

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

NOTICE PAPER

No. 1

WEDNESDAY, 13 FEBRUARY 2002

The Senate meets this day at 9.30 am

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Notifications prefixed by an () appear for the first time.*

BUSINESS OF THE SENATE

Notice of Motion

*1 **Senator Bartlett:** To move—That upon the introduction of the Regional Forest Agreements Bill 2002, the following matters be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 21 March 2002:

All aspects of the provisions of the Regional Forest Agreements Bill 2002, including, but not restricted to:

- (a) whether the legislation contravenes Australia's obligations under international agreements, including the Convention for the Protection of Biodiversity, the Framework Convention on Climate Change, the World Heritage Convention, the Ramsar Convention and agreements for the protection of migratory species;
- (b) whether the bill overrides section 42 of the *Environment Protection and Biodiversity Conservation Act 1999* and the implications of this for the protection of World Heritage, the protection of Wetlands of International Importance and the environmental impacts of taking actions whose primary purpose does not relate to forestry;
- (c) the compensation obligations to which the Commonwealth would be exposed if it took action to prevent forestry or mining operations or other activities in Regional Forest Agreement (RFA) areas;
- (d) whether it is fair to provide compensation to an industry whose activities are already heavily subsidised and which has no reverse obligation to compensate the Commonwealth or states for damage to the environment, including water quantity and quality, soils, carbon banks, biodiversity, heritage and landscape;
- (e) the need to ensure that workers entitlements are protected;
- (f) the need to ensure full parliamentary scrutiny of all RFAs before initial ratification and before any proposed renewal;
- (g) the current level of monitoring of RFAs;
- (h) the current status of review of all RFAs that have reached the 5-year review period;
- (i) the current level of compliance of all aspects of RFAs;
- (j) the current level of enforcement of RFAs;
- (k) the current levels of government subsidies to the timber industry; and
- (l) any new data relating to species, habitats, ecosystems, mapping accuracy, social and economic impacts not available when the Comprehensive Regional Assessments were prepared.



GOVERNMENT BUSINESS

Notices of Motion

Notice given 12 February 2002

- *1 **Parliamentary Secretary to the Treasurer (Senator Ian Campbell):** To move—That standing order 3(4) be suspended to enable the Senate to consider business other than that of a formal character before the address-in-reply to the Governor-General's opening speech has been adopted.
- *2 **Parliamentary Secretary to the Treasurer (Senator Ian Campbell):** To move—That the following bill be introduced: A Bill for an Act to amend the *Retirement Savings Accounts Act 1997* and the *Corporations Act 2001*, and for related purposes. ***Financial Services Reform (Consequential Provisions) Bill 2002.***
- *3 **Parliamentary Secretary to the Treasurer (Senator Ian Campbell):** To move—That the following bill be introduced: A Bill for an Act to improve the quality of employment services and rehabilitation programs provided for people with disabilities, and for related purposes. ***Disability Services Amendment (Improved Quality Assurance) Bill 2002.***
- *4 **Parliamentary Secretary to the Treasurer (Senator Ian Campbell):** To move—That the days of meeting of the Senate for 2002 be as follows:
 - Summer sittings:**
 - Tuesday, 12 February to Thursday, 14 February
 - Autumn sittings:**
 - Monday, 11 March to Thursday, 14 March
 - Tuesday, 19 March to Thursday, 21 March
 - Budget sittings:**
 - Tuesday, 14 May to Thursday, 16 May
 - Winter sittings:**
 - Monday, 17 June to Thursday, 20 June
 - Monday, 24 June to Thursday, 27 June
 - Spring sittings:**
 - Monday, 19 August to Thursday, 22 August
 - Monday, 26 August to Thursday, 29 August
 - Monday, 16 September to Thursday, 19 September
 - Monday, 23 September to Thursday, 26 September
 - Monday, 14 October to Thursday, 17 October
 - Monday, 21 October to Thursday, 24 October
 - Monday, 11 November to Thursday, 14 November
 - Monday, 18 November to Tuesday, 19 November
 - Monday, 2 December to Thursday, 5 December
 - Monday, 9 December to Thursday, 12 December.
- *5 **Parliamentary Secretary to the Treasurer (Senator Ian Campbell):** To move—
 - (1) That standing order 25(1) be amended as follows:

Omit: 'Employment, Workplace Relations, Small Business and Education',
 Substitute: 'Employment, Workplace Relations and Education'.

- (2) That the continuing order relating to the allocation of departments and agencies to standing committees be amended to read as follows:

Departments and agencies are allocated to the legislative and general purpose standing committees as follows:

Community Affairs

Family and Community Services
 Health and Ageing

Economics

Treasury
 Industry, Tourism and Resources

Employment, Workplace Relations and Education

Employment and Workplace Relations
 Education, Science and Training

Environment, Communications, Information Technology and the Arts

Environment and Heritage
 Communications, Information Technology and the Arts

Finance and Public Administration

Parliament
 Prime Minister and Cabinet
 Finance and Administration

Foreign Affairs, Defence and Trade

Foreign Affairs and Trade
 Defence (including Veterans' Affairs)

Legal and Constitutional

Attorney-General
 Immigration and Multicultural and Indigenous Affairs

Rural and Regional Affairs and Transport

Transport and Regional Services
 Agriculture, Fisheries and Forestry.

- *6 **Parliamentary Secretary to the Treasurer (Senator Ian Campbell):** To move—

- (1) That estimates hearings by legislation committees for the year 2002 be scheduled as follows:

2001-02 additional estimates:

Monday, 18 February and Tuesday, 19 February and, if required, Friday, 22 February (*Group A*)

Wednesday, 20 February and Thursday, 21 February and, if required, Friday, 22 February (*Group B*).

2002-03 budget estimates:

Monday, 27 May to Thursday, 30 May and, if required, Friday, 31 May (*Group A*)

Monday, 3 June to Thursday, 6 June and, if required, Friday, 7 June (*Group B*)

Wednesday, 20 November, and, if required, Friday, 22 November
(*supplementary hearings—Group A*)

Thursday, 21 November and, if required, Friday, 22 November
(*supplementary hearings—Group B*).

- (2) That the committees consider the proposed expenditure in accordance with the allocation of departments to committees agreed to by the Senate.
- (3) That committees meet in the following groups:

Group A:

Environment, Communications, Information Technology and the Arts

Finance and Public Administration

Legal and Constitutional

Rural and Regional Affairs and Transport

Group B:

Community Affairs

Economics

Employment, Workplace Relations and Education

Foreign Affairs, Defence and Trade.

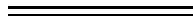
- (4) That the committees report to the Senate on the following dates:
Wednesday, 13 March 2002 in respect of the 2001-02 additional estimates, and
Wednesday, 19 June 2002 in respect of the 2002-03 budget estimates.

*7 **Parliamentary Secretary to the Treasurer (Senator Ian Campbell):** To move—That the following bill be introduced: A Bill for an Act relating to Regional Forest Agreements, and for other purposes. *Regional Forest Agreements Bill 2002*.

*8 **Parliamentary Secretary to the Treasurer (Senator Ian Campbell):** To move—That the provision of standing order 111(6) which prevents the continuation or resumption of second reading debate on a bill within 14 days of its first introduction in either House not apply to the Regional Forest Agreements Bill 2002.

Order of the Day

- *1 **Governor-General's Opening Speech**
Consideration (*12 February 2002*).



