

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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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:

Australian Government Solicitor—Statement of corporate intent 2003-04.

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 January to 31 March 2003.

National Health and Medical Research Council—Strategic plan 2003-06.

Natural Heritage Trust—Report for 2001-02.

Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 April to 30 June 2003.

**3 SUPERANNUATION (SURCHARGE RATE REDUCTION) AMENDMENT BILL 2003—
RESTORATION TO NOTICE PAPER—CONSIDERATION OF LEGISLATION**

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), at the request of the Minister for Revenue and Assistant Treasurer (Senator Coonan) and pursuant to notice, moved government business notice of motion no. 1—That—

- (a) the second reading of the Superannuation (Surcharge Rate Reduction) Amendment Bill 2003 be restored to the *Notice Paper* and be made an order of the day for the next day of sitting; and
- (b) that bill may be taken together with the Superannuation (Government Co-contribution for Low Income Earners) Bill 2003 and the Superannuation (Government Co-contribution for Low Income Earners) (Consequential Amendments) Bill 2003 for their remaining stages.

Debate ensued.

Question put and passed.

4 ORDER OF BUSINESS—REARRANGEMENT

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell) moved—That government business notice of motion no. 2 standing in his name for today, relating to days of meeting of the Senate and dates for estimates hearings for 2003, be postponed till the next day of sitting.

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), (6) and (8) of standing order 111 not apply to the Australian National Training Authority Amendment Bill 2003, allowing it to be considered during this period of sittings.

Question put and passed.

**6 HEALTH LEGISLATION AMENDMENT (PRIVATE HEALTH INSURANCE REFORM)
BILL 2003**

Order of the day read for the further consideration of the bill in committee of the whole.

In the committee

Consideration resumed of the bill, as amended.

On the motion of the Minister for Health and Ageing (Senator Patterson) the following amendment was debated and agreed to:

Schedule 1, item 68, page 42 (line 20), omit “Refugee or”, substitute “Refugee and”.

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

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

7 QUARANTINE AMENDMENT (HEALTH) BILL 2003

Order of the day read for the adjourned debate on the motion of the Minister for Defence (Senator Hill)—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 Health and Ageing (Senator Patterson) the bill was read a third time.

**8 EDUCATION SERVICES FOR OVERSEAS STUDENTS (REGISTRATION CHARGES)
AMENDMENT BILL 2003**

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

Debate resumed.

Senator Stott Despoja moved the following amendment:

At the end of the motion, add “but the Senate:

- (a) condemns the Government for treating international students primarily as a revenue-raising mechanism;
- (b) acknowledges that the internationalisation of education provides a considerable public benefit and, as such, warrants direct Commonwealth investment; and

- (c) condemns the Government for not adequately consulting the higher education sector on this bill”.

Debate ensued.

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

Main question, as amended, 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 Health and Ageing (Senator Patterson) the bill was read a third time.

9 AUSTRALIAN NATIONAL TRAINING AUTHORITY AMENDMENT BILL 2003

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

Message no. 383, dated 9 September 2003—A Bill for an Act to amend the *Australian National Training Authority Act 1992*, and for other purposes.

The Minister for Health and Ageing (Senator Patterson) 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 Patterson moved—That this bill be now read a second time.

Debate ensued.

At 12.45 pm: Debate was interrupted.

10 MATTERS OF PUBLIC INTEREST

Matters of public interest were discussed.

Suspension of sitting: On the motion of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth) the sitting of the Senate was suspended till 2 pm.

At 2 pm—

11 QUESTIONS

Questions without notice were answered.

12 DEFENCE—OFFICE OF NATIONAL ASSESSMENT—CLASSIFIED DOCUMENTS—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 by Senators Faulkner, Ray and Evans today relating to the publication of material from classified Office of National Assessment documents.

Debate ensued.

Question put and passed.

**13 FAMILY AND COMMUNITY SERVICES—POVERTY—HOUSING AFFORDABILITY—
ANSWER TO QUESTION**

The Leader of the Australian Democrats (Senator Bartlett) moved—That the Senate take note of the answer given by the Minister for Family and Community Services (Senator Vanstone) to a question without notice asked by Senator Bartlett today relating to poverty and housing affordability.

Question put and passed.

14 DEATH OF FORMER SENATOR THE HONOURABLE DONALD ROBERT WILLESEE

The President informed the Senate of the death, on 9 September 2003, of the Honourable Donald Robert Willesee, a senator for the state of Western Australia from 1950 to 1975, and, at various times in that period, Minister for Foreign Affairs and Special Minister of State.

