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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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Contents

1	Meeting of Senate	3947
2	Community Affairs References Committee—First Report—Children in Institutional Care	3947
3	Crimes Legislation Amendment (Telecommunications Offences and Other Measures) Bill (No. 2) 2004	3947
4	Questions	3947
5	Minister for Defence—Answers to Questions	3948
6	Petitions	3948
7	Notices	3948
8	Order of Business—Rearrangement	3953
9	Hours of Meeting—Variation	3953
10	Leave of Absence	3953
11	Rural and Regional Affairs and Transport References Committee—Leave to Meet During Sitting	3954
12	Scrafton Evidence—Select Committee—Appointment	3954
13	Notice	3957
14	Proposed Matter of Public Importance—Parliament—Standards	3957
15	Legal and Constitutional Legislation Committee—Report—National Security Information (Criminal Proceedings) Bill 2004 and National Security Information (Criminal Proceedings) (Consequential Amendments) Bill 2004	3957
16	Public Accounts and Audit—Joint Statutory Committee—402nd Report	3957
17	Government Document	3957
18	Auditor-General—Audit Reports Nos 8 and 9 of 2004-05—Documents	3958
19	Departmental and Agency Contracts—Order for Production of Documents—Documents	3958
20	Indexed Lists of Departmental and Agency Files—Order for Production of Documents—Documents	3958
21	Unproclaimed Legislation—Order for Production of Document—Document ..	3958
22	Taxation—First Home Owners, ‘Bracket Creep’ and Intergenerational Report—Order for Production of Documents—Documents	3959

23	Dissolution of the House of Representatives and Prorogation of the Parliament—Governor-General’s Proclamation—Documents	3959
24	Commonwealth Parliamentary Association—15th Australian and Pacific Regional Seminar—Document	3959
25	Environment—National Water Initiative—Document	3959
26	Supervising Scientist—Investigations—Documents	3959
27	Defence—Iraq—Human Rights Abuses—Document	3959
28	Rural and Regional Affairs and Transport Legislation Committee—Additional Information—Additional Estimates 2003-04 and Budget Estimates 2004-05	3960
29	Documents.....	3960
30	Governor-General’s Proclamations—Commencement of Provisions of Acts...	3963
31	Indexed Lists of Departmental and Agency Files—Order for Production of Documents—Documents	3964
32	Departmental and Agency Contracts—Order for Production of Documents—Documents	3964
33	Workplace Relations Amendment (Fair Dismissal) Bill 2004 Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 2) 2004	3964
34	Public Works—Joint Statutory Committee—Change in Membership	3965
35	Governor-General’s Messages—Assent to Laws	3965
36	Economics Legislation Committee—Report—Textile, Clothing and Footwear Strategic Investment Program Amendment (Post-2005 scheme) Bill 2004 and Customs Tariff Amendment (Textile, Clothing and Footwear Post-2005 Arrangements) Bill 2004.....	3965
37	Economics Legislation Committee—Report—Superannuation Industry (Supervision) Amendment Regulations 2004 (No. 2).....	3965
38	Treaties—Joint Standing Committee—Reference	3966
39	Crimes Legislation Amendment (Telecommunications Offences and Other Measures) Bill (No. 2) 2004	3966
40	Family and Community Services and Veterans’ Affairs Legislation Amendment (2004 Budget Measures) Bill 2004.....	3967
41	Tax Laws Amendment (Wine Producer Rebate and Other Measures) Bill 2004	3968
42	Lindeberg Grievance—Select Committee—Extension of Time to Report.....	3968
43	Community Affairs References Committee—Reporting Date.....	3968
44	Scrafton Evidence—Select Committee—Appointment of Members.....	3968
45	Next Meeting of Senate	3969
46	Adjournment	3969
47	Attendance.....	3969

1 **MEETING OF SENATE**

The Senate met at 12.30 pm. The President (Senator the Honourable Paul Calvert) took the chair and read prayers.

2 **COMMUNITY AFFAIRS REFERENCES COMMITTEE—FIRST REPORT—CHILDREN IN INSTITUTIONAL CARE**

The Chair of the Community Affairs References Committee (Senator McLucas), by leave, tabled the following report:

Community Affairs References Committee—Forgotten Australians: A report on Australians who experienced institutional or out-of-home care as children—First report, dated August 2004.

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

Notice of motion: Senator McLucas, by leave, gave a notice of motion as follows: To move on the next day of sitting—That the second report of the Community Affairs References Committee on its inquiry into children in institutional care be presented by the last sitting day in December 2004. (*general business notice of motion no. 978*)

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

Debate ensued.

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

3 **CRIMES LEGISLATION AMENDMENT (TELECOMMUNICATIONS OFFENCES AND OTHER MEASURES) BILL (NO. 2) 2004**

Order of the day read for the adjourned debate on the motion of the Minister for Communications, Information Technology and the Arts (Senator Coonan)—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 Greig moved the following amendment:

Schedule 1, item 1, page 24 (line 24), at the end of subsection 474.17(1), add:
; and (c) another person is menaced, harassed or offended by the use of
the carriage service.

Debate ensued.

At 2 pm: The President resumed the chair and the Temporary Chair of Committees (Senator Hutchins) reported progress.

4 **QUESTIONS**

Questions without notice were answered.

5 MINISTER FOR DEFENCE—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.

Debate ensued.

Question put and passed.

6 PETITIONS

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

Senator Harris, from 63 petitioners, requesting that the Senate take action to restore bulk billing by general practitioners.

Senator Harris, from 61 petitioners, requesting that the Senate undertake an inquiry into the gaoling of Pauline Hanson and David Ettridge.

Senator Harris, from 2 petitioners, requesting that the Senate initiate an inquiry into the legal authority of the Federal Parliament.

Senator Nettle, from 12 petitioners, requesting that the Senate take action to ensure that Mamdouh Habib's rights are acknowledged and that he be returned to Australia and entitled to a civil trial if charged with any crime.