**ORDERS OF THE DAY RELATING TO COMMITTEE REPORTS
AND GOVERNMENT RESPONSES AND
AUDITOR-GENERAL'S REPORTS**

Orders of the Day relating to Committee Reports and Government Responses

- *1 Community Affairs References Committee—Report entitled: Healing our hospitals: Report on public hospital funding—Government response**
Consideration (*12 February 2002*).
- *2 Employment, Workplace Relations, Small Business and Education References Committee—Report—The education of gifted children**
Consideration (*12 February 2002*).
- *3 Electoral Matters—Joint Standing Committee—Report entitled: User friendly, not abuser friendly: Report into the integrity of the electoral roll—Government response**
Consideration (*12 February 2002*).
- *4 Foreign Affairs, Defence and Trade References Committee—Report—Recruitment and retention of ADF personnel**
Consideration (*12 February 2002*).
- *5 Environment, Communications, Information Technology and the Arts References Committee—Report entitled: ABC On-line (Final)—Government response**
Consideration (*12 February 2002*).
- *6 Australian Security Intelligence Organisation—Joint Statutory Committee—Report entitled: A watching brief: The nature, scope and appropriateness of ASIO's public reporting activities—Government response**
Consideration (*12 February 2002*).
- *7 Native Title and the Aboriginal and Torres Strait Islander Land Fund—Joint Statutory Committee—Report entitled: CERD and the *Native Title Amendment Act 1998* (16th report)—Government response**
Consideration (*12 February 2002*).
- *8 Employment, Workplace Relations, Small Business and Education References Committee—Report—Universities in crisis: Report into the capacity of public university to meet Australia's higher education needs—Addendum**
Consideration (*12 February 2002*).
- *9 Economics Legislation Committee—Report—Commonwealth Inscribed Stock Amendment Bill 2001**
Consideration (*12 February 2002*).
- *10 Superannuation and Financial Services—Select Committee—Report—Early access to superannuation benefits**
Consideration (*12 February 2002*).

- *11 **Economics References Committee—Report—Inquiry into mass marketed tax effective schemes and investor protection**
Consideration (12 February 2002).
- *12 **Economics References Committee—Report—Inquiry into the framework for the market supervision of Australia's stock exchanges**
Consideration (12 February 2002).

Orders of the Day relating to Auditor-General's reports

- *1 **Auditor-General—Audit report no. 14 of 2001-02—Performance audit—Client service initiatives follow-up audit: Australian Trade Commission (Austrade)**
Consideration (12 February 2002).
- *2 **Auditor-General—Audit report no. 15 of 2001-02—Performance audit—Agencies' oversight of works Australia client advances**
Consideration (12 February 2002).
- *3 **Auditor-General—Audit report no. 16 of 2001-02—Performance audit—Defence Reform Program management and outcomes: Department of Defence**
Consideration (12 February 2002).
- *4 **Australian National Audit Office—Independent Auditor (KPMG)—Report on results of a performance audit of the ANAO audit management processes, October 2001**
Consideration (12 February 2002).
- *5 **Auditor-General—Audit report no. 17 of 2001-02—Performance audit—Administration of petroleum excise collections: Australian Taxation Office**
Consideration (12 February 2002).
- *6 **Auditor-General—Audit report no. 18 of 2001-02—Performance audit—Performance information in portfolio budget statements**
Consideration (12 February 2002).
- *7 **Auditor-General—Audit report no. 19 of 2001-02—Assurance and control assessment audit—Payroll management**
Consideration (12 February 2002).
- *8 **Auditor-General—Audit report no. 20 of 2001-02—Performance audit—Fraud control arrangements in the Department of Agriculture, Fisheries and Forestry—Australia (AFFA)**
Consideration (12 February 2002).
- *9 **Auditor-General—Audit report no. 21 of 2001-02—Performance audit—Developing policy advice: Department of Education, Training and Youth Affairs; Department of Employment, Workplace Relations and Small Business and Department of Family and Community Services**
Consideration (12 February 2002).
- *10 **Auditor-General—Audit report no. 22 of 2001-02—Protective security audit—Personnel security—Management of security clearances**

Consideration (12 February 2002).

- *11 **Auditor-General—Audit report no. 23 of 2001-02—Performance audit—Broadcasting planning and licensing: The Australian Broadcasting Authority**
Consideration (12 February 2002).
- *12 **Auditor-General—Audit report no. 24 of 2001-02—Performance audit—Status reporting of major Defence acquisition projects: Department of Defence**
Consideration (12 February 2002).
- *13 **Auditor-General—Audit report no. 25 of 2001-02—Assurance and control assessment audit—Accounts receivable**
Consideration (12 February 2002).
- *14 **Auditor-General—Audit report no. 26 of 2001-02—Performance audit—Management of fraud and incorrect payment in Centrelink**
Consideration (12 February 2002).
- *15 **Auditor-General—Audit report no. 27 of 2001-02—Assurance and control assessment audit—Agency management of software licensing**
Consideration (12 February 2002).
- *16 **Auditor-General—Audit report no. 28 of 2001-02—Information support services—An analysis of the Chief Financial Officer function in Commonwealth organisations: Benchmarking study**
Consideration (12 February 2002).
- *17 **Auditor-General—Audit report no. 29 of 2001-02—Financial statement audit—Audits of the financial statements of Commonwealth entities for the period ended 30 June 2001: Summary of results**
Consideration (12 February 2002).
- *18 **Auditor-General—Audit report no. 30 of 2001-02—Performance audit—Test and evaluation of major defence equipment acquisitions: Department of Defence**
Consideration (12 February 2002).

GENERAL BUSINESS

Notices of Motion

Notice given 12 February 2002

*1 **Leader of the Australian Democrats (Senator Stott Despoja):** To move—That the Senate calls upon the Inspector-General of Intelligence and Security to investigate:

- (a) with specific reference to the events related to the *MV Tampa*:
 - (i) whether the Defence Signals Directorate (DSD) or any other intelligence or security agency intercepted communications to or from the *MV Tampa*, or any other communications relating to the *MV Tampa*,
 - (ii) on what legal basis any such interceptions were undertaken,
 - (iii) for what purpose any such interceptions were undertaken, and
 - (iv) on whose instructions any such interceptions were undertaken; and
- (b) whether legislation, regulations and guidelines relating to the DSD's activities adequately guard against:
 - (i) improper actions by the DSD, and
 - (ii) the improper use of the DSD by the Government; and

to fully report to the Senate on the result of the investigation.

*2 **Senator Allison:** To move—

- (1) That a select committee, to be known as the Select Committee on Superannuation, be appointed to inquire into matters pertaining to superannuation referred to it by the Senate, and inquire initially into:
 - (a) the adequacy of the tax system and related policy to address the retirement income and aged and health care needs of Australians; and
 - (b) the taxation treatment applying to transfers from an overseas superannuation fund to an Australian regulated fund, with particular reference to whether the lump sum payment from an eligible non-resident/non-complying superannuation fund, under section 27CAA of the *Income Tax Assessment Act 1936*, should be treated as income and when such tax liability (if any) should accrue and be paid.
- (2) That the committee present its final report on (a) by the last sitting day in June 2002 and on (b) by the last sitting day in December 2002.
- (3) That the committee have power to consider and use for its purposes the minutes of evidence, records and documents of the Select Committees on Superannuation and the Select Committee on Superannuation and Financial Services appointed in previous parliaments.
- (4) 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.
- (5) That the chair of the committee be elected by and from the members of the committee, and 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 committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.
 - (7) That the deputy chair act as chair when there is no chair or the chair is not present at a meeting.
 - (8) That, in the event of the votes on any question before the committee being equally divided, the chair, or the deputy chair when acting as chair, have a casting vote.
 - (9) That the quorum of the committee be 3 members.
 - (10) 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.
 - (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, and that the quorum of a subcommittee be a majority of senators appointed to the subcommittee.
 - (12) 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.
 - (13) 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.

Notice of motion altered on 12 February 2002 pursuant to standing order 77.

