Arts. [*Received 1 April 2003*]  
 No. 37—Performance audit—Passport services: Department of Foreign Affairs and Trade. [*Received 3 April 2003*]  
 No. 38—Performance audit—Referrals, assessments and approvals under the *Environment Protection and Biodiversity Conservation Act 1999*. [*Received 10 April 2003*]  
 No. 39—Performance audit—Navy operational readiness: Department of Defence. [*Received 17 April 2003*]  
 No. 40—Performance audit—R&D tax concession: Department of Industry, Tourism and Resources, the Industry Research and Development Board and the Australian Taxation Office. [*Received 22 April 2003*]  
 No. 41—Performance audit—Annual reporting on ecologically sustainable development. [*Received 7 May 2003*]  
 No. 42—Performance audit—Managing residential aged care accreditation: The Aged Care Standards and Accreditation Agency Ltd. [*Received 7 May 2003*]  
 No. 43—Performance audit—The sale of Sydney (Kingsford Smith) Airport. [*Received 8 May 2003*]

#### 25 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

The Deputy President (Senator Hogg) tabled the following documents pursuant to the order of the Senate of 20 June 2001, as amended on 27 September 2001:

- Departmental and agency contracts—Letters of advice—2003 autumn sittings—  
 Department of Transport and Regional Services and the National Capital Authority. [*Received 10 April 2003*]  
 Employment and Workplace Relations portfolio. [*Received 1 April 2003*]  
 Environment and Heritage portfolio agencies [*Received 28 April 2003*]—  
 Australian Antarctic Division.

Australian Greenhouse Office.  
Bureau of Meteorology.  
Environment Australia.  
National Oceans Office.

Foreign Affairs and Trade portfolio agencies—Correction. [*Received 13 May 2003*]

Immigration and Multicultural and Indigenous Affairs portfolio agencies [*Received 4 April 2003*]—

Department of Immigration and Multicultural and Indigenous Affairs.  
Migration Review Tribunal.  
Refugee Review Tribunal.

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

The Deputy President (Senator Hogg) tabled the following documents pursuant to the order of the Senate of 30 May 1996, as amended on 3 December 1998:

Indexed lists of departmental and agency files for the period 1 July to 31 December 2002—Statements of compliance—

Australian Agency for International Development (AusAID). [*Received 23 April 2003*]

Civil Aviation Safety Authority. [*Received 28 April 2003*]

Comcare. [*Received 10 April 2003*]

Office of the Official Secretary to the Governor-General. [*Received 15 April 2003*]

**27 FOREIGN AFFAIRS—IRAQ—NUCLEAR WEAPONS—DOCUMENT**

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

Foreign Affairs—Iraq—Nuclear weapons—Letter to the President of the Senate from the Prime Minister (Mr Howard) responding to the resolution of the Senate of 6 March 2003, dated 31 March 2003.

**28 HEALTH—NUCLEAR TESTING—CANCER DEATHS—DOCUMENT**

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

Health—Nuclear testing—Cancer deaths—Letter to the President of the Senate from the Parliamentary Secretary to the Minister for Health and Ageing (Ms Worth) responding to the resolution of the Senate of 6 March 2003, dated 7 May 2003.

**29 NATIONAL SCHOOLS CONSTITUTIONAL CONVENTION 2003—DOCUMENT**

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

National Schools Constitutional Convention 2003, Old Parliament House, 26 to 28 March 2003—Communiqué.

**30 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2002-03**

Senator Ferris, at the request of the Chair of the Environment, Communications, Information Technology and the Arts Legislation Committee (Senator Eggleston), tabled additional information received by the committee (Budget estimates 2002-03 (Supplementary)—vols 1 to 4).

**31 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ADDITIONAL ESTIMATES 2002-03**

Senator Ferris, at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), tabled additional information received by the committee (Additional estimates 2002-03—4 vols and attachments).

**32 DOCUMENTS**

The following documents were tabled by the Clerk:

A New Tax System (Goods and Services Tax) Act—Regulations—Statutory Rules 2003 Nos 37 and 73.

Australian Bureau of Statistics Act—Proposal No. 7 of 2003.

Australian National University Act—Parking and Traffic Statute 2002.

Australian Prudential Regulation Authority Act—Instrument under section 51—Instrument fixing charges to be paid to APRA, dated 4 April 2003.