7 NOTICES

Notices of motion:

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

- (a) on Friday, 27 August 2004, Macquarie University announced that it would not increase its higher education contribution scheme (HECS) fees in 2005;
- (b) Macquarie University stated that it was conscious of the big burden on students currently, and that it would not raise fees unless absolutely necessary;
- (c) Macquarie University stated that another factor in its decision was the funding 'uncertainty' created by the possibility of a change of government before the end of 2004 and the Australian Labor Party's commitments to reverse HECS increases and abolish full-fee places;
- (d) the Australian Vice-Chancellors' Committee (AVCC) has publicly warned that there will not be enough time in 2004 to reverse any fee increases for 2005;
- (e) Macquarie University, whose Vice-Chancellor is also President of the AVCC, has taken the responsible decision not to increase fees because of the funding uncertainty; and
- (f) those universities that have announced HECS fees increases for 2005 did so in the full knowledge that an alternative Government could be in power by the end of 2004. (*general business notice of motion no. 979*)

Senators Allison and Stott Despoja: To move on the next day of sitting—That the Senate—

(a) notes:

- (i) the report launched on 30 August 2004 by the Medical Association for Prevention of War entitled *A new clear direction: Securing nuclear medicine for the next generation*,

- (ii) that the Medical Association for Prevention of War, in this report, suggests that claims about the medical importance of the new reactor under construction at Lucas Heights in Sydney's southern suburbs are not based on actual scientific need,
 - (iii) that the Australian Nuclear Science and Technology Organisation will, in the near future, apply for an operating licence in order to bring the controversial new reactor online, and
 - (iv) that no plans for storage of waste from this facility have yet been made public, despite calls by the Australian Democrats in the Senate and in other public fora; and
- (b) calls on the Government to:
- (i) as a matter of urgency, assess the potential for imported isotopes, non-reactor isotope production, innovation and advanced new technologies to meet all demands for medical isotopes, and
 - (ii) finalise and make public its plans for the location of the Commonwealth's nuclear waste dump. (*general business notice of motion no. 980*)

Senator Harradine: To move on the next day of sitting—That supplementary estimates hearings by legislation committees for the 2004-05 estimates take place in accordance with the resolution of the Senate of 3 December 2003. (*general business notice of motion no. 981*)

The Chair of the Select Committee on the Lindeberg Grievance (Senator Watson): To move on the next day of sitting—That the time for the presentation of the report of the Select Committee on the Lindeberg Grievance be extended to the day before the Senate next meets. (*general business notice of motion no. 982*)

The Minister for the Arts and Sport (Senator Kemp) and Senator Lundy: To move on the next day of sitting—That the Senate—

- (a) congratulates:
- (i) the Australian Olympic Team for its outstanding performance at the 2004 Athens Olympic Games and, in particular, for its:
 - (A) record number of 17 gold medals, and
 - (B) best ever total medal count of 49 medals at an away Olympic games,
 - (ii) all the members of the team for their inspirational performances and, in particular, for the impact their efforts will have on Australian youth in fostering participation in sport across the board, and
 - (iii) the coaches, doctors, officials, administrators and other support staff who have so remarkably supported and assisted the Australian Olympic Team; and
- (b) notes:
- (i) that the result achieved by the Australian Olympic Team is the first time a country has improved its gold medal tally after hosting an Olympics games,
 - (ii) that Australian Institute of Sport (AIS) athletes, past and present, accounted for 65 per cent of all medals won by Australians in Athens, and
 - (iii) the outstanding contribution of the Australian Sports Commission and the AIS in the sustained support provided to Olympic sports.

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

- (a) acknowledges that coexisting mental health and substance misuse disorders are very common, and that, due to the significant challenges these disorders present for service providers, many young people who suffer from such disorders are not able to access appropriate help;
- (b) notes that:
 - (i) the ORYGEN Research Centre has found that 15- to 24-year olds presenting with non-psychotic mental disorders use a wider variety of substances at a younger age and in much greater quantities than similar age groups not affected by mental disorders, and
 - (ii) the ORYGEN Research Centre has also found that rates of daily cannabis use for young people with early psychosis are 6 times higher than those within the general population; and
- (c) calls on the Federal Government to work with the states to:
 - (i) provide integrated treatment for coexisting mental health and substance use disorders in young people,
 - (ii) provide dual training for workers in both the mental health and drug and alcohol fields who have contact with people who have both a mental health and substance misuse problem, and
 - (iii) increase the integration of the National Drug Strategy and the National Mental Health Strategy. (*general business notice of motion no. 983*)

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

- (a) notes that:
 - (i) the National Council of Churches in Australia held ‘Refugee and Migrant Sunday’ on 29 August 2004 and that, on this day, thousands of churches around Australia celebrated the contribution refugees and other ‘uprooted’ people have made to Australia,
 - (ii) the Government’s new measures to make it easier for temporary protection visa holders to apply for ‘mainstream visas’ only apply to those currently holding temporary visas sub-classes 447, 451 and 785,
 - (iii) these changes will not apply to the 106 Kosovars who remain in Australia after being granted safe haven visas in 1999, and
 - (iv) these Kosovar refugees have made significant contributions to Australian society and enjoy great support from the communities in which they have settled, such as the regional area of Albury-Wodonga; and
- (b) calls on the Government to:
 - (i) extend the recent changes made to temporary protection visas holders to these Kosovar refugees, and
 - (ii) fast track the applications of these Kosovar refugees for permanent visas, in recognition of their established community links and support, and the length of time they have been waiting. (*general business notice of motion no. 984*)

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

- (a) notes that:
 - (i) the week commencing 5 September 2004 is National Child Protection Week,

- (ii) it is the responsibility of the Federal Government to ensure that children are safe from physical, sexual and emotional abuse and neglect, and
 - (iii) by detaining children in detention centres or in residential housing projects, the Government has completely neglected its responsibility in relation to children in Australia; and
- (b) calls on the Government to end this state-sanctioned child abuse immediately and release children from detention centres and residential housing projects. (*general business notice of motion no. 985*)

Senators Marshall and Nettle: To move 15 sitting days after today—That the Guidelines in relation to the exercise of Compliance Powers in the Building and Construction Industry, made under section 88AGA of the *Workplace Relations Act 1996* as amended by the *Workplace Relations Amendment (Codifying Contempt Offences) Act 2004*, be disallowed.