*3 **Senator Bourne:** To move—That the Senate—

- (a) notes the Agreement reached in Abuja on 6 September 2001 between the Committee of Commonwealth Foreign Ministers, including a number of African States and the Zimbabwean Government, to return Zimbabwe to the rule of law and end all illegal occupations of farmland;
- (b) welcomes the Zimbabwe Government's decision to allow international election observers but notes, with disapproval, the continued violence, repression of the media and free speech, and the passage of legislation such as the Land Acquisition Act, the Public Order and Security Act, amendments to the Electoral Act and the Access to Information and Protection of Privacy Act;
- (c) calls on the Government of Zimbabwe to take all necessary action to ensure a free and fair presidential election, end political violence and repression, and repeal all legislation that undermines human rights and democratic freedoms;
- (d) joins with the European Parliament and the United States Congress in endorsing the use of targeted sanctions against the Government of Zimbabwe; and

- (e) endorses the use of targeted sanctions by the Australian Government and international community against the Government of Zimbabwe to encourage the restoration of democracy and the rule of law.

*4 **Senator Bourne:** To move—That the Senate—

- (a) recalls its resolutions on Tibet passed on 6 December 1990 and 18 September 1996; and
- (b) notes:
 - (i) continued repression of religious freedom in Tibet and persecution of Tibetan nuns and monks,
 - (ii) ongoing reports of human rights abuses against the Tibetan people by the People's Republic of China, and
 - (iii) the impact of education, economic and migration policies in the Tibetan Autonomous Region on Tibetan language and culture;
- (c) further notes:
 - (i) the Dalai Lama's important role as one of the world's most eminent and respected spiritual leaders,
 - (ii) the Dalai Lama's affirmation of a commitment to non-violence and negotiation to solve conflict, as exemplified in His Holiness' receipt of the Nobel Peace Prize in 1989, and
 - (iii) the Dalai Lama's successful visit to Australia in 1996 and the ongoing interest of many Australians in his teachings; and
- (d) requests the President of the Senate, in her capacity as a Presiding Officer of the Joint House Department, to take the necessary action to allow the Dalai Lama to give a televised address in the Great Hall.

*5 **Senator Ridgeway:** To move—That the Senate—

- (a) notes that:
 - (i) the House of Representatives Standing Committee on Procedure unanimously recommended in August 2001 in its report, *Balancing tradition and progress: Procedures for the opening of Parliament*, that:
 - '... representatives of the ACT indigenous community be consulted to advise on a suitable indigenous ritual to be included in the opening procedures [of the Australian Parliament]',
 - (ii) the Council for Aboriginal Reconciliation recommended to the parliament in its final report in December 2000 that 'All Parliaments, governments and organisations observe protocols and negotiate with local Aboriginal and Torres Strait Islander Elders or representative bodies to include appropriate Indigenous ceremony into official events', and
 - (iii) the Government has not implemented these recommendations to incorporate Indigenous protocols into the opening ceremony of the Australian Parliament, which remains virtually unchanged since the first parliament in 1901;
- (b) expresses its disappointment that this opportunity to recognise and honour the unique cultures and identity of Indigenous Australians and include First Nation Peoples in this official national ceremony has not been embraced as a positive and affirming gesture of reconciliation between Indigenous and non-Indigenous Australians; and

- (c) calls on the Government to consider and respond as soon as practicable to the recommendations of the House of Representatives Standing Committee on Procedure, *Balancing tradition and progress: Procedures for the opening of Parliament*, which constructively seeks to modernise the parliament and open it up to participation by all Australians.

***6 Senator Bourne:** To move—That the Senate—

- (1) That so much of standing orders be suspended as would prevent this resolution having effect.
- (2) That the following bills be restored to the *Notice Paper* and that consideration of each of the bills be resumed at the stage reached in the last session of the Parliament:

ABC Amendment (Online and Multichannelling Services) Bill 2001
 Air Navigation Amendment (Extension of Curfew and Limitation of Aircraft Movements) Bill 1995 [1998]
 Anti-Genocide Bill 1999
 Australian Broadcasting Corporation Amendment Bill 1999
 Charter of Political Honesty Bill 2000
 Constitution Alteration (Appropriations for the Ordinary Annual Services of the Government) 2001
 Constitution Alteration (Electors' Initiative, Fixed Term Parliaments and Qualification of Members) 2000
 Corporate Code of Conduct Bill 2000
 Electoral Amendment (Political Honesty) Bill 2000
 Freedom of Information Amendment (Open Government) Bill 2000
 Parliamentary Approval of Treaties Bill 1995 [1998]
 Public Interest Disclosure Bill 2001
 Reconciliation Bill 2001
 State Elections (One Vote, One Value) Bill 2001.

***7 Senator Murray:** To move—That the Senate calls on the Government:

- (a) to cancel the present retirement travel entitlements, including Life Gold Pass and severance travel entitlements, for all senators and members of the House of Representatives, and their spouses, retiring after the commencement of the 40th Parliament;
- (b) to give consideration to restricting, rationalising and eventually phasing-out these entitlements presently applying to senators and members of the House of Representatives, and their spouses, who retired prior to the 40th Parliament; and
- (c) to note that this motion does not apply to the office of Prime Minister.

***8 Leader of the Opposition in the Senate (Senator Faulkner):** To move—That the Senate—

- (1) That a select committee, to be known as the Select Committee on a Certain Maritime Incident, be appointed to inquire into and report by 16 May 2002 on the following matters:
- (a) the so-called 'children overboard' incident, where an Indonesian vessel was intercepted by HMAS *Adelaide* within Australian waters reportedly 120 nautical miles off Christmas Island, on or about 6 October 2001;
- (b) issues directly associated with that incident, including:

- (i) the role of Commonwealth agencies and personnel in the incident, including the Australian Defence Force, Customs, Coastwatch and the Australian Maritime Safety Authority,
 - (ii) the flow of information about the incident to the Federal Government, both at the time of the incident and subsequently,
 - (iii) Federal Government control of, and use of, information about the incident, including written and oral reports, photographs, videotapes and other images, and
 - (iv) the role of Federal Government departments and agencies in reporting on the incident, including the Navy, the Defence Organisation, the Department of Immigration and Multicultural Affairs, the Department of the Prime Minister and Cabinet, and the Office of National Assessments; and
- (c) in respect of the agreements between the Australian Government and the Governments of Nauru and Papua New Guinea regarding the detention within those countries of persons intercepted while travelling to Australia, publicly known as the 'Pacific Solution':
- (i) the nature of negotiations leading to those agreements,
 - (ii) the nature of the agreements reached,
 - (iii) the operation of those arrangements, and
 - (iv) the current and projected cost of those arrangements.
- (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 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 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 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.

- (11) 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.

Senator Brown: To move (contingent on the Leader of the Opposition in the Senate (Senator Faulkner) moving a motion to establish a committee to be known as the Select Committee on a Certain Maritime Incident)—That so much of the standing orders be suspended as would prevent Senator Brown moving a motion to provide that Senator Faulkner's motion be amended by adding:

- (1)(d) how information from the Defence Signals Directorate was conveyed to and used by the Government during and since the *Tampa* crisis.

*9 **Senator Brown:** To move—That the Senate—

- (a) expresses its grave concern of the death of West Papuan leader, Theys Eluay; and
- (b) calls on the Australian Government to request that the Indonesian Government conduct a full and independent inquiry into Mr Eluay's death.