Australian Research Council Act—Determination No. 16—Determinations under section 51, dated 5, 17, 20 and 26 March 2003.

Bankruptcy Act—Regulations—Statutory Rules 2003 No. 76.

Christmas Island Act—Ordinance No. 1 of 2003 (Casino Control Amendment Ordinance 2003 (No. 1)).

Civil Aviation Act—

Civil Aviation Regulations—

Airworthiness Directives—Part—

105, dated 20 [4], 21 [2], 25, 27 [4] and 28 [2] March; and 1, 2 [4], 3 [4] and 4 [11] April 2003.

106, dated 1 April 2003.

107, dated 25 and 28 March; and 4 April 2003.

Civil Aviation Amendment Order (No. 4) 2003.

Exemption No. CASA EX09/2003.

Instruments Nos CASA 112/03 and CASA 113/03.

Statutory Rules 2003 Nos 58 and 75.

Civil Aviation Safety Regulations—Manual of Standards—Part—

65, dated March 2003.

139H, dated February 2003.

143, dated June 2002.

171, dated March 2003.

172, dated March 2003.

Class Ruling—

CR 2002/59 (Addendum).

CR 2003/25-CR 2003/35.

Corporations Act—Regulations—Statutory Rules 2003 Nos 48 and 85.

Criminal Code Act—Regulations—Statutory Rules 2003 Nos 59-64.

Currency Act—

Currency (Perth Mint) Determination 2003 (No. 1).

Currency (Royal Australian Mint) Determination 2003 (No. 2).

Currency (Royal Australian Mint) Determination 2003 (No. 3).

Customs Act—

CEO Instruments of Approval Nos 4-6 of 2003.

Regulations—Statutory Rules 2003 Nos 44, 51-54 and 65.

Defence Act—Determination under section—

58B—Defence Determinations 2003/8-2003/10.

58H—Defence Force Remuneration Tribunal—Determinations Nos 5 and 6 of 2003.

Diplomatic Privileges and Immunities Act—Diplomatic Privileges and Immunities

Regulations—Certificates under regulation 5A, dated 22 January 2003 [2]; 24 February 2003 [2]; 24 March 2003 [2] and 23 April 2003 [2].

Environment Protection and Biodiversity Conservation Act—Instrument amending list of—

Exempt native specimens under section 303DB, dated 4 and 11 February 2003 [2]; and 12 March 2003.

Key threatening processes under section 183, dated 4 March 2003.

Specimens suitable for live import under section 303EB, dated 4 March 2003.

Threatened ecological communities under section 181, dated 13 February 2003.

Family Law Act—Regulations—Statutory Rules 2003 Nos 66 and 77.

Federal Court of Australia Act—Rules of Court—Statutory Rules 2003 No. 78.

Fisheries Management Act—Australian Fisheries Management Authority Temporary Order No. 2 of 2003.

Fringe Benefits Tax Assessment Act—Regulations—Statutory Rules 2003 No. 38.

Fuel Quality Standards Act—Fuel Standard (Petrol) Amendment Determination 2003 (No. 1).

Goods and Services Tax Determination GSTD 2003/2.

Goods and Services Tax Ruling—

GSTR 2000/37 (Addendum) and GSTR 2000/37 (Erratum to Addendum).

GSTR 2003/4, GSTR 2003/6-GSTR 2003/8.

Hazardous Waste (Regulation of Exports and Imports) Act—Regulations—Statutory Rules 2003 Nos 56 and 83.

Health Insurance Act—

Declaration—QAA No. 1/2003.

Health Insurance (Amendment) Determination HS/01/2003.

Health Insurance (Approval of Billing Agents) Guidelines 2003.

Health Insurance (Botulinum Toxin) Determination HS/04/2003.

Regulations—Statutory Rules 2003 Nos 68-70.

Health Insurance Commission Act—Health Insurance Commission (Additional Functions – Prescription Shopping Project) Determination 2003.

Higher Education Funding Act—Determination under section—

15—Determination No.—

T30-2002.

T11-2003 and T13-2003.

27A—Determination No. T12-2003.

Import Processing Charges Act—Regulations—Statutory Rules 2003 No. 67.