The Minister for Family and Community Services (Senator Vanstone), by leave, moved—That the Senate record its deep regret at the death on 9 September 2003 of the Honourable Donald Robert Willesee, former federal minister and senator, and places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his family in their bereavement.

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

Question passed.

15 PETITION

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

From 151 petitioners, requesting that the Senate take action to prevent the closure of the East Caulfield Post Office.

16 NOTICES

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 progress towards national reconciliation be extended to 8 October 2003. (*general business notice of motion no. 574*)

The Leader of the Opposition in the Senate (Senator Faulkner): To move on the next day of sitting—That the Senate notes with grave concern:

- (a) the leaking of an Office of National Assessment (ONA) document dated December 2002 and classified top-secret AUSTEO;
- (b) that material from the ONA classified report was published in an article by Mr Andrew Bolt in the *Herald Sun* of 23 June 2003;
- (c) the failure to ensure immediate and thorough investigation of the circumstances surrounding this unprecedented leak; and
- (d) the failure of the Prime Minister (Mr Howard) and other ministers to fully explain their involvement in this matter. (*general business notice of motion no. 575*)

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

- (a) notes that Anthony Mundine won the World Boxing Association (WBA) super middleweight world title on Wednesday, 2 September 2003;
- (b) notes the tremendous contribution Anthony has made to Australian sport including:

- (i) in 1993, debuts for St George Dragons at age 18,
 - (ii) in 1996, is named player's player for 1996 and plays in the losing team in the St George v Manly grand final,
 - (iii) in 1997, plays one year with Brisbane who win the 1997 Super League grand final,
 - (iv) in 1998, returns to St George and is named player's player for 1998,
 - (v) in 1999, is selected to play in the City Origin and New South Wales State of Origin teams,
 - (vi) in 2000, announces his retirement from rugby league and 2 days later announces his career as a boxer, and
 - (vii) in 2003, less than 4 years after commencing boxing, wins the WBA super middleweight world title; and
- (c) recognises that Anthony is a role model for young Indigenous people and has been heavily involved in sport and personal mentoring of Indigenous youth in the Sydney area. (*general business notice of motion no. 576*)

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

- (a) notes:
- (i) that the week beginning 7 September 2003 marks the anniversary of the first speech of Senator Neville Bonner, a Jagera man and the first Indigenous Australian to take a seat in the Federal Parliament as a Liberal Party Senator for Queensland between 1971 and 1983,
 - (ii) there was no Indigenous political representation in the Federal Parliament between 1983 and 1999, and
 - (iii) the current state of Indigenous political representation throughout Australian Parliaments generally remains low; and
- (b) calls for a more genuine effort on the part of our political parties to attract Indigenous people into the political life of the nation by pre-selecting them for safe seats, or via the consideration of dedicated seats, as a temporary measure, for Indigenous people, as in New Zealand or the Canadian example of Aboriginal electorates. (*general business notice of motion no. 577*)

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

- (a) notes that:
- (i) nineteen major reviews of the medical and scientific evidence have confirmed that there is no safe level of exposure to second-hand smoke,
 - (ii) the major study for the National Drug Strategy found that, in 1998-99, involuntary smoking killed 224 Australians, 103 of them under 15 years of age, used up 77 950 hospital bed days, and drained \$47.6 million in hospital costs,
 - (iii) New Zealand, Norway, Ireland, the Philippines and five states in the United States of America, including New York, will soon ban smoking in all workplaces, including pubs and clubs,
 - (iv) surveys of public opinion, including those by tobacco companies, confirm strong public support for smoke-free public places, including a finding that 89 per cent of people would visit more often or at least as often if licensed premises were smoke-free, and
 - (v) a review of over 98 economic studies confirms that smoke-free policies do no harm to hospitality businesses with many showing a positive benefit;

- (b) calls on the Federal Minister for Employment and Workplace Relations and state and territory ministers to take action at the November 2003 meeting of Workplace Relations Ministers' Council to ensure that all workplaces are made safe from passive smoking in accordance with occupational health and safety laws; and
- (c) urges state and territory governments to implement bans on smoking in pubs and clubs as a matter of urgency. (*general business notice of motion no. 578*)