The Leader of the Opposition in the Senate (Senator Faulkner): To move on the next day of sitting—

- (1) That a select committee, to be known as the Select Committee on the Scafton Evidence, be appointed to inquire into and report by 24 November 2004, on matters arising from the public statements made by former ministerial staffer, Mr Mike Scafton, about the conversations he had with the Prime Minister, Mr Howard, about the ‘children overboard’ affair on 7 November 2001 and the implications of these statements for the findings of the Select Committee on a Certain Maritime Incident.
- (2) That the committee consist of 5 senators, 2 nominated by the Leader of the Government in the Senate, 2 nominated by the Leader of the Opposition in the Senate and 1 nominated by minority groups and independent senators.
- (3) That the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.
- (4) That the chair of the committee be elected by the committee from the members nominated by the Leader of the Opposition in the Senate.
- (5) That the deputy chair of the committee be elected by the committee from the members nominated by the Leader of the Government in the Senate.
- (6) That the deputy chair act as chair when there is no chair or the chair is not present at a meeting.
- (7) That, in the event of the votes on any question before the committee being equally divided, the chair, or deputy chair when acting as chair, have a casting vote.
- (8) That the quorum of the committee be a majority of the members of the committee.
- (9) 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.
- (10) That the committee have access to the evidence and documents of the Select Committee on a Certain Maritime Incident, established by the Senate on 13 February 2002.

- (11) 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.
- (12) That the quorum of a subcommittee be a majority of the members appointed to the subcommittee.
- (13) 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.
- (14) 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. 986*)

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

- (a) notes that:
 - (i) on the weekend of 28 and 29 August 2004, as many as 400 000 people marched in New York protesting the neo-conservative agenda of President George W Bush and the Republican Party,
 - (ii) opposition to the war in and occupation of Iraq is growing in the United States of America and around the world, and
 - (iii) opposing the agenda of the present White House is not anti-American but rather a view shared by a majority of Americans and the world's people;
- (b) congratulates the hundreds of thousands of Americans who marched on the weekend in New York and across the United States of America; and
- (c) calls on the Federal Government to immediately withdraw Australian troops from Iraq and repudiate the agenda of President Bush's policy of endless war. (*general business notice of motion no. 987*)

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

- (a) notes:
 - (i) media reports that Australian Special Air Services (SAS) personnel are operating in Iraq as part of a United States of America (US)-led program that includes kidnapping, counter-insurgency and assassination,
 - (ii) concerns of Australian personnel about aspects of the program, including the firing by US soldiers into an Iraqi crowd, and
 - (iii) concerns that, once again, the Howard Government has misled the Australian people about Australia's involvement in the Iraq conflict; and
- (b) calls on the Government to inform the Parliament and the Australian people of the truth regarding the deployment of Australian SAS personnel in Iraq. (*general business notice of motion no. 988*)

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

- (a) notes that:
 - (i) the Stockholm Convention, an international convention to eliminate 12 of the most toxic chemicals ever produced, entered into force on 17 May 2004,
 - (ii) Australia is a signatory to the Stockholm Convention and ratified it on 20 May 2004,
 - (iii) currently, there are plans to clean up toxins at the Meriton site at Homebush Bay in Sydney and at Orica's chemical factory at Botany using incineration-based technology, and

(iv) this incineration process will result in the formation of dioxins, which breaches Australia's international obligations under the Stockholm Convention; and

(b) calls on the Federal Government to recognise its international obligations and immediately intervene to prevent this incineration-based technology being used at these two sites. (*general business notice of motion no. 989*)

Senator Brown: To move on the next day of sitting—That the Senate calls on the Government to respect international maritime boundary arbitration and to move to such arbitration for the current dispute over oil and gas resources in the Timor Sea. (*general business notice of motion no. 990*)

Intention to withdraw: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen), 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 13 sitting days after today for the disallowance of the Broadcasting Services (Events) Notice (No. 1) 2004, made under subsection 115(1) of the *Broadcasting Services Act 1992*.

Senator Tchen, by leave, made a statement relating to the notice of intention.

8 ORDER OF BUSINESS—REARRANGEMENT

The Minister for the Environment and Heritage (Senator Ian Campbell) moved—That the order of consideration of government business orders of the day for the remainder of today be as follows:

- No. 1 Crimes Legislation Amendment (Telecommunications Offences and Other Measures) Bill (No. 2) 2004.
- No. 3 Family and Community Services and Veterans' Affairs Legislation Amendment (2004 Budget Measures) Bill 2004.
- No. 5 Tax Laws Amendment (Wine Producer Rebate and Other Measures) Bill 2004.
- No. 6 Trade Practices Legislation Amendment Bill 2004.
- No. 2 Telecommunications (Interception) Amendment (Stored Communications) Bill 2004.
- No. 4 Surveillance Devices Bill (No. 2) 2004.

Question put and passed.

9 HOURS OF MEETING—VARIATION

The Minister for the Environment and Heritage (Senator Ian Campbell), by leave, moved—That, on Tuesday, 31 August 2004, the hours of meeting shall be 12.30 pm to 4.50 pm.

Question put and passed (*but see entry no. 45*).

10 LEAVE OF ABSENCE

Senator Mackay, by leave, moved—That leave of absence be granted to Senator Buckland on 31 August 2004, on account of parliamentary business overseas.

Question put and passed.

Senator Mackay, by leave, moved—That leave of absence be granted to Senator Hogg for 30 August and 31 August 2004, on account of parliamentary business overseas.

Question put and passed.

Senator Mackay, by leave, moved—That leave of absence be granted to Senator Cook for 30 August and 31 August 2004, on account of ill health.

Question put and passed.

**11 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—
LEAVE TO MEET DURING SITTING**

Senator Ferris, by leave and at the request of the Chair of the Rural and Regional Affairs and Transport References Committee (Senator Ridgeway), moved—That the Rural and Regional Affairs and Transport References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 5 pm, in relation to its inquiry into forestry plantations.

Debate ensued.

Question put and passed.

12 SCRAFTON EVIDENCE—SELECT COMMITTEE—APPOINTMENT

Leave refused: The Leader of the Opposition in the Senate (Senator Faulkner) sought leave to move a motion relating to the establishment of a select committee on the Scrafton evidence.

An objection was raised and leave was not granted.