- Income Tax Assessment Act 1997*—Regulations—Statutory Rules 2003 Nos 39 and 40.
- International Organisations (Privileges and Immunities) Act—Regulations—Statutory Rules 2003 No. 45.
- Life Insurance Act—Variation (No. 3) of Prudential Rules No. 47.
- Marriage Act—Regulations—Statutory Rules 2003 No. 46.
- Migration Act—Regulations—Statutory Rules 2003 No. 57.
- Motor Vehicle Standards Act—  
Regulations—Statutory Rules 2003 No. 84.  
Road Vehicle (National Standards) Determinations Nos 1-3 of 2003.
- National Health Act—  
Declarations Nos PB 5 and PB 6 of 2003.  
Determination No. PB 7 of 2003.  
Determinations under Schedule 1—PHS4/2003-PHS7/2003
- Parliamentary Entitlements Act—Parliamentary Entitlements Regulations—Advice under paragraph 18(a), dated 30 March 2003.
- Patents Act—Regulations—Statutory Rules 2003 No. 71.
- Primary Industries (Customs) Charges Act—Regulations—Statutory Rules 2003 No. 79.
- Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2003 No. 80.
- Proceeds of Crime Act—Regulations—Statutory Rules 2003 No. 55.
- Product Ruling—  
PR 2002/97 (Addendum).  
PR 2003/6 (Notice of Withdrawal).  
PR 2003/7-PR 2003/21.
- Product Stewardship (Oil) Act—Regulations—Statutory Rules 2003 No. 47.
- Quarantine Act—Regulations—Statutory Rules 2003 No. 36.
- Radiocommunications Act—Radiocommunications (Communication with Space Object) Class Licence Variation 2003 (No. 1).
- Remuneration Tribunal Act—Determination—  
2003/01: Remuneration and Allowances for Holders of Public Offices.  
2003/02: Remuneration and Allowances for Holders of Public Offices.  
2003/03: Remuneration and Allowances for Holders of Part-time Public Office.  
2003/04: Remuneration and Allowances for Holders of Public Offices.  
2003/05: Parliamentary office holders – Additional salary.  
2003/06: Specified Statutory Officers – Remuneration and Allowances.  
2003/07: Remuneration and Allowances for Holders of Public Offices.
- Retirement Savings Accounts Act—Regulations—Statutory Rules 2003 No. 41.
- Superannuation Act 1990*—Seventeenth Amending Deed under section 5, dated 3 April 2003.
- Superannuation Guarantee (Administration) Act—Regulations—Statutory Rules 2003 No. 49.
- Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 2003 No. 42.

- Taxation Administration Act—Regulations—Statutory Rules 2003 No. 74.  
 Taxation Determinations TD 2003/4-TD 2003/11.  
 Telecommunications Act—Telecommunications (Amounts of Annual Charge) Determination 2003.  
 Telecommunications (Consumer Protection and Service Standards) Act—Telecommunications (Emergency Call Service) Amendment Determination 2003 (No. 1).  
 Trade Practices Act—Instrument under section 10.03—  
   Instrument No. 1 of 2003—Declaration of designated inwards secondary shipper body.  
   Instrument No. 1 of 2003—Declaration of designated outwards secondary shipper body.  
 Trans-Tasman Mutual Recognition Act—Regulations—Statutory Rules 2003 No. 72.  
 Veterans' Entitlements Act—  
   Instruments under section 196B—Instruments Nos 5-14 of 2003.  
   Veterans' Children Education Scheme (Rent Assistance) Instrument No. 1/2003.  
 Wool Services Privatisation Act—Regulations—Statutory Rules 2003 No. 50.  
 Workplace Relations Act—Regulations—Statutory Rules 2003 Nos 81 and 82.

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

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

*Australian Animal Health Council (Live-stock Industries) Funding Amendment Act 2002*—Schedule 1—1 May 2003 (*Gazette* No. GN 16, 23 April 2003).

*Bankruptcy Legislation Amendment Act 2002*—Schedule 1—5 May 2003 (*Gazette* No. S 138, 2 May 2003).

### 34 AUSTRALIAN SECURITY INTELLIGENCE ORGANISATION LEGISLATION AMENDMENT (TERRORISM) 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. 284, dated 27 March 2003—A Bill for an Act to amend legislation relating to the Australian Security Intelligence Organisation to enhance the Commonwealth's ability to combat terrorism, 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.

On the motion of Senator Mackay the debate was adjourned.

On the motion of Senator Ian Campbell the resumption of the debate was made an order of the day for a later hour.