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

- (a) notes:
 - (i) the 30th anniversary of the military coup that overthrew the elected government of Salvador Allende in Chile on 11 September 1973,
 - (ii) evidence that 2 603 people disappeared, were executed, or tortured to death during the 17 years of military rule under General Augusto Pinochet,
 - (iii) that the 1978 amnesty decree, which purports to prevent the prosecution of human rights violations committed between 1973 and 1978, is in breach of Chile's international obligations to bring to justice those responsible for serious human rights violations, and
 - (iv) the recent convictions of former military officers for human rights violations committed during the period covered by the amnesty decree;
- (b) is encouraged by the current efforts of the Chilean Government to address past human rights violations, including a package of measures announced by President Ricardo Lagos on 12 August 2003;
- (c) notes that representatives of the Chilean Government have provided assurances to human rights organisations that immunity from prosecution will not be granted to anyone who has directly participated in crimes against humanity; and
- (d) expresses its hope that the Chilean Government will persist with its efforts to ensure that the perpetrators of human rights violations during the period of General Pinochet's rule are brought to justice. (*general business notice of motion no. 579*)

The Chair of the Legal and Constitutional Legislation Committee (Senator Payne): To move on the next day of sitting—That the time for the presentation of the report of the Legal and Constitutional Legislation Committee on the provisions of the Migration Legislation Amendment (Identification and Authentication) Bill 2003 be extended to 18 September 2003. (*general business notice of motion no. 580*)

Senator Hutchins: To move on 15 September 2003—That the Senate—

- (a) notes that:
 - (i) on 10 September, 68 years ago, the Nazi regime led by Adolf Hitler in Germany decreed the so-called Nuremberg Race Laws, which included the 'Reich Citizenship Law', designating Jews as subjects rather than citizens of the German Reich and 'The Law for the Protection of German Blood and German Honour', preventing Jews from marrying non-Jews, and
 - (ii) after the passing of the Nuremberg Laws, a dozen supplemental Nazi decrees were issued that eventually outlawed the Jews completely, depriving them of their rights as human beings;
- (b) recognises the legal importance of the Nuremberg Laws in allowing the Nazis to carry out and implement the unbelievably inhumane and despicable program, the *Shoah*;

- (c) takes this opportunity to remember the estimated 6 million Jews throughout Europe who lost their lives during the *Shoah*; and
- (d) reaffirms its opposition to anti-semitism and its commitment to combating and eliminating all forms of racism. (*general business notice of motion no. 581*)

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

- (a) notes that Buena Vista Home Entertainment, a division of Disney, has begun a trial in the United States of America of disposable DVDs (dubbed the EZ-D) that are rendered unusable within 48 hours of their first use;
- (b) condemns this new product that turns a durable, reusable DVD product into a wasteful throw away item; and
- (c) calls on the Australian Government to take action to ban such products in Australia unless the cost of externalities involved is built into their price. (*general business notice of motion no. 582*)

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

- (a) notes that:
 - (i) 10 September 2003 is the inaugural World Suicide Prevention Day,
 - (ii) every 40 seconds someone commits suicide on the planet and that every 4 seconds someone attempts suicide, and
 - (iii) on 10 September 2003, Luke Graham, who lost his 11 year-old brother Matthew to suicide, launched a self-funded television advertisement in Parliament House designed to highlight the problem of suicide in Australia; and
- (b) calls on the Federal Government to consider providing assistance to ensure the advertisement is screened in Australia. (*general business notice of motion no. 583*)

17 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 10 OF 2003

Senator McGauran, at the request of the Chairman of the Selection of Bills Committee (Senator Ferris), tabled the following report:

SELECTION OF BILLS COMMITTEE

REPORT NO. 10 OF 2003

1. The committee met on Tuesday, 9 September 2003.
2. The committee resolved to recommend—That—
 - (a) the Australian Protective Service Amendment Bill 2003 be *referred immediately* to the Legal and Constitutional Legislation Committee for inquiry and report on 7 October 2003; and
 - (b) the Social Security Amendment (Supporting Young Carers) Bill 2003 *not* be referred to committee.

The committee recommends accordingly.

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

Bill deferred from meeting of 12 August 2003

Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand and Other Matters) Bill 2003.

Bill deferred from meeting of 19 August 2003
National Animal Welfare Bill 2003.

Jeannie Ferris
Chair
10 September 2003.

Senator McGauran moved—That the report be adopted.

Question put and passed.