Statements by leave: Senators Harradine and Faulkner, by leave, made statements relating to the matter.

Suspension of standing orders: Senator Faulkner, pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent Senator Faulkner moving a motion to provide for the consideration of a matter, namely a motion to give precedence to a motion to establish a select committee on the Scrafton evidence.

Debate ensued.

Question put and passed.

Senator Faulkner moved—That a motion to establish a select committee on the Scrafton evidence may be moved immediately and have precedence over all other business till determined.

Question put and passed.

Senator Faulkner moved—

- (1) That a select committee, to be known as the Select Committee on the Scrafton Evidence, be appointed to inquire into and report by 24 November 2004 on matters arising from the public statements made by former ministerial staffer, Mr Mike Scrafton, concerning the conversations he had with the Prime Minister, Mr Howard, about the ‘children overboard’ affair on 7 November 2001, and the implications of these statements for the findings of the Select Committee on a Certain Maritime Incident.
- (2) That the committee consist of 5 senators, 2 nominated by the Leader of the Government in the Senate, 2 nominated by the Leader of the Opposition in the Senate and 1 nominated by minority groups and independent senators.

- (3) That the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.
- (4) That the chair of the committee be elected by the committee from the members nominated by the Leader of the Opposition in the Senate.
- (5) That the deputy chair of the committee be elected by the committee from the members nominated by the Leader of the Government in the Senate.
- (6) That the deputy chair act as chair when there is no chair or the chair is not present at a meeting.
- (7) That, in the event of the votes on any question before the committee being equally divided, the chair, or deputy chair when acting as chair, have a casting vote.
- (8) That the quorum of the committee be a majority of the members of the committee.
- (9) 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.
- (10) That the committee have access to the evidence and documents of the Select Committee on a Certain Maritime Incident, established by the Senate on 13 February 2002.
- (11) 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.
- (12) That the quorum of a subcommittee be a majority of the members appointed to the subcommittee.
- (13) 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.
- (14) 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.

Debate ensued.

Senator Harradine moved the following amendments together by leave:

Omit paragraph (1), substitute:

- (1) That the following matter be referred to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 8 September 2004:
Matters arising from the public statements made by former ministerial staffer, Mr Mike Scrafton, about the conversations he had with the Prime Minister, Mr Howard, about the 'children overboard' affair on 7 November 2001 and the implications of these statements for the findings of the Select Committee on a Certain Maritime Incident and for policy.

Omit paragraphs (2) to (9) and (11) to (14).

Question—That the amendments be agreed to—put.

The Senate divided—

AYES, 32

Senators—

Abetz	Ferguson	Kemp	Patterson
Barnett	Ferris (Teller)	Knowles	Payne
Boswell	Fifield	Lightfoot	Santoro
Brandis	Harradine	Macdonald, Ian	Tchen
Campbell, Ian	Harris	Macdonald, Sandy	Tierney
Chapman	Heffernan	Mason	Troeth
Colbeck	Hill	McGauran	Vanstone
Ellison	Humphries	Minchin	Watson

NOES, 35

Senators—

Allison	Conroy	Lees	Nettle
Bartlett	Crossin (Teller)	Ludwig	O'Brien
Bishop	Denman	Lundy	Ray
Bolkus	Evans	Mackay	Ridgeway
Brown	Faulkner	Marshall	Sherry
Campbell, George	Forshaw	McLucas	Stephens
Carr	Greig	Moore	Webber
Cherry	Hutchins	Murphy	Wong
Collins	Kirk	Murray	

Question negatived.

Main question put.

The Senate divided—

AYES, 35

Senators—

Allison	Conroy	Lees	Nettle
Bartlett	Crossin (Teller)	Ludwig	O'Brien
Bishop	Denman	Lundy	Ray
Bolkus	Evans	Mackay	Ridgeway
Brown	Faulkner	Marshall	Sherry
Campbell, George	Forshaw	McLucas	Stephens
Carr	Greig	Moore	Webber
Cherry	Hutchins	Murphy	Wong
Collins	Kirk	Murray	

NOES, 32

Senators—

Abetz	Ferguson	Kemp	Patterson
Barnett	Ferris (Teller)	Knowles	Payne
Boswell	Fifield	Lightfoot	Santoro
Brandis	Harradine	Macdonald, Ian	Tchen
Campbell, Ian	Harris	Macdonald, Sandy	Tierney
Chapman	Heffernan	Mason	Troeth
Colbeck	Hill	McGauran	Vanstone
Ellison	Humphries	Minchin	Watson

Question agreed to.

13 NOTICE

Senator Ridgeway gave a notice of motion as follows: To move on the next day of sitting—That the following matters be referred to the Economics References Committee for inquiry and report by the last sitting day in June 2005:

- (a) the extent to which the Australian small business community is unduly burdened by local, state and Federal Government red tape;
- (b) options for reducing the red tape compliance burden on Australian small business;
- (c) whether the duplication of state and federal industrial relations regimes has negative effects for small business; and
- (d) options for reducing the compliance burden imposed by Australia's various industrial relations regimes on small business.

14 PROPOSED MATTER OF PUBLIC IMPORTANCE—PARLIAMENT—STANDARDS

The Leader of the Opposition in the Senate (Senator Faulkner) withdrew the proposed matter of public importance he had submitted to the President today relating to the electorate's trust and confidence in government and, by leave, made a statement relating to its withdrawal.

15 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—NATIONAL SECURITY INFORMATION (CRIMINAL PROCEEDINGS) BILL 2004 AND NATIONAL SECURITY INFORMATION (CRIMINAL PROCEEDINGS) (CONSEQUENTIAL AMENDMENTS) BILL 2004

The Acting Deputy President (Senator Kirk) tabled the following report and documents received on 19 August 2004:

Legal and Constitutional Legislation Committee—Provisions of the National Security Information (Criminal Proceedings) Bill 2004 and the National Security Information (Criminal Proceedings) (Consequential Amendments) Bill 2004—Report, dated August 2004, *Hansard* record of proceedings, additional information and submissions [24].

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

16 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—402ND REPORT

The Acting Deputy President (Senator Kirk) tabled the following report received on 20 August 2004:

Public Accounts and Audit—Joint Statutory Committee—402nd report—Review of Auditor-General's reports 2003-04: First and second quarters, dated August 2004.