**35 CRIMINAL CODE AMENDMENT (TERRORISM) BILL 2002**  
**WHEAT MARKETING AMENDMENT BILL 2002**  
**COMMUNICATIONS LEGISLATION AMENDMENT BILL (NO. 1) 2002**  
**TERRORISM INSURANCE BILL 2003**

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

Message no. 288, dated 27 March 2003—A Bill for an Act to amend the *Criminal Code Act 1995*, and for related purposes.

Message no. 289, dated 27 March 2003—A Bill for an Act to amend the *Wheat Marketing Act 1989*, and for related purposes.

Message no. 292, dated 27 March 2003—A Bill for an Act to amend legislation related to communications, and for related purposes.

Message no. 299, dated 12 May 2003—A Bill for an Act relating to insurance cover for terrorist acts, and to other matters.

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Ian Campbell moved—That these bills be now read a second time.

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*Explanatory memorandum:* Senator Ian Campbell tabled a revised explanatory memorandum relating to the Terrorism Insurance Bill 2003.

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

*Consideration of legislation:* Senator Ian Campbell moved—That the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

**36 NATIONAL GALLERY AMENDMENT BILL 2002 [2003]**

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

Message no. 290, dated 27 March 2003—National Gallery Amendment Bill 2002 [2003].

**37 HEALTH INSURANCE AMENDMENT (DIAGNOSTIC IMAGING, RADIATION ONCOLOGY AND OTHER MEASURES) BILL 2002  
COPYRIGHT AMENDMENT (PARALLEL IMPORTATION) BILL 2002  
AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT BILL (NO. 2) 2002  
FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT BILL 2003  
DAIRY INDUSTRY SERVICE REFORM BILL 2003**

Messages from the House of Representatives were reported agreeing to the amendments made by the Senate to the following bills:

Message no. 286, dated 27 March 2003—Health Insurance Amendment (Diagnostic Imaging, Radiation Oncology and Other Measures) Bill 2002.

Message no. 293, dated 27 March 2003—Copyright Amendment (Parallel Importation) Bill 2002.

Message no. 294, dated 27 March 2003—Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 2) 2002.

Message no. 295, dated 27 March 2003—Family and Community Services Legislation Amendment Bill 2003.

Message no. 297, dated 27 March 2003—Dairy Industry Service Reform Bill 2003.

**38 INSPECTOR-GENERAL OF TAXATION BILL 2002  
FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (AUSTRALIANS WORKING TOGETHER AND OTHER 2001 BUDGET MEASURES) BILL 2002**

Messages from the House of Representatives were reported agreeing to the further amendments made by the Senate to the following bills:

Message no. 296, dated 27 March 2003—Inspector-General of Taxation Bill 2002.

Message no. 298, dated 27 March 2003—Family and Community Services Legislation Amendment (Australians Working Together and other 2001 Budget Measures) Bill 2002.

**39 TAXATION LAWS AMENDMENT BILL (NO. 2) 2003**

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

Message no. 291, dated 27 March 2003—Taxation Laws Amendment Bill (No. 2) 2003.

On the motion of the Parliamentary Secretary to the Treasurer (Senator Ian Campbell) consideration of the message in committee of the whole was made an order of the day for the next day of sitting.

**40 GOVERNOR-GENERAL'S MESSAGES—ASSENT TO LAWS**

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

2 April 2003—Message No. 4—

*Petroleum (Timor Sea Treaty) Act 2003 (Act No. 9, 2003)*

*Petroleum (Timor Sea Treaty) (Consequential Amendments) Act 2003 (Act No. 10, 2003)*

*Passenger Movement Charge (Timor Sea Treaty) Amendment Act 2003 (Act No. 11, 2003)*