18 POSTPONEMENTS

Items of business were postponed as follows:

General business notice of motion no. 542 standing in the name of Senator Mackay for today, relating to the cancellation of the ABC program *Behind the News*, postponed till 16 September 2003.

General business notice of motion no. 544 standing in the name of Senator Ridgeway for today, relating to the free trade agreement negotiations between Australia and the United States of America, postponed till 11 September 2003.

General business notice of motion no. 566 standing in the name of the Leader of the Australian Democrats (Senator Bartlett) for today, relating to the United Nations Conference on Accelerating Entry-Into-Force of the Comprehensive Nuclear Test Ban Treaty, postponed till 11 September 2003.

General business notice of motion no. 569 standing in the name of Senator Brown for today, relating to Australia's aid budget to Papua New Guinea, postponed till 11 September 2003.

19 DEFENCE—POINT NEPEAN—LAND SALE

Senator Nettle amended her notice of motion by leave and, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 572—That the Senate—

(a) notes:

- (i) the nationally-significant cultural and heritage values contained in the Department of Defence land at Point Nepean in Victoria, and
- (ii) the recommendation of the Community Reference Group in the draft community master plan for the Point Nepean land, commissioned by the Federal Government, that the entire site at Point Nepean remain in public hands as a 'public park managed as a whole';

(b) condemns the Government for ignoring this recommendation and instead offering a 90-hectare portion of the land for long-term commercial lease by private developers;

(c) notes that:

- (i) the admission by the Government that the terms of the lease could permit education, recreational, community and tourism uses leaves open the possibility that hotels, shops, jetties and sporting arenas could be developed on the land, robbing the general public of the right to access and enjoy the land, and potentially compromising or destroying its nationally-significant heritage and cultural values, and
- (ii) under a long-term leasing arrangement between the Commonwealth and a private developer, the Victorian community will have no say in, or control over, what happens to the 90-hectare parcel of land, and the developer will be able to avoid proper local and state planning and heritage controls; and

- (d) calls on the Federal Government to respect the wishes of the Victorian community by:
 - (i) reversing its decision to lease the 90-hectare portion of the site, and
 - (ii) gifting the land to the State Government as a national park, as recommended by the Victorian National Parks Association and the National Trust of Australia (Victoria).

Question put and passed.

20 HEALTH—BIPOLAR DISORDER

Senator Allison, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 571—That the Senate—

- (a) notes that:
 - (i) the recent report *Bipolar disorder: Costs: An analysis of the burden of bipolar disorder and related suicide* commissioned by SANE Australia reveals that one in every six Australians with bipolar disorder commit suicide, a total of 12 per cent of all suicides,
 - (ii) 60 per cent develop a substance abuse problem,
 - (iii) average treatment levels are less than one-quarter of what is considered ‘best practice’, and
 - (iv) over two-thirds of people with bipolar disorder are likely to be misdiagnosed three times before an accurate diagnosis is made;
- (b) recognises the impact of bipolar disorder on the community, affecting not only the health of those living with it, but also their work, study and ability to maintain relationships and friends; and
- (c) calls upon the Federal Government to:
 - (i) move for better training of medical professionals in diagnosing bipolar disorder, and
 - (ii) provide increased community education about this disorder.

Question put and passed.

21 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator McGauran, at the request of the Chair of the Joint Standing Committee on Foreign Affairs, Defence and Trade (Senator Ferguson), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 570—That the Foreign Affairs Sub-Committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold a public meeting during the sitting of the Senate on Monday, 15 September 2003, from 5.30 pm to 6.30 pm, to take evidence for the committee’s inquiry into Australia’s relationship with Indonesia.

Question put and passed.

22 URGENCY MOTION—SEXUALITY DISCRIMINATION

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

The need for:

- (a) the Australian Government to acknowledge that on 6 August 2003, in the case of *Young v Australia*, the United Nations Human Rights Committee found that:
- (i) the Australian Government's refusal to grant Mr Young a pension on the ground that he does not come within the definition of 'dependant', for having been in a same-sex relationship, violates his rights under article 26 of the International Covenant on Civil and Political Rights on the basis of his sexual orientation,
 - (ii) the Australian Government provided no argument on how the distinction between same-sex partners and unmarried heterosexual partners is reasonable and objective, and no evidence which would point to the existence of factors justifying such a distinction was advanced,
 - (iii) as a victim of a violation of article 26, Mr Young is entitled to an effective remedy, including the reconsideration of his pension application without discrimination based on his sex or sexual orientation, if necessary through an amendment of the law, and
 - (iv) the Australian Government is under an obligation, as a signatory to the First Optional Protocol to the International Covenant on Civil and Political Rights, to ensure that similar violations of the Covenant do not occur in the future; and
- (b) the Australian Government to legislate for partnership recognition of same-sex couples under Commonwealth law.