17 GOVERNMENT DOCUMENT

The Acting Deputy President (Senator Kirk) tabled the following document received on 13 August 2004:

Department of Transport and Regional Services—AusLink: Building our national transport future—White paper, June 2004.

18 AUDITOR-GENERAL—AUDIT REPORTS NOS 8 AND 9 OF 2004-05—DOCUMENTS

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

Auditor-General—Audit reports for 2004-05—

No. 8—Performance audit—Management of bilateral relations with selected countries: Department of Foreign Affairs and Trade. [*Received 13 August 2004*]

No. 9—Performance audit—Assistance provided to personnel leaving the ADF: Department of Defence; Department of Veterans' Affairs. [*Received 25 August 2004*]

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

Pursuant to the order of the Senate of 20 June 2001, as amended, the Acting Deputy President (Senator Kirk) tabled the following documents received on the dates indicated:

Departmental and agency contracts for 2003-04—Letters of advice—

Agriculture, Fisheries and Forestry portfolio agencies. [*Received 27 August 2004*]

Communications portfolio agencies. [*Received 27 August 2004*]

Defence. [*Received 19 August 2004*]

Department of Foreign Affairs and Trade, Australian Centre for International Agricultural Research, AusAID and the Australia Japan Foundation. [*Received 27 August 2004*]

Employment and Workplace Relations portfolio agencies. [*Received 25 August 2004*]

Family and Community Services portfolio agencies. [*Received 27 August 2004*]

Prime Minister and Cabinet portfolio agencies. [*Received 19 August 2004*]

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

Pursuant to the order of the Senate of 30 May 1996, as amended, the Acting Deputy President (Senator Kirk) tabled the following documents received on the dates indicated:

Indexed lists of departmental and agency files for the period 1 January to 30 June 2004—Statements of compliance—

Agriculture, Fisheries and Forestry portfolio agencies. [*Received 13 August 2004*]

Department of Transport and Regional Services. [*Received 27 August 2004*]

Industry, Tourism and Resources portfolio agencies. [*Received 27 August 2004*]

21 UNPROCLAIMED LEGISLATION—ORDER FOR PRODUCTION OF DOCUMENT—DOCUMENT

Pursuant to standing order 139(2), the Acting Deputy President (Senator Kirk) tabled the following document received on 13 August 2004:

Unproclaimed legislation—Document providing details of all provisions of Acts which come into effect on proclamation and which have not been proclaimed, including statements of reasons for their non-proclamation and information relating to the timetable for their operation, as at 31 July 2004, dated August 2004.

- 22 TAXATION—FIRST HOME OWNERS, ‘BRACKET CREEP’ AND INTERGENERATIONAL REPORT—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**
Pursuant to the order of the Senate of 1 December 2003, the Acting Deputy President (Senator Kirk) tabled the following documents received on 17 August 2004:
Taxation—First home owners, ‘bracket creep’ and Intergenerational Report—Copies of—
Documents relating to—
Bracket creep.
First home owners scheme.
Population ageing.
Schedule of documents.
- 23 DISSOLUTION OF THE HOUSE OF REPRESENTATIVES AND PROROGATION OF THE PARLIAMENT—GOVERNOR-GENERAL’S PROCLAMATION—DOCUMENTS**
The Acting Deputy President (Senator Kirk) tabled the following documents:
Dissolution of the House of Representatives and Prorogation of the Parliament—Governor-General’s Proclamation—Copies of—
Letter to the President of the Senate from the Prime Minister (Mr Howard), dated 29 August 2004.
Proclamation—Prorogation of Parliament, dated 29 August 2004.
- 24 COMMONWEALTH PARLIAMENTARY ASSOCIATION—15TH AUSTRALIAN AND PACIFIC REGIONAL SEMINAR—DOCUMENT**
The Acting Deputy President (Senator Kirk) tabled the following document:
Commonwealth Parliamentary Association—15th Australian and Pacific Regional Seminar, Apia, Samoa, 3 to 7 September 2003 and Alice Springs, Northern Territory, Australia, 8 to 12 September 2003—Report.
- 25 ENVIRONMENT—NATIONAL WATER INITIATIVE—DOCUMENT**
The Acting Deputy President (Senator Kirk) tabled the following document:
Environment—National water initiative—Letter to the President of the Senate from Australian Capital Territory Chief Minister (Mr Jon Stanhope) responding to the resolution of the Senate of 24 June 2004, dated 12 August 2004.
- 26 SUPERVISING SCIENTIST—INVESTIGATIONS—DOCUMENTS**
The Minister for Justice and Customs (Senator Ellison) tabled the following documents:
Supervising Scientist—Reports—
No. 184—Investigation of the potable water contamination incident at Ranger mine March 2004.
No. 185—Investigation of radiation clearance procedures for vehicles leaving the Ranger mine.
- 27 DEFENCE—IRAQ—HUMAN RIGHTS ABUSES—DOCUMENT**
The Minister for Justice and Customs (Senator Ellison) tabled the following document:
Defence—Iraq—Human rights abuses—Copy of letter to Legal Advisor (Cpt RA Blean), Multi-National Corps—Iraq from Major GX O’Kane, Directorate of Military Justice, dated 30 July 2004.

**28 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—
ADDITIONAL INFORMATION—ADDITIONAL ESTIMATES 2003-04 AND BUDGET
ESTIMATES 2004-05**

Senator McGauran, at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Heffernan), tabled additional information received by the committee—

Additional estimates 2003-04—vol. 1 and attachment, vol. 2, vol. 3 and attachments.

Budget estimates 2003-04—vols 1 to 4.

Budget estimates 2003-04 (supplementary hearings)—vols 1 and 2, vol. 3 and attachment and vol. 4.

29 DOCUMENTS

The following documents were tabled by the Clerk:

A New Tax System (Goods and Services Tax) Act—Regulations—Statutory Rules 2004 No. 276.

Aged Care Act—Determination under section 52-1—ACA Ch. 3 No. 21/2004.

Agricultural and Veterinary Chemicals (Administration) Act—Regulations—Statutory Rules 2004 No. 242.