- Taxation Laws Amendment Act (No. 1) 2003* (Act No. 12, 2003)
- 8 April 2003—Message No. 5—*Agricultural and Veterinary Chemicals Legislation Amendment Act 2003* (Act No. 13, 2003)
- 11 April 2003—Message—
- No. 6—
- Appropriation Act (No. 3) 2002-2003* (Act No. 14, 2003)
  - Appropriation Act (No. 4) 2002-2003* (Act No. 15, 2003)
  - New Business Tax System (Consolidation and Other Measures) Act 2003* (Act No. 16, 2003)
  - New Business Tax System (Venture Capital Deficit Tax) Act 2003* (Act No. 17, 2003)
- No. 7—
- Transport Safety Investigation Act 2003* (Act No. 18, 2003)
  - Transport Safety Investigation (Consequential Amendments) Act 2003* (Act No. 19, 2003)
  - Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Act 2003* (Act No. 20, 2003)
  - Industry, Tourism and Resources Legislation Amendment Act 2003* (Act No. 21, 2003)
- No. 8—
- Corporations (Fees) Amendment Act 2003* (Act No. 22, 2003)
  - Corporations (Review Fees) Act 2003* (Act No. 23, 2003)
  - Corporations Legislation Amendment Act 2003* (Act No. 24, 2003)
  - Corporations Amendment (Repayment of Directors' Bonuses) Act 2003* (Act No. 25, 2003)
  - Veterans' Affairs Legislation Amendment Act (No. 1) 2003* (Act No. 26, 2003)
- No. 9—*National Gallery Amendment Act 2003* (Act No. 27, 2003)
- 15 April 2003—Message—
- No. 10—
- Inspector-General of Taxation Act 2003* (Act No. 28, 2003)
  - National Blood Authority Act 2003* (Act No. 29, 2003)
  - Family and Community Services Legislation Amendment Act 2003* (Act No. 30, 2003)
  - Primary Industries (Excise) Levies Amendment (Dairy) Act 2003* (Act No. 31, 2003)
- No. 11—
- Dairy Industry Service Reform Act 2003* (Act No. 32, 2003)
  - Health Insurance Amendment (Diagnostic Imaging, Radiation Oncology and Other Measures) Act 2003* (Act No. 33, 2003)
  - Copyright Amendment (Parallel Importation) Act 2003* (Act No. 34, 2003)
- 24 April 2003—Message No. 12—*Family and Community Services Legislation Amendment (Australians Working Together and other 2001 Budget Measures) Act 2003* (Act No. 35, 2003)
- 2 May 2003—Message No. 13—
- Medical Indemnity (Prudential Supervision and Product Standards) (Consequential Amendments) Act 2003* (Act No. 36, 2003)
  - Medical Indemnity (Prudential Supervision and Product Standards) Act 2003* (Act No. 37, 2003)

*Agriculture, Fisheries and Forestry Legislation Amendment Act (No. 1) 2003*  
(Act No. 38, 2003).

**41 GOVERNOR-GENERAL**

The Leader of the Opposition in the Senate (Senator Faulkner), by leave, moved—  
That the Senate—

- (a) notes with concern that:
- (i) the Government has failed to respond to evidence of sexual abuse of children in our society and within our public institutions,
  - (ii) the independent report of the Diocesan Board of Inquiry found that Dr Peter Hollingworth, while occupying a position of public trust as Archbishop of Brisbane, allowed a priest to remain in the ministry after an admission of sexual abuse, and the Board of Inquiry found this decision to be ‘untenable’,
  - (iii) the Governor-General has admitted that he made a serious error in doing so,
  - (iv) Dr Peter Hollingworth, through his actions while in the Office of Governor-General, in particular his interview on ‘Australian Story’ and his apparent ‘reconstruction’ of evidence before the Diocesan Board of Inquiry, has shown himself not to be a person suitable to hold the Office of Governor-General,
  - (v) members of the House of Representatives, senators, and premiers and members of state parliaments have called upon the Governor-General to resign, or failing that, to be dismissed by the Prime Minister,
  - (vi) the Governor-General is now no longer able to fulfil his symbolic role as a figure of unity for the Australian people,
  - (vii) the Governor-General is now no longer able to exercise the constitutional powers of the Office in a manner that will be seen as impartial and non-partisan,
  - (viii) the Governor-General’s action in standing aside until the current Victorian Supreme Court action is resolved, does not address any of the issues surrounding his behaviour as Archbishop of Brisbane, and is therefore inadequate,
  - (ix) the Governor-General has failed to resign and the Prime Minister has failed to advise the Queen of Australia to dismiss him, and
  - (x) the Australian Constitution fails to set out any criteria for the dismissal of a Governor-General or a fair process by which this can be achieved; and
- (b) urges:
- (i) the Prime Minister to establish a Royal Commission into child sexual abuse in Australia, and
  - (ii) the Governor-General to immediately resign or, if he does not do so, the Prime Minister to advise the Queen of Australia to terminate the Commission of the Governor-General.

Debate ensued.

*At 6.30 pm:* Debate was interrupted while Senator Ludwig was speaking.