The proposal was supported by 4 senators.

Senator Greig moved the motion.

Debate ensued.

Question put.

The Senate divided—

AYES, 32

Senators—

Allison	Cherry	Hogg	Nettle
Bartlett	Collins	Hutchins	Ray
Bishop	Cook	Kirk	Ridgeway
Bolkus	Crossin (Teller)	Lees	Sherry
Brown	Denman	Lundy	Stephens
Buckland	Evans	Marshall	Stott Despoja
Campbell, George	Forshaw	Moore	Webber
Carr	Greig	Murray	Wong

NOES, 31

Senators—

Abetz	Coonan	Humphries	Payne
Barnett	Eggleston	Johnston	Santoro
Boswell	Ellison	Kemp	Scullion
Brandis	Ferguson	Lightfoot	Tchen
Calvert	Ferris (Teller)	Macdonald, Ian	Tierney
Campbell, Ian	Harradine	Mason	Vanstone
Chapman	Harris	McGauran	Watson
Colbeck	Heffernan	Minchin	

Question agreed to.

23 SCRUTINY OF BILLS—STANDING COMMITTEE—9TH REPORT AND ALERT DIGEST NO. 10 OF 2003

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

Scrutiny of Bills—Standing Committee—

9th report of 2003, dated 10 September 2003.

Alert Digest No. 10 of 2003, dated 10 September 2003.

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

24 ECONOMICS LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ADDITIONAL ESTIMATES 2002-03

Senator Ferris, at the request of the Chair of the Economics Legislation Committee (Senator Brandis), tabled additional information received by the committee (Additional estimates 2002-03—vols 1 to 3).

25 FOREIGN AFFAIRS, DEFENCE AND TRADE LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2003-04

Senator Ferris, at the request of the Chair of the Foreign Affairs, Defence and Trade Legislation Committee (Senator Sandy Macdonald), tabled additional information received by the committee (Budget estimates 2003-04—vols 1 and 2).

26 ECONOMICS LEGISLATION COMMITTEE—REPORT—ACIS ADMINISTRATION AMENDMENT BILL 2003 AND THE CUSTOMS TARIFF AMENDMENT (ACIS) BILL 2003

Pursuant to order, Senator Ferris, at the request of the Chair of the Economics Legislation Committee (Senator Brandis), tabled the following report and documents:

Economics Legislation Committee—Provisions of the ACIS Administration Amendment Bill 2003 and the Customs Tariff Amendment (ACIS) Bill 2003—Report, dated September 2003, *Hansard* record of proceedings and submissions [2].

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

27 PUBLIC WORKS—JOINT STATUTORY COMMITTEE—8TH REPORT OF 2003

Senator Ferris, on behalf of the Parliamentary Standing Committee on Public Works, tabled the following report:

Public Works—Joint Statutory Committee—8th report of 2003—Construction of a new chancery building for the Australian High Commission, Colombo, Sri Lanka, dated August 2003.

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

Question put and passed.

28 DOCUMENTS

The following documents were tabled by the Clerk:

Remuneration Tribunal Act—Determination—

2003/17: Remuneration and Allowances for various Holders of Public Office and Members of Parliament.

2003/18: Remuneration and Allowances for Part-Time Holders of Public Office.

2003/19: Remuneration and Allowances for Holders of Public Offices.

29 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

The following document was tabled pursuant to the order of the Senate of 20 June 2001, as amended on 27 September 2001, 18 June and 26 June 2003:

Departmental and agency contracts for 2002-03—Letters of advice—Employment and Workplace Relations portfolio agencies.

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

The following documents were tabled pursuant to the order of the Senate of 30 May 1996, as amended on 3 December 1998:

Indexed lists of departmental and agency files for the period 1 January to 30 June 2003—Statements of compliance—

Department of Education, Science and Training.

Employment and Workplace Relations portfolio—

Australian Industrial Registry.

Department of Employment and Workplace Relations, Equal Opportunity for Women in the Workplace Agency, Defence Force Remuneration Tribunal and Remuneration Tribunal.