*10 **Senator Murphy:** To move—

- (1) That a select committee, to be known as the Select Committee on Forestry and Plantation Matters, be appointed to inquire into and report, by 27 June 2002, on the following matters:
 - (a) the administration of the Plantations for Australia – The 2020 Vision Strategy;
 - (b) whether or not the imperatives, goals and actions have been proceeded with or met in accordance with the aforementioned strategy;
 - (c) whether or not the practices employed to implement the strategy thus far have been consistent with the stated intentions of the strategy;
 - (d) whether or not the current and proposed taxation structures are suitable and or adequate for the purpose of achieving the 2020 Vision Strategy;
 - (e) whether or not the states are employing world's best practice in sustainability and environmental applications for plantation development;
 - (f) whether or not the review process conducted through December 2001 and January 2002 allows for adequate public input; and
 - (g) what the long-term strategies are for companies currently involved in the plantation industry.
- (2) That the committee consist of 9 senators, 3 nominated by the Leader of the Government, 3 nominated by the Leader of the Opposition in the Senate, and 3 nominated by the minority groups and independent senators.
- (3) That the committee may proceed to the dispatch of business not withstanding that not all members have been duly nominated and appointed and not withstanding any vacancy.
- (4) That the chair and deputy chair of the committee be elected by the committee.
- (5) That the deputy chair act as chair when there is no chair or the chair is not present at a meeting.

- (6) 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.
- (7) 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 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.
- (8) 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.
- (9) 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.
- (10) 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.

Orders of the Day relating to Government Documents

- *1 **Australian Law Reform Commission—Report no. 92—The judicial power of the Commonwealth: A review of the *Judiciary Act 1903* and related legislation**
Consideration (12 February 2002).
- *2 **APEC—Australia’s individual action plan 2001**
Consideration (12 February 2002).
- *3 **Aged Care Standards and Accreditation Agency Limited—Report for 2000-01**
Consideration (12 February 2002).
- *4 **Aged Care Act 1997—Report for 2000-01 on the operation of the Act**
Consideration (12 February 2002).
- *5 **Commissioner for Complaints—Report for 2000-01**
Consideration (12 February 2002).
- *6 **Australian Prudential Regulation Authority—Report for 2000-01**
Consideration (12 February 2002).
- *7 **Australia Council—Report for 2000-01**
Consideration (12 February 2002).
- *8 **Department of the Prime Minister and Cabinet—Report for 2000-01**
Consideration (12 February 2002).
- *9 **Tiwi Land Council—Report for 2000-01**
Consideration (12 February 2002).
- *10 **Torres Strait Regional Authority—Report for 2000-01**
Consideration (12 February 2002).
- *11 **Private Health Insurance Administration Council—Report for 2000-01**

Consideration (12 February 2002).

- *12 **Aboriginal Hostels Limited—Report for the period 25 June 2000 to 23 June 2001**
Consideration (12 February 2002).
- *13 **Indigenous Land Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *14 **Northern Land Council—Report for 2000-01**
Consideration (12 February 2002).
- *15 **Director of Professional Services Review—Report for 2000-01**
Consideration (12 February 2002).
- *16 **Wet Tropics Management Authority—Report for 2000-01**
Consideration (12 February 2002).
- *17 **Australian Institute of Marine Science—Report for 2000-01**
Consideration (12 February 2002).
- *18 **Australian Trade Commission (Austrade)—Report for 2000-01**
Consideration (12 February 2002).
- *19 **Australian National Training Authority—Report for 2000-01**
Consideration (12 February 2002).
- *20 **Australian National Training Authority—Australia’s vocational education and training system—Report for 2000—Volumes 1, 2 and 3**
Consideration (12 February 2002).
- *21 **Centrelink—Report for 2000-01**
Consideration (12 February 2002).
- *22 **Export Finance and Insurance Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *23 **Department of Immigration and Multicultural Affairs—Report for 2000-01, including reports pursuant to the *Immigration (Education) Act 1971* and the *Australian Citizenship Act 1948***
Consideration (12 February 2002).
- *24 **Department of Reconciliation and Aboriginal and Torres Strait Islander Affairs—Report for the period 30 January to 30 June 2001**
Consideration (12 February 2002).
- *25 **Australian Tourist Commission—Report for 2000-01**
Consideration (12 February 2002).
- *26 **Department of Foreign Affairs and Trade—Report for 2000-01—Volume 1: Department of Foreign Affairs and Trade**
Consideration (12 February 2002).
- *27 **Department of Foreign Affairs and Trade—Report for 2000-01—Volume 2: Australian Agency for International Development (AusAID)**
Consideration (12 February 2002).

- *28 **Australian Postal Corporation (Australia Post)—Report for 2000-01**
Consideration (12 February 2002).
- *29 **National Residue Survey—Report for 2000-01**
Consideration (12 February 2002).
- *30 **Department of Education, Training and Youth Affairs—Report for 2000-01**
Consideration (12 February 2002).
- *31 **Australian Wine and Brandy Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *32 **Director of National Parks—Report for 2000-01**
Consideration (12 February 2002).
- *33 **Royal Australian Mint—Report for 2000-01**
Consideration (12 February 2002).
- *34 **Australian Office of Financial Management—Report for 2000-01**
Consideration (12 February 2002).
- *35 **Reserve Bank of Australia—Equal employment opportunity program—
Report for 2000-01**
Consideration (12 February 2002).
- *36 **Australian Customs Service—Report for 2000-01**
Consideration (12 February 2002).
- *37 **Australian Federal Police—Report for 2000-01, including a report pursuant
to the *Complaints (Australian Federal Police) Act 1981***
Consideration (12 February 2002).
- *38 **Australian Industry Development Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *39 **Australian Safeguards and Non-Proliferation Office—Report for 2000-01**
Consideration (12 February 2002).
- *40 **Australian Institute of Aboriginal and Torres Strait Islander Studies—Report
for 2000-01**
Consideration (12 February 2002).
- *41 **Central Land Council—Report for 2000-01**
Consideration (12 February 2002).
- *42 **Military Superannuation and Benefits Board of Trustees No. 1—Report for
2000-01**
Consideration (12 February 2002).
- *43 **Defence Force Retirement and Death Benefits Authority—Report for 2000-01**
Consideration (12 February 2002).
- *44 **Department of Communications, Information Technology and the Arts—
Report for 2000-01**
Consideration (12 February 2002).

- *45 **National Office for the Information Economy—Report for the period 18 October 2000 to 30 June 2001**
Consideration (12 February 2002).
- *46 **Department of the Environment and Heritage—Report for 2000-01, including the report of the Supervising Scientist and reports on the operation of the *Hazardous Waste (Regulation of Exports and Imports) Act 1989* and the *Ozone Protection Act 1989***
Consideration (12 February 2002).
- *47 **Australian Institute of Criminology and Criminology Research Council—Reports for 2000-01**
Consideration (12 February 2002).
- *48 **Bankstown Airport Limited—Report for 2000-01**
Consideration (12 February 2002).
- *49 **Camden Airport Limited—Report for 2000-01**
Consideration (12 February 2002).
- *50 **Hoxton Airport Limited—Report for 2000-01**
Consideration (12 February 2002).
- *51 **Royal Australian Air Force Veterans' Residences Trust Fund—Report for 2000-01**
Consideration (12 February 2002).
- *52 **Defence Housing Authority—Report for 2000-01**
Consideration (12 February 2002).
- *53 **Services Trust Funds—Reports for 2000-01 of the Australian Military Forces Relief Trust Fund, the Royal Australian Navy Welfare Trust Fund and the Royal Australian Air Force Welfare Trust Fund**
Consideration (12 February 2002).
- *54 **Insolvency and Trustee Service Australia—Report for 2000-01**
Consideration (12 February 2002).
- *55 **Inspector-General in Bankruptcy—Report for 2000-01 on the operation of the *Bankruptcy Act 1966***
Consideration (12 February 2002).
- *56 **Office of Film and Literature Classification—Classification Board and Classification Review Board—Reports for 2000-01**
Consideration (12 February 2002).
- *57 **Australian Institute of Health and Welfare—Report for 2000-01**
Consideration (12 February 2002).
- *58 **Health Insurance Commission—Equity and diversity program—Report for 2000-01**
Consideration (12 February 2002).
- *59 **Department of the Treasury—Report for 2000-01**
Consideration (12 February 2002).