Agricultural and Veterinary Chemicals Code Act—Regulations—Statutory Rules 2004 No. 251.

Airports Act—Regulations—Statutory Rules 2004 No. 275.

Australian Prudential Regulation Authority Act—Regulations—Statutory Rules 2004 No. 277.

Australian Research Council Act—Determination No.—

23—Determinations under section 51, dated 12 July 2004 [2].

24—Determination under section 51, dated 11 August 2004.

Australian Wine and Brandy Corporation Act—Regulations—Statutory Rules 2004 No. 252.

Bankruptcy Act—Regulations—Statutory Rules 2004 No. 256.

Broadcasting Services Act—Determination under clause 37EA of Schedule 4 to the *Broadcasting Services Act 1992* (No. 1) 2004.

Cheques Act—Determination under section 70A—Determination No. 1 of 2004.

Class Rulings CR 2004/83-CR 2004/91.

Commonwealth Authorities and Companies Act—Notice under paragraph 45(1)(c)—Membership of The Carrick Institute for Learning and Teaching in Higher Education Limited.

Copyright Act—Regulations—Statutory Rules 2004 No. 257.

Corporations Act—

Accounting Standard—

AASB 1—First-time Adoption of Australian Equivalents to International Financial Reporting Standards.

AASB 2—Share-based Payment.

AASB 3—Business Combinations.

AASB 4—Insurance Contracts.

AASB 5—Non-current Assets Held for Sale and Discontinued Operations.

- AASB 101—Presentation of Financial Statements.
 - AASB 102—Inventories.
 - AASB 107—Cash Flow Statements.
 - AASB 108—Accounting Policies, Changes in Accounting Estimates and Errors.
 - AASB 110—Events after the Balance Sheet Date.
 - AASB 111—Construction Contracts.
 - AASB 112—Income Taxes.
 - AASB 114—Segment Reporting.
 - AASB 116—Property, Plant and Equipment.
 - AASB 117—Leases.
 - AASB 118—Revenue.
 - AASB 119—Employee Benefits.
 - AASB 120—Accounting for Government Grants and Disclosure of Government Assistance.
 - AASB 121—The Effects of Changes in Foreign Exchange Rates.
 - AASB 123—Borrowing Costs.
 - AASB 124—Related Party Disclosures.
 - AASB 127—Consolidated and Separate Financial Statements.
 - AASB 128—Investments in Associates.
 - AASB 129—Financial Reporting in Hyperinflationary Economies.
 - AASB 130—Disclosures in the Financial Statements of Banks and Similar Financial Institutions.
 - AASB 131—Interests in Joint Ventures.
 - AASB 132—Financial Instruments: Disclosure and Presentation.
 - AASB 133—Earnings Per Share.
 - AASB 134—Interim Financial Reporting.
 - AASB 136—Impairment of Assets.
 - AASB 137—Provisions, Contingent Liabilities and Contingent Assets.
 - AASB 138—Intangible Assets.
 - AASB 139—Financial Instruments: Recognition and Measurement.
 - AASB 140—Investment Property.
 - AASB 141—Agriculture.
 - AASB 1004—Contributions.
 - AASB 1023—General Insurance Contracts.
 - AASB 1031—Materiality.
 - AASB 1038—Life Insurance Contracts.
 - AASB 1048—Interpretation and Application of Standards.
- Declaration under section 926A, dated 19 July 2004.
- Currency Act—Currency (Royal Australian Mint) Determination 2004 (No. 7).
- Customs Act—
- CEO Directions Nos 1 and 2 of 2004.
 - Regulations—Statutory Rules 2004 Nos 243-245, 258, 259 and 261.
- Customs Administration Act—Regulations—Statutory Rules 2004 No. 260.
- Dairy Produce Act—Regulations—Statutory Rules 2004 No. 253.
- Diplomatic Privileges and Immunities Act—Diplomatic Privileges and Immunities Regulations—Certificates under regulation 5A, dated 8 and 18 August 2004.

- Environment Protection and Biodiversity Conservation Act—Instrument amending list of specimens suitable for live import under section 303EB, dated 5 August 2004.
- Fisheries Management Act—Regulations—Statutory Rules 2004 No. 254.
- Food Standards Australia New Zealand Act—Regulations—Statutory Rules 2004 No. 265.
- Fuel Grant and Rebate Ruling FGRR 2002/1 (Notice of Withdrawal).
- Health Insurance Act—Regulations—Statutory Rules 2004 Nos 266-268.
- Higher Education Funding Act—Determination under section 15—Determination No. T19-2004.
- Higher Education Support Act—
Administration Guidelines, dated 10 August 2004.
OS-HELP Guidelines, dated 23 July 2004.
Other Grants Guidelines, dated 13 August 2004.
- Imported Food Control Act—Imported Food Control Regulations—Imported Food Control Amendment Order 2004 (No. 1).
- Income Tax Assessment Act 1936*—Regulations—Statutory Rules 2004 No. 248.
- Income Tax Assessment Act 1997*—Regulations—Statutory Rules 2004 No. 278.
- Industrial Chemicals (Notification and Assessment) Act—Regulations—Statutory Rules 2004 No. 246.
- Migration Act—Regulations—Statutory Rules 2004 Nos 269 and 270.
- Migration Agents Registration Application Charge Act—Regulations—Statutory Rules 2004 No. 247.
- Military Rehabilitation and Compensation Act—Instrument 2004 No. M4—MRCA Education and Training Scheme.
- National Environment Protection Council Act—Minor Variation to the National Environment Protection (Used Packaging Materials) Measure.
- National Health Act—Determinations—
PHB 6/2004-PHB 12/2004 and PHB 14/2004.
PB 14 of 2004.
- Ozone Protection and Synthetic Greenhouse Gas Management Act—Notice of Grant of Exemption under section 40, dated 7 July 2004.
- Patents Act—Regulations—Statutory Rules 2004 No. 250.
- Petroleum (Submerged Lands) Act—Regulations—Statutory Rules 2004 Nos 271-274.
- Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2004 No. 255.
- Product Rulings PR 2004/59 (Addendum), PR 2004/66 (Addendum) and PR 2004/81-PR 2004/84.
- Quarantine Act—Quarantine Amendment Proclamation 2004 (No. 4).
- Statutory Declarations Act—Regulations—Statutory Rules 2004 No. 262.
- Superannuation Act 1990*—Twenty-Third Amending Deed under section 4, dated 9 August 2004.