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*At 8 pm—*

**42 BUDGET STATEMENT AND DOCUMENTS 2003-04**

The Minister for Finance and Administration (Senator Minchin), tabled the following documents:

The Budget 2003-04—Statement by the Minister for Finance and Administration (Senator Minchin), dated 13 May 2003.

Budget papers—

No. 1—Budget strategy and outlook 2003-04.

No. 2—Budget measures 2003-04.

No. 3—Federal financial relations 2003-04.

No. 4—Agency resourcing 2003-04.

Ministerial statements—2003-04—

Australia's overseas aid program—Statement by the Minister for Foreign Affairs (Mr Downer), dated 13 May 2003.

Australia's regions: Working in partnership—Statement by the Minister for Transport and Regional Services (Mr Anderson) and the Minister for Regional Services, Territories and Local Government (Mr Tuckey), dated 13 May 2003.

Investing for a sustainable Australia: Commonwealth environment expenditure—Statement by the Minister for the Environment and Heritage (Dr Kemp), dated 13 May 2003.

Sustaining agriculture: The drought and beyond—Statement by the Minister for Agriculture, Fisheries and Forestry (Mr Truss) and the Minister for Fisheries, Forestry and Conservation (Senator Ian Macdonald), dated 13 May 2003.

Women's budget statement—Statement by the Minister for Family and Community Services (Senator Vanstone), dated 13 May 2003.

Senator Minchin, by leave, moved—That the Senate take note of the statement and documents.

On the motion of the Leader of the Opposition in the Senate (Senator Faulkner) the debate was adjourned till the next day of sitting.

**43 PARTICULARS OF PROPOSED EXPENDITURE FOR 2003-04—DOCUMENTS—  
REFERENCE OF ESTIMATES TO LEGISLATION COMMITTEES**

The Minister for Finance and Administration (Senator Minchin) tabled the following documents:

Particulars of proposed expenditure in respect of the year ending on 30 June 2004.

Particulars of certain proposed expenditure in respect of the year ending on 30 June 2004.

Particulars of proposed expenditure in relation to the parliamentary departments in respect of the year ending on 30 June 2004.

Senator Minchin, by leave, moved—That—

- (1) The particulars documents be referred to legislation committees for examination and report in accordance with the provisions of the order of the Senate of 11 December 2002 relating to estimates hearings.

- (2) Legislation committees consider the proposed expenditure in accordance with the allocation of departments to committees agreed to on 11 November 1998, as varied on 13 February 2002.

Question put and passed.

**44 ESTIMATES OF PROPOSED EXPENDITURE FOR 2003-04—PORTFOLIO BUDGET STATEMENTS—PARLIAMENTARY DEPARTMENTS—DOCUMENTS**

The President tabled the following documents:

- Estimates of proposed expenditure for 2003-04—Portfolio budget statements—Parliamentary departments—
- Senate.
  - Joint House.
  - Parliamentary Library.
  - Parliamentary Reporting Staff.

**45 ESTIMATES OF PROPOSED EXPENDITURE FOR 2003-04—PORTFOLIO BUDGET STATEMENTS—PORTFOLIOS AND EXECUTIVE DEPARTMENTS—DOCUMENTS**

The Minister for Finance and Administration (Senator Minchin) tabled the following documents:

- Estimates of proposed expenditure for 2003-04—Portfolio budget statements—Portfolios and executive departments—
- Agriculture, Fisheries and Forestry portfolio.
  - Attorney-General's portfolio.
  - Communications, Information Technology and the Arts portfolio.
  - Defence and Defence Housing Authority.
  - Education, Science and Training portfolio.
  - Employment and Workplace Relations portfolio.
  - Environment and Heritage portfolio.
  - Family and Community Services portfolio.
  - Finance and Administration portfolio.
  - Foreign Affairs and Trade portfolio.
  - Health and Ageing portfolio.
  - Immigration and Multicultural and Indigenous Affairs portfolio.
  - Industry, Tourism and Resources portfolio.
  - Prime Minister and Cabinet portfolio.
  - Transport and Regional Services portfolio.
  - Treasury portfolio.
  - Veterans' Affairs.

**46 ADJOURNMENT**

The President proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 8.35 pm till Wednesday, 14 May 2003 at 9.30 am.

**47 ATTENDANCE**

Present, all senators except Senators Conroy and Nettle\* (\* on leave).

**HARRY EVANS**  
Clerk of the Senate