- *60 National Oceans Office—Report for 2000-01**
Consideration (12 February 2002).
- *61 Department of Finance and Administration—Report for 2000-01**
Consideration (12 February 2002).
- *62 Commissioner for Superannuation (ComSuper)—Report for 2000-01, including reports on the administration and operation of the *Papua New Guinea (Staffing Assistance) Act 1973* and the *Superannuation Act 1922***
Consideration (12 February 2002).
- *63 CSS Board—Commonwealth Superannuation Scheme—Report for 2000-01**
Consideration (12 February 2002).
- *64 PSS Board—Public Sector Superannuation Scheme—Report for 2000-01**
Consideration (12 February 2002).
- *65 Anindilyakwa Land Council—Report for 2000-01**
Consideration (12 February 2002).
- *66 Health Services Australia Ltd (HSA)—Report for 2000-01**
Consideration (12 February 2002).
- *67 Department of Family and Community Services—Report for 2000-01**
Consideration (12 February 2002).
- *68 Health Insurance Commission—Report for 2000-01**
Consideration (12 February 2002).
- *69 Public Service Commissioner—Report for 2000-01, incorporating the report of the Merit Protection Commissioner**
Consideration (12 February 2002).
- *70 Australian Electoral Commission—Report for 2000-01**
Consideration (12 February 2002).
- *71 National Capital Authority—Report for 2000-01**
Consideration (12 February 2002).
- *72 Snowy Mountains Hydro-electric Authority—Report for 2000-01**
Consideration (12 February 2002).
- *73 Indigenous Business Australia—Report for 2000-01, incorporating the final report of the Aboriginal and Torres Strait Islander Commercial Development Corporation for the period 1 July 2000 to 17 April 2001**
Consideration (12 February 2002).
- *74 Australian Film, Television and Radio School—Report for 2000-01**
Consideration (12 February 2002).
- *75 Australian Film Commission—Report for 2000-01**
Consideration (12 February 2002).
- *76 Film Australia Limited—Report for 2000-01**
Consideration (12 February 2002).

- *77 National Gallery of Australia—Report for 2000-01**
Consideration (12 February 2002).
- *78 Army and Air Force Canteen Service Board of Management (trading as Frontline Defence Services)—Report for 2000-01, incorporating a report of its equal employment opportunity program for 2000-01**
Consideration (12 February 2002).
- *79 Department of Defence—Special purpose flights—Schedule for the period 1 January to 30 June 2001**
Consideration (12 February 2002).
- *80 Crimes Act 1914—Report on controlled operations for 2000-01**
Consideration (12 February 2002).
- *81 Witness Protection Act 1994—Report for 2000-01 on the operation of the Act**
Consideration (12 February 2002).
- *82 Public Service and Merit Protection Commission—Report for 2000-01—State of the service**
Consideration (12 February 2002).
- *83 Public Service and Merit Protection Commission—Report for 2000-01—Workplace diversity**
Consideration (12 February 2002).
- *84 Bureau of Meteorology—Report for 2000-01**
Consideration (12 February 2002).
- *85 National Library of Australia—Report for 2000-01**
Consideration (12 February 2002).
- *86 National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2000-01**
Consideration (12 February 2002).
- *87 Australian National Maritime Museum—Report for 2000-01**
Consideration (12 February 2002).
- *88 Australia New Zealand Food Authority—Report for 2000-01**
Consideration (12 February 2002).
- *89 Department of Transport and Regional Development—Report for 2000-01**
Consideration (12 February 2002).
- *90 Albury-Wodonga Development Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *91 Repatriation Commission, Department of Veterans' Affairs and National Treatment Monitoring Committee—Reports for 2000-01, including reports pursuant to the *Defence Service Homes Act 1918* and the *War Graves Act 1980***
Consideration (12 February 2002).
- *92 Australian Radiation Protection and Nuclear Safety Agency—Report for 2000-01**
Consideration (12 February 2002).

- *93 **Australian War Memorial—Report for 2000-01**
Consideration (12 February 2002).
- *94 **Veterans' Review Board—Report for 2000-01**
Consideration (12 February 2002).
- *95 **Repatriation Medical Authority—Report for 2000-01**
Consideration (12 February 2002).
- *96 **Department of Veterans' Affairs—Data-matching program—Report for 1998-2001**
Consideration (12 February 2002).
- *97 **Refugee Review Tribunal—Report for 2000-01**
Consideration (12 February 2002).
- *98 **Aboriginal and Torres Strait Islander Commission—Report for 2000-01**
Consideration (12 February 2002).
- *99 **Federal Police Disciplinary Tribunal—Report for 2000-01**
Consideration (12 February 2002).
- *100 **Sydney Airports Corporation Limited—Report for 2000-01**
Consideration (12 February 2002).
- *101 **Department of Agriculture, Fisheries and Forestry—Report for 2000-01—
Volumes 1 and 2**
Consideration (12 February 2002).
- *102 **Australian Fisheries Management Authority—Report for 2000-01**
Consideration (12 February 2002).
- *103 **Australian Pork Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *104 **Cotton Research and Development Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *105 **Dairy Research and Development Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *106 **Fisheries Research and Development Corporation and Fisheries Research
and Development Corporation Selection Committee—Reports for 2000-01**
Consideration (12 February 2002).
- *107 **Grains Research and Development Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *108 **Grape and Wine Research and Development Corporation—Report
for 2000-01**
Consideration (12 February 2002).
- *109 **Pig Research and Development Corporation—Report for 2000-01 (Final)**
Consideration (12 February 2002).

- *110 Rural Industries Research and Development Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *111 National Registration Authority for Agricultural and Veterinary Chemicals—Report for 2000-01**
Consideration (12 February 2002).
- *112 Department of Industry, Science and Resources—Report for 2000-01**
Consideration (12 February 2002).
- *113 Migration Review Tribunal—Report for 2000-01**
Consideration (12 February 2002).
- *114 Inspector-General of Intelligence and Security—Report for 2000-01**
Consideration (12 February 2002).
- *115 Tobacco Research and Development Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *116 Australian Dairy Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *117 Australia-Japan Foundation—Report for 2000-01**
Consideration (12 February 2002).
- *118 Office of the Commonwealth Director of Public Prosecutions—Report for 2000-01**
Consideration (12 February 2002).
- *119 Department of Employment, Workplace Relations and Small Business—Report for 2000-01**
Consideration (12 February 2002).
- *120 Comcare Australia—Report for 2000-01, including the report of QWL Corporation Pty Limited**
Consideration (12 February 2002).
- *121 Safety, Rehabilitation and Compensation Commission—Report for 2000-01**
Consideration (12 February 2002).
- *122 Equal Opportunity for Women in the Workplace Agency—Report for the period 1 June 2000 to 31 May 2001**
Consideration (12 February 2002).
- *123 Coal Mining Industry (Long Service Leave Funding) Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *124 Australian Industrial Relations Commission and Australian Industrial Registry—Reports for 2000-01**
Consideration (12 February 2002).
- *125 National Occupational Health and Safety Commission—Report for 2000-01**
Consideration (12 February 2002).