- Superannuation Contributions Determinations—Addendums—
 SCD 2003/2 and SCD 2003/4.
 SCD 2004/5.
- Superannuation (Government Co-contribution for Low Income Earners) Act—
 Regulations—Statutory Rules 2004 No. 279.
- Superannuation Industry (Supervision) Act—
 Determination of requirements for an approved guarantee, dated 15 July 2004.
 Regulations—Statutory Rules 2004 No. 249.
 Request from Minister to APRA under section 230A, dated 30 March 2004.
- Taxation Ruling TR 98/22 (Addendum).
- Telecommunications Act—Telecommunications Service Provider (Premium Services) Amendment Determination 2004 (No. 1).
- Telecommunications (Carrier Licence Charges) Act—Telecommunications (Annual Carrier Licence Charge) Amendment Determination 2004 (No. 1).
- Therapeutic Goods Act—Therapeutic Goods (Emergency) Exemption 2004 (No. 3).
- Trade Practices Act—Regulations—Statutory Rules 2004 No. 264.
- Veterans' Entitlements Act—
 Instrument under section 196B—Instrument No. 25 of 2004.
 Regulations—Statutory Rules 2004 No. 241.
- Workplace Relations Act—
 Regulations—Statutory Rules 2004 No. 263.
 Rules—Statutory Rules 2004 No. 280.

30 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:

Bankruptcy Legislation Amendment Act 2004—Schedules 1 to 5—1 December 2004 (*Gazette* No. GN 34, 25 August 2004).

Customs Legislation Amendment and Repeal (International Trade Modernisation) Act 2001—22 September 2004—

- (a) item 1 of Schedule 2;
- (b) items 1, 48, 48A, 50, 51, 52, 53, 57, 58, 59, 60, 62, 64, 66, 68, 72, 73, 74, 77, 83, 91, 93, 94, 96, 97, 97A, 100 and 101 of Schedule 3.

(*Gazette* No. GN 32, 11 August 2004).

Fisheries Legislation Amendment (Compliance and Deterrence Measures and Other Matters) Act 2004—Schedule 1—6 August 2004 (*Gazette* No. S 321, 6 August 2004).

Fisheries Legislation Amendment (High Seas Fishing Activities and Other Matters) Act 2004—Schedules 1 and 2—20 August 2004 (*Gazette* No. S 343, 20 August 2004).

Industrial Chemicals (Notification and Assessment) Amendment (Low Regulatory Concern Chemicals) Act 2004—Schedule 1—9 August 2004 (*Gazette* No. S 320, 6 August 2004).

31 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:

Indexed lists of departmental and agency files for the period—

1 July to 31 December 2003—Statements of compliance—Australian Agency for International Development (AusAID).

1 January to 30 June 2004—Statements of compliance—

Attorney-General's portfolio agencies.

Australian Agency for International Development (AusAID).

Australian Research Council.

Department of Family and Community Affairs (including Child Support Agency, Australian Institute of Family Studies and Social Security Appeals Tribunal) and Centrelink.

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

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

Departmental and agency contracts for 2003-04—Letters of advice—

Attorney-General's portfolio agencies.

Environment and Heritage portfolio agencies.

Health and Ageing portfolio agencies.

Immigration and Multicultural and Indigenous Affairs portfolio agencies.

**33 WORKPLACE RELATIONS AMENDMENT (FAIR DISMISSAL) BILL 2004
AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT BILL
(NO. 2) 2004**

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

Message no. 674, dated 12 August 2004—A Bill for an Act to amend the *Workplace Relations Act 1996*, and for related purposes.

Message no. 675, dated 12 August 2004—A Bill for an Act to amend the law relating to agriculture, fisheries and forestry, and for related purposes.

The Minister for Justice and Customs (Senator Ellison) 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 Ellison moved—That these bills be now read a second time.

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

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

Question put and passed.

34 PUBLIC WORKS—JOINT STATUTORY COMMITTEE—CHANGE IN MEMBERSHIP

A message from the House of Representatives was reported informing the Senate of a change in the membership of the Parliamentary Standing Committee on Public Works, as follows:

Message no. 673, dated 12 August 2004—Mr Wakelin in place of Mr Lloyd.

35 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:

16 August 2004—Message—

No. 41—

US Free Trade Agreement Implementation Act 2004 (Act No. 120, 2004)

US Free Trade Agreement Implementation (Customs Tariff) Act 2004 (Act No. 121, 2004)

Occupational Health and Safety (Commonwealth Employment) Amendment (Employee Involvement and Compliance) Act 2004 (Act No. 122, 2004).

No. 42—

Electoral and Referendum Amendment (Prisoner Voting and Other Measures) Act 2004 (Act No. 123, 2004)

Anti-terrorism Act (No. 2) 2004 (Act No. 124, 2004)

Anti-terrorism Act (No. 3) 2004 (Act No. 125, 2004)

Marriage Amendment Act 2004 (Act No. 126, 2004).

36 ECONOMICS LEGISLATION COMMITTEE—REPORT—TEXTILE, CLOTHING AND FOOTWEAR STRATEGIC INVESTMENT PROGRAM AMENDMENT (POST-2005 SCHEME) BILL 2004 AND CUSTOMS TARIFF AMENDMENT (TEXTILE, CLOTHING AND FOOTWEAR POST-2005 ARRANGEMENTS) BILL 2004

Pursuant to order, Senator McGauran, 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 Textile, Clothing and Footwear Strategic Investment Program Amendment (Post-2005 scheme) Bill 2004 and the Customs Tariff Amendment (Textile, Clothing and Footwear Post-2005 Arrangements) Bill 2004—Report, dated August 2004, *Hansard* record of proceedings, documents presented to the committee, additional information and submissions [31].

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

37 ECONOMICS LEGISLATION COMMITTEE—REPORT—SUPERANNUATION INDUSTRY (SUPERVISION) AMENDMENT REGULATIONS 2004 (NO. 2)

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

Economics Legislation Committee—Superannuation Industry (Supervision) Amendment Regulations 2004 (No. 2) [Statutory Rules 2004 No. 84]—Report, dated August 2004, *Hansard* record of proceedings, documents presented to the committee, additional information and submissions [14].