National Occupational Health and Safety Commission.

Office of the Employment Advocate.

Environment and Heritage portfolio agencies.

31 COMMITTEES—CHANGES IN MEMBERSHIP

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

The Special Minister of State (Senator Abetz), by leave, moved—That senators be discharged from and appointed to committees as follows:

Economics References Committee—

Appointed—Senator Buckland

Discharged—Senator Hogg

Foreign Affairs, Defence and Trade References Committee—

Appointed—Participating member: Senator Conroy

Public Accounts and Audit—Joint Statutory Committee—

Appointed—Senator Hogg

Discharged—Senator Conroy.

Question put and passed.

32 VOCATIONAL EDUCATION AND TRAINING FUNDING AMENDMENT BILL 2003

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

Message no. 384, dated 9 September 2003—A Bill for an Act to amend the *Vocational Education and Training Funding Act 1992*, and for related purposes.

The Special Minister of State (Senator Abetz) 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 Abetz moved—That this bill be now read a second time.

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

33 HIGHER EDUCATION LEGISLATION AMENDMENT BILL 2003

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

Message no. 382, dated 9 September 2003—Higher Education Legislation Amendment Bill 2003.

34 SUPERANNUATION—SELECT COMMITTEE—REPORT—DRAFT SUPERANNUATION INDUSTRY (SUPERVISION) AMENDMENT REGULATIONS 2003 AND DRAFT RETIREMENT SAVINGS ACCOUNTS AMENDMENT REGULATIONS 2003

Pursuant to order, the Chair of the Select Committee on Superannuation (Senator Watson) tabled the following report and documents:

Superannuation—Select Committee—Draft Superannuation Industry (Supervision) Amendment Regulations 2003 and draft Retirement Savings Accounts Amendment Regulations 2003—Report, dated September 2003, *Hansard* record of proceedings, documents presented to the committee and submissions [33].

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

Senator Watson, by leave, moved—That the Senate take note of the report.

Debate ensued.

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

35 ECONOMICS LEGISLATION COMMITTEE—REPORT—TAXATION LAWS AMENDMENT BILL (NO. 7) 2003

Pursuant to order, Senator Eggleston, at the request of the Chair of the Economics Legislation Committee (Senator Brandis), tabled the following report and documents:

Economics Legislation Committee—Provisions of the Taxation Laws Amendment Bill (No. 7) 2003—Report, dated September 2003, *Hansard* record of proceedings and submissions [6].

Report ordered to be printed on the motion of Senator Eggleston.
Senator Webber, by leave, moved—That the Senate take note of the report.
Question put and passed.

36 ECONOMICS LEGISLATION COMMITTEE—REPORT—ANNUAL REPORTS

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

Economics Legislation Committee—Annual reports referred to legislation committees—Report No. 2 of 2003, dated September 2003.

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

37 AUSTRALIAN NATIONAL TRAINING AUTHORITY AMENDMENT BILL 2003

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.

In the committee

Bill taken as a whole by leave.

Senator Allison moved the following amendment:

Schedule 2, page 4 (after line 15), after item 1, insert:

1A After section 18

Insert:

18A Presentation of agreement to Parliament

The Commonwealth Minister must cause a copy of the agreement and any amendment to the agreement to be laid before each House of the Parliament within 15 sitting days of that House after the agreement is made or amended between the Commonwealth, State and Territory ministers.

Debate ensued.

At 6.50 pm: The Deputy President (Senator Hogg) resumed the chair and the Temporary Chair of Committees (Senator Brandis) reported progress.

38 GOVERNMENT DOCUMENTS—CONSIDERATION

The following government documents tabled earlier today (*see entry no. 2*) were considered:

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 January to 31 March 2003. Motion to take note of document moved by Senator Stott Despoja, debated and agreed to.

Natural Heritage Trust—Report for 2001-02. Motion to take note of document moved by the Leader of the Australian Democrats (Senator Bartlett) and debated. Debate adjourned till Thursday at general business, the Minister for Fisheries, Forestry and Conservation (Senator Ian Macdonald) in continuation.

39 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.41 pm till Thursday, 11 September 2003 at 9.30 am.

40 ATTENDANCE

Present, all senators except Senators Conroy*, Knowles*, Sandy Macdonald* and O'Brien* (* on leave).

HARRY EVANS
Clerk of the Senate