- *126 **Defence Force Remuneration Tribunal—Report for 2000-01**
Consideration (12 February 2002).
- *127 **Seafarers Safety, Rehabilitation and Compensation Authority—Report for 2000-01**
Consideration (12 February 2002).
- *128 **National Museum of Australia—Report for 2000-01**
Consideration (12 February 2002).
- *129 **Department of Defence—Report for 2000-01**
Consideration (12 February 2002).
- *130 **National Road Transport Commission—Report for 2000-01**
Consideration (12 February 2002).
- *131 **Federal Court of Australia—Report for 2000-01**
Consideration (12 February 2002).
- *132 **Sugar Research and Development Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *133 **Office of Assets Sales and Information Technology Outsourcing—Report for 2000-01**
Consideration (12 February 2002).
- *134 **Office of Parliamentary Counsel—Report for 2000-01**
Consideration (12 February 2002).
- *135 **Industrial Relations Court of Australia—Report for 2000-01**
Consideration (12 February 2002).
- *136 **Australian Government Solicitor—Report for 2000-01**
Consideration (12 February 2002).
- *137 **Administrative Appeals Tribunal—Report for 2000-01**
Consideration (12 February 2002).
- *138 **Attorney-General's Department—Report for 2000-01**
Consideration (12 February 2002).
- *139 **Commonwealth Ombudsman—Report for 2000-01, including a report of the Defence Force Ombudsman and a report pursuant to the *Complaints (Australian Federal Police) Act 1981***
Consideration (12 February 2002).
- *140 **Australian Hearing Services (Australian Hearing)—Report for 2000-01**
Consideration (12 February 2002).
- *141 **Department of Health and Aged Care—Report for 2000-01, including a report on the administration and operation of the Therapeutic Goods Administration—Volumes 1 and 2**
Consideration (12 February 2002).
- *142 **Social Security Appeals Tribunal—Report for 2000-01**
Consideration (12 February 2002).

- *143 **Federal Magistrates Service—Report for 2000-01**
Consideration (12 February 2002).
- *144 **Australian Greenhouse Office—Report for 2000-01**
Consideration (12 February 2002).
- *145 **Great Barrier Reef Marine Park Authority—Report for 2000-01**
Consideration (12 February 2002).
- *146 **Australian Heritage Commission—Report for 2000-01**
Consideration (12 February 2002).
- *147 **Members of Parliament (Staff) Act 1984—Report for 2000-01 on consultants engaged under section 4 of the Act**
Consideration (12 February 2002).
- *148 **Civil Aviation Safety Authority Australia—Report for 2000-01**
Consideration (12 February 2002).
- *149 **Airservices Australia—Report for 2000-01**
Consideration (12 February 2002).
- *150 **Australian Research Council—Report for 2000-01**
Consideration (12 February 2002).
- *151 **Forest and Wood Products Research and Development Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *152 **Australian Sports Drug Agency—Report for 2000-01**
Consideration (12 February 2002).
- *153 **Australian Film Finance Corporation Limited—Report for 2000-01**
Consideration (12 February 2002).
- *154 **Australian Maritime Safety Authority—Report for 2000-01**
Consideration (12 February 2002).
- *155 **Australian Communications Authority—Report for 2000-01**
Consideration (12 February 2002).
- *156 **Family Court of Australia—Report for 2000-01**
Consideration (12 February 2002).
- *157 **Australian Institute of Family Studies—Report for 2000-01**
Consideration (12 February 2002).
- *158 **Dairy Adjustment Authority—Report for the period 3 April 2000 to 30 June 2001**
Consideration (12 February 2002).
- *159 **Snowy Mountains Council—Report for 2000-01**
Consideration (12 February 2002).
- *160 **Australian Centre for International Agricultural Research—Report for 2000-01**

Consideration (12 February 2002).

- *161 **Department of Education, Training and Youth Affairs—Report for 2000-01—Corrigenda**
Consideration (12 February 2002).
- *162 **Migration Agents Registration Authority—Report for 2000-01**
Consideration (12 February 2002).
- *163 **Office of the Official Secretary to the Governor-General—Report for 2000-01**
Consideration (12 February 2002).
- *164 **CrimTrac Agency—Report for 2000-01**
Consideration (12 February 2002).
- *165 **Office of the Federal Privacy Commissioner—Report for 2000-01 on the operation of the *Privacy Act 1988***
Consideration (12 February 2002).
- *166 **Australian Law Reform Commission—Report for 2000-01 (Report no. 93)**
Consideration (12 February 2002).
- *167 **National Native Title Tribunal—Report for 2000-01**
Consideration (12 February 2002).
- *168 **Dried Fruits Research and Development Council—Report for 2000-01**
Consideration (12 February 2002).
- *169 **Comcare Australia—Report for 2000-01, including the report of QWL Corporation Pty Limited—Addendum**
Consideration (12 February 2002).
- *170 **Australian Landcare Council—Report for 2000-01**
Consideration (12 February 2002).
- *171 **Department of the Environment and Heritage—Report for 2000-01, including the report of the Supervising Scientist and reports on the operation of the *Hazardous Waste (Regulation of Exports and Imports (Act) 1989* and the *Ozone Protection Act 1989*—Corrigendum**
Consideration (12 February 2002).
- *172 **Land and Water Resources Research and Development Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *173 **Australian Sports Commission—Report for 2000-01**
Consideration (12 February 2002).
- *174 **Employment National Limited—Report for 2000-01**
Consideration (12 February 2002).
- *175 **Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2000-01**
Consideration (12 February 2002).
- *176 **Commissioner of Taxation—Report for 2000-01**

Consideration (12 February 2002).

- *177 **Medibank Private—Report for 2000-01**
Consideration (12 February 2002).
- *178 **Medibank Private—Statement of corporate intent 2001-2004**
Consideration (12 February 2002).
- *179 **National Standards Commission—Report for 2000-01**
Consideration (12 February 2002).
- *180 **ComLand Limited—Report for 2000-01**
Consideration (12 February 2002).
- *181 **Family Law Council—Report for 2000-01**
Consideration (12 February 2002).
- *182 **Superannuation Complaints Tribunal—Report for 2000-01**
Consideration (12 February 2002).
- *183 **Financial Reporting Council and Australian Accounting Standards Board—
Reports for 2000-01**
Consideration (12 February 2002).
- *184 **Companies and Securities Advisory Committee—Report for 2000-01**
Consideration (12 February 2002).
- *185 **Australian Securities and Investments Commission—Report for 2000-01**
Consideration (12 February 2002).
- *186 **Goldfields Land and Sea Council—Report for 2000-01**
Consideration (12 February 2002).
- *187 **Commonwealth Government of Australia—Consolidated financial statements
for the year ended 30 June 2001—Statement**
Consideration (12 February 2002).
- *188 **Commonwealth Scientific and Industrial Research Organisation (CSIRO)—
Report for 2000-01**
Consideration (12 February 2002).
- *189 **Australian Nuclear Science and Technology Organisation (ANSTO)—Report
for 2000-01**
Consideration (12 February 2002).
- *190 **Australian Institute of Health and Welfare—Australia’s welfare 2001:
Services and assistance—Fifth biennial report**
Consideration (12 February 2002).
- *191 **Australian Broadcasting Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *192 **Department of the Treasury—Tax expenditures statement 2001, December
2001**
Consideration (12 February 2002).

- *193 **Industry Research and Development Board—Report for 2000-01**
Consideration (*12 February 2002*).
- *194 **Foreign Investment Review Board—Report for 2000-01**
Consideration (*12 February 2002*).
- *195 ***Managed Investments Act 1998*—Review of the Act pursuant to section 3—
Report by Mr Malcolm Turnbull, dated 3 December 2001**
Consideration (*12 February 2002*).
- *196 **Human Rights and Equal Opportunity Commission—Report for 2000-01**
Consideration (*12 February 2002*).
- *197 **Australia Business Arts Foundation Ltd—Report for 2000-01**
Consideration (*12 February 2002*).
- *198 **Private Health Insurance Ombudsman—Report for 2000-01**
Consideration (*12 February 2002*).
- *199 **Department of Finance and Administration—Parliamentarians' travel paid
by the Department of Finance and Administration—1 January to 30 June
2001, December 2001**
Consideration (*12 February 2002*).
- *200 **Department of Finance and Administration—Former parliamentarians'
travel paid by the Department of Finance and Administration—1 January to
30 June 2001, December 2001**
Consideration (*12 February 2002*).
- *201 **Department of Industry, Science and Resources—Energy use in
Commonwealth operations—Report for 2000-01**
Consideration (*12 February 2002*).
- *202 **Productivity Commission—Report no. 16—Telecommunications competition
regulation, 21 September 2001**
Consideration (*12 February 2002*).
- *203 ***Freedom of Information Act 1982*—Report for 2000-01 on the operation of the
Act**
Consideration (*12 February 2002*).
- *204 **Special Broadcasting Service Corporation (SBS)—Report for 2000-01**
Consideration (*12 February 2002*).
- *205 **Commonwealth Government of Australia—Consolidated financial statements
for the year ended 30 June 2001**
Consideration (*12 February 2002*).
- *206 **Centrelink and the Data-Matching Agency—Data-matching program—
Report on progress for 1998-2001**
Consideration (*12 February 2002*).
- *207 **Private Health Insurance Administration Council—Report for 2000-01 on the
operations of the registered health benefits organisations**
Consideration (*12 February 2002*).

- *208 **Australian Government Solicitor—Statement of corporate intent 2001-02**
Consideration (12 February 2002).
- *209 **Australian Competition and Consumer Commission—Report for 2000-01**
Consideration (12 February 2002).
- *210 **Joint Coal Board—Report for 2000-01**
Consideration (12 February 2002).
- *211 **Central Queensland Land Council Aboriginal Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *212 **North Queensland Land Council Native Title Representative Body Aboriginal Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *213 **Yamatji Barna Baba Maaja Aboriginal Corporation—Report for 2000-01**
Consideration (12 February 2002).
- *214 **Australian Statistics Advisory Council—Report for 2000-01**
Consideration (12 February 2002).
- *215 **High Court of Australia—Report for 2000-01**
Consideration (12 February 2002).
- *216 **Private Health Insurance Administration Council—Report for 2000-01 on the operations of the registered health benefits organisations—Errata**
Consideration (12 February 2002).
- *217 **Landcare Australia Limited—Report for 2000-01**
Consideration (12 February 2002).
- *218 **Torres Strait Protected Zone Joint Authority—Report for 1999-2000**
Consideration (12 February 2002).
- *219 **Wheat Export Authority—Report for 1 October 2000 to 30 September 2001**
Consideration (12 February 2002).
- *220 **Commissioner of Taxation—Data-matching program—ATO's interaction with the program—Report for 1998-99 to 2000-01**
Consideration (12 February 2002).
- *221 **Medical Training Review Panel—Report for 2000-01**
Consideration (12 February 2002).
- *222 **Australian Rail Track Corporation Limited (ARTC)—Report for 2000-01**
Consideration (12 February 2002).
- *223 **Australian Rail Track Corporation Limited (ARTC)—Statement of corporate intent 2001-02**
Consideration (12 February 2002).
- *224 **International Air Services Commission—Report for 2000-01**
Consideration (12 February 2002).

*225 **Stevedoring Industry Finance Committee—Report for 2000-01**
Consideration (12 February 2002).

*226 **Maritime Industry Finance Company Limited—Report for 2000-01**
Consideration (12 February 2002).

BUSINESS FOR FUTURE CONSIDERATION

On 14 February 2002

General Business—Notice of Motion

*11 **Senator Harris:** To move—That the Senate—

(a) notes:

(i) the recent crisis of bushfires throughout New South Wales and the magnificent effort of the Bush Fire Brigade and associated volunteers and their contribution to averting the worst excesses of that crisis, and

(ii) that volunteers from all over Australia, from all walks of life and profession, volunteered their services and risked life and limb in fighting the bushfires; and

(b) requests that the Government strike a National Services Medal in recognition of the service provided by the volunteers, to be known as the Volunteer Fire Fighters Medal, and that the Government present this medal to all volunteers who gave service in fighting the recent bushfires in New South Wales.

On 11 March 2002

Business of the Senate—Notice of Motion

Notice given 12 February 2002

*1 **Senator Bartlett:** To move—That the following matters be referred to the Legal and Constitutional References Committee for inquiry and report by 19 June 2002:

Aspects of the Government's current policy in relation to asylum seekers and refugees, including, but not limited to:

(a) the impact on the operations of Navy and other Defence forces due to their use in turning around, detaining and transporting boat people;

(b) the processes and criteria being used to assess the asylum seekers who have been transferred to Papua New Guinea (PNG) and Nauru;

(c) the level of access to legal advice for people on PNG and Nauru;

(d) the nature of the facilities which asylum seekers are detained in;

(e) the placement options for those people on PNG and Nauru who are found to be refugees;

(f) whether any asylum seekers who are not found to be refugees will be unable to return to their country of origin and what will be done in such an event;

- (g) the extent and nature of Australia's international involvement in facilitating an orderly worldwide system for movement and settlement of refugees;
- (h) likely future worldwide trends on the movement of refugees;
- (i) the impact and operation of the seven bills amending the Immigration Act which were passed by the Senate on 26 September 2001; and
- (j) reviewing all reports, proposals and recommendations in relation to activities and facilities at the Woomera Immigration Detention Centre, including whether or not the centre should be closed down or its operations scaled back.

QUESTIONS ON NOTICE

Questions on notice from (1) to (18) were received by the Table Office prior to the first day of the new session and forwarded to ministers and departments for their information. Questions marked (†) have been answered.

Notice given 12 February 2002

- *1 **Senator Faulkner:** To ask the Minister for Revenue and Assistant Treasurer—
 - (1) Has former Senator Michael Baume been appointed to the Superannuation Complaints Tribunal.
 - (2) Is the letter of appointment dated 3 October 2001, two days before the announcement of the federal election.
 - (3) Was there a public announcement of Mr Baume's appointment; if not, why not.
 - (4) Was Mr Baume's appointment made in accordance with the usual process for appointments to the Superannuation Complaints Tribunal.
 - (5) Was a shortlist of potential appointees to the Superannuation Complaints Tribunal drawn up following the national advertisement for applicants earlier in 2001.
 - (6) Was Mr Baume's name on this shortlist.
 - (7) If Mr Baume's name was not on the shortlist, who recommended him for appointment.
 - (8) Was the Prime Minister or his office involved in the appointment process.
 - (9) What expertise does Mr Baume have to offer the Superannuation Complaints Tribunal.
- *2† **Senator Brown:** To ask the Minister representing the Minister for Citizenship and Multicultural Affairs—
 - (1) Does the department have in its possession a document provided by the Embassy of Lebanon that states that Mr Hussein Ali Hage Khalil Hammoud is a Lebanese national.
 - (2) Why has Mr Hammoud, born in Bnehran, Lebanon, on 5 February 1939, not had his Australian citizenship renounced in accordance with his formal declaration made to the department in 1988.
- *3† **Senator Brown:** To ask the Minister for Defence—
 - (1) What is the current nature of Australia's military relationship with Indonesia.

- (2) In the past few financial years, has Australia trained the Indonesian military (in country training and overseas training) or does it intend to train the TNI in the foreseeable future; if so: (a) where; (b) how many were trained at each military installation; and (c) what is nature of the training or exchange.
- (3) Are there any educational exchanges or other programs between the Australian and Indonesian military; if so: (a) where are they held; (b) how many Australian and Indonesian military personnel are participating; and (c) what is the nature of the exchanges.
- (4) (a) Have any joint military exercises been conducted between Indonesia and Australia; and (b) are any planned in the foreseeable future.
- (5) Does the Australian Government or any government contractor (such as ADI) sell or supply any equipment to the Indonesian military; if so: (a) which companies; (b) what exactly is supplied; (c) how much is supplied; (d) what is it used for; and (e) how much are these contracts worth.
- (6) How much money is being spent on Australia's military relationship with Indonesia.
- (7) Given the TNI's deplorable past and present human rights record: (a) what policies does the Australian Government have regarding training of military personnel from countries with poor human rights records; and (b) what policies are in place for monitoring and holding accountable foreign military personnel trained in Australia once they return home.

*4 **Senator Brown:** To ask the Minister for Forestry and Conservation—With reference to the answer to question on notice no. 3641 (Senate *Hansard*, 20 August 2001, p. 26203): How much of the Commonwealth Government's plantation and industry package, under the Tasmanian Regional Forest Agreement, is planned to be or has already been spent on replacing native forests by plantations.

*5† **Senator Murray:** To ask the Minister representing the Minister for Employment and Workplace Relations—With reference to the answer to question on notice no. 1005 (Senate *Hansard*, 4 March 1998, p. 421):

- (1) Can the Minister provide a table for all unfair dismissal applications under federal and state law for the 2000-01 financial year, for all states and territories, showing federal, state and total amounts on a similar basis to (1) of the referenced question.
- (2) Can the Minister provide a table for all small business unfair dismissal applications under federal and state law for the 2000-01 financial year, for all states and territories, showing federal, state and total amounts on a similar basis to (1) of the referenced question.

Senator Brown: To ask the Ministers listed below (Question Nos *6-*8)—Are any of the security services in Australia able to detect, measure and trace electromagnetic transmissions.

*6 Minister representing the Prime Minister

*7 Minister for Defence

*8 Minister representing the Attorney-General

(Questions 6 and 7 were subsequently transferred to the Minister representing the Attorney-General)

*9 **Senator Brown:** To ask the Minister for Defence—Following the death of Eleanore Tibble in November 2000 and the Stunden report of 3 May 2001:

- (1) What actions have been taken to implement the recommendations of the Stunden report.
- (2) What procedures have been put in place to ensure that in future no cadet is: judged guilty on what they deny, not provided with a right of appeal, denied natural justice, treated less favourably by virtue of their age than an adult enlisted member, and victimised and hounded to death.
- (3) What changes have been made to policy and procedures to ensure that procedural practice is determined by policy and not by summary decisions and *ad hoc* personal persuasion.

*10 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the proposed Ravenswood Waste Management Centre for the Hunter Valley:

- (1) What involvement or responsibility does the department have for this proposal.
- (2) What evidence does the department have that this proposed development will not adversely affect the health of the Hunter Valley residents nor damage the local environment and wine and tourism industries.
- (3) Given the high incidence of a number of rare diseases in the Hunter Valley, what investigations will be carried out to ensure that this proposal and others like it will not further damage the health of the residents of the Hunter Valley.
- (4) Has the Minister received any representations from wineries in the districts surrounding the proposed 'superdump', expressing concerns about possible contamination by the vine disease *phylloxera* from waste imported from infected regions; if so, what steps is the government taking to allay these concerns.
- (5) What is the government's position on the establishment of new toxic waste dumps.
- (6) Is the Minister concerned that this massive landfill site is an old mining void with a significant spontaneous combustion problem and is located alongside underground mining operations, is on a fault line and will be close to several creeks that feed into the Hunter River.
- (7) What communication has the department had with other federal departments that are affected by this proposal, including the Department of Health and Ageing and the Department of Agriculture, Fisheries and Forestry.

*11 **Senator Brown:** To ask the Minister for Family and Community Services—

- (1) Is the Minister aware of the promising results of the Safecare Programs in Western Australia, aimed at reducing child abuse.
- (2) What measures is the Government taking to assess or help implement Safecare in Australia generally.

*12 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's visit to the United States of America (US) in early December 2001:

- (1) (a) Who travelled with the Minister; (b) what was the cost of the trip; and (c) who met that cost.
- (2) (a) Who initiated the visit; (b) when was the final decision made to visit the US; and (c) when was the itinerary for the visit finalised.

- (3) Who did the Minister meet during his visit to the US and what were the times and dates on which each meeting took place.
- *13 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—
- (1) In 2000 and 2001 what contact did the Minister or his office have with the United States of America (US) administration regarding the US Farm Bill.
 - (2) In each case: (a) who initiated the contact; (b) when was the contact made; and (c) what was the nature of the contact.
 - (3) On each occasion contact was made with the US Administration, what follow-up action was taken by the Minister, his office or the department.
 - (4) In each case: (a) what was the nature of the follow-up action; and (b) what was the result of the follow-up action.
- *14 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—
- (1) In 2000 and 2001 on how many occasions did the Minister or his office seek a briefing, or receive a briefing, on proposed assistance to farmers in the United States of America (US) through the US Farm Bill.
 - (2) In 2000 and 2001 on how many occasions was the Minister or his office provided with a briefing, at the initiative of the department, on the proposed assistance to farmers in the US through the US Farm Bill.
 - (3) In each case: (a) what was the nature of the briefing; (b) was the briefing in written form; and (c) on what date was the briefing provided to the Minister or his office.
- *15 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—
- (1) When was the Minister or his office first advised of a proposed increase in financial support to farmers in the United States of America (US) through the US Farm Bill.
 - (2) (a) Who advised the Minister or his office of the proposed increase in assistance to farmers in the US; (b) when was the Minister or his office advised; and (c) how was the Minister or his office advised.
- *16 **Senator Murray:** To ask the Minister representing the Minister for Employment and Workplace Relations—
- (1) How many small businesses are there in each state and territory.
 - (2) For each state and territory, how many small businesses fall under the Federal Workplace Relations Act provisions for unfair dismissal, as opposed to state provisions for unfair dismissal.
- *17 **Senator Murray:** To ask the Special Minister of State—With reference to the Australian National Audit Office Performance Audit entitled *Parliamentary Entitlements: 1999-2000*, which indicates that 'as of June 2001, around 30 per cent of current and former Parliamentarians had not provided a certification of their 1999-2000 management reports' (page 25): Are there any 1999-2000 management reports which have still not been certified; if so: (a) how many reports have not been certified; and (b) what are the names of all current and former parliamentarians who have not provided a certification of their 1999-2000 management reports.

*18 **Senator Bartlett:** To ask the Minister representing the Minister for the Environment and Heritage—

- (1) Was a spearfishing competition held in the Great Barrier Reef Marine Park in 2001.
- (2) Where in the Park did the competition take place.
- (3) Did the competition apply for and receive a permit from the Great Barrier Reef Marine Park Authority.
- (4) Was the permit application publicly advertised, allowing for public comment on the proposal.
- (5) Who assessed the permit application.
- (6) Who signed the permit.
- (7) Can details provided of the environmental assessment of the proposal that occurred, including sources of information and studies conducted.
- (8) Can a detailed summary of the findings and recommendations of that assessment be provided.
- (9) Was the competition proposal assessed in terms of the World Heritage obligations owed to the Great Barrier Reef World Heritage Area.
- (10) How does a spearfishing competition conform to those World Heritage obligations.
- (11) What conditions were imposed on the permit holder.
- (12) What zoning was the competition site.
- (13) How many fish were killed during the competition.
- (14) What species (and numbers of each species) were killed during the competition.
- (15) Did any Authority staff participate in the competition; if so, who and what positions do they hold.
- (16) Were any Authority staff present during the competition as monitors; if so, who.
- (17) What number of killed fish were subject to scientific study.
- (18) Can details be provided of: (a) all scientists involved; (b) the nature of the studies undertaken; and