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

38 TREATIES—JOINT STANDING COMMITTEE—REFERENCE

Senator Greig amended general business notice of motion no. 977 by leave and, by leave, moved—That the Senate—

- (a) recalls that, on 2 December 2002, a proposed agreement between Australia and the United States of America (US), pursuant to which Australia would agree not to surrender US nationals to the International Criminal Court without the consent of the US (the proposed agreement), was referred to the Joint Standing Committee on Treaties for inquiry and report;
- (b) notes correspondence from the secretary of the committee to the Clerk of the Senate, dated 16 July 2003, which:
 - (i) stated that ‘as far as the Committee is aware, there is no such proposed agreement’ and that it had ‘therefore decided to defer commencing the inquiry into the matter referred until the text of such an agreement is made available to the Committee’, and
 - (ii) however, acknowledged that ‘the Committee is empowered to inquire into any question relating to a treaty or other international agreement, whether or not negotiated to completion, referred to the Committee by either House’;
- (c) further notes:
 - (i) the report on ABC Radio’s *PM* program of 28 August 2002, that the US had written to the Australian Government, requesting it to enter into the proposed agreement and that, according to the Minister for Foreign Affairs, the Government was ‘sympathetic’ to the request,
 - (ii) the report on Network Nine’s *Sunday* program of 8 September 2002, in which the then Attorney-General indicated that the US had requested Australia to enter into the proposed agreement and that the Australian Government had no objection to the proposed agreement, and
 - (iii) evidence from Department of Foreign Affairs and Trade officials on 19 February 2004 that negotiations with the US were ongoing and that, at that time, the most recent meeting had been in December 2003; and
- (d) calls on the committee to commence the inquiry into the proposed agreement as soon as practicable and report to the Senate no later than 30 April 2005.

Question put and passed.

39 CRIMES LEGISLATION AMENDMENT (TELECOMMUNICATIONS OFFENCES AND OTHER MEASURES) BILL (NO. 2) 2004

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

In the committee

Consideration resumed of the bill—and of the amendment moved by Senator Greig (see entry no. 3).

Debate resumed.

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

Senator Greig moved the following amendment:

Schedule 1, item 1, page 30 (lines 15 to 17), omit “that has been approved by the Minister in writing for the purposes of this section”.

Debate ensued.

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

Bill agreed to.

Bill to be reported without amendment.

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

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

**40 FAMILY AND COMMUNITY SERVICES AND VETERANS' AFFAIRS LEGISLATION
AMENDMENT (2004 BUDGET MEASURES) BILL 2004**

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

Debate resumed.

Question put and passed.

Bill read a second time.

The Senate resolved itself into committee for the consideration of the bill.

In the committee

Bill taken as a whole by leave.

Senator Greig moved the following amendments together by leave:

Schedule 1, page 3 (after line 13), before item 1, insert:

1A After subparagraph 8(8)(zja)(ii)

Insert:

; or (iii) a scholarship known as a University Equity Scholarship as defined in the Commonwealth Scholarship Guidelines;

Schedule 1, page 4 (after line 14), before item 3, insert:

3A After subparagraph 5H(8)(hb)(ii)

Insert:

; or (iii) a scholarship known as a University Equity Scholarship as defined in the Commonwealth Scholarship Guidelines;

Debate ensued.

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

Senator Greig moved the following amendments together by leave:

Schedule 2, item 1, page 6 (line 34) to page 7 (line 21), omit subsection 954A(2).

Schedule 2, item 1, page 7 (lines 22 to 24), omit subsection 954A(3).

Debate ensued.

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

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of the Minister for Family and Community Services (Senator Patterson) the report from the committee was adopted and the bill read a third time.

**41 TAX LAWS AMENDMENT (WINE PRODUCER REBATE AND OTHER MEASURES)
BILL 2004**

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

On the motion of the Minister for the Environment and Heritage (Senator Ian Campbell) the bill was read a third time.

42 LINDBERG GRIEVANCE—SELECT COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Eggleston, by leave and at the request of the Chair of the Select Committee on the Lindeberg Grievance (Senator Watson), moved—That the time for the presentation of the report of the committee be extended to the day before the Senate next meets.

Question put and passed.

43 COMMUNITY AFFAIRS REFERENCES COMMITTEE—REPORTING DATE

Senator Mackay, by leave and at the request of the Chair of the Community Affairs References Committee (Senator McLucas), moved—That the second report of the committee on its inquiry into children in institutional care be presented by the last sitting day in December 2004.

Question put and passed.

44 SCRAFTON EVIDENCE—SELECT COMMITTEE—APPOINTMENT OF MEMBERS

The Acting Deputy President (Senator Lightfoot) informed the Senate that the President had received letters nominating senators to be members of a committee.

The Minister for the Environment and Heritage (Senator Ian Campbell), by leave, moved—That Senators Brandis, Faulkner, Ferguson and Ray be appointed to the Select Committee on the Scrafton Evidence.

Question put and passed.

Senator Lightfoot informed the Senate that the President had received letters from minor party senators nominating to be members of the Select Committee on the Scrafton Evidence.

Senator Lightfoot indicated that there were two nominations, Senators Bartlett and Brown, for one position on the committee, and announced that it would be necessary to proceed to a ballot.

The Senate proceeded to a ballot.

The President reported the result as follows:

Senator Bartlett: 62 votes.

Senator Brown: 8 votes.

The President declared that Senator Bartlett had been chosen to serve as a member of the committee.

45 NEXT MEETING OF SENATE

The Minister for the Environment and Heritage (Senator Ian Campbell), by leave, moved—That the Senate, at its rising today, adjourn till a time fixed by the President.

Question put and passed.

46 ADJOURNMENT

The Minister for the Environment and Heritage (Senator Ian Campbell) moved—That the Senate do now adjourn.

The Senate adjourned at 9.30 pm.

47 ATTENDANCE

Present, all senators except Senators Cook* and Hogg* (* on leave).

HARRY EVANS
Clerk of the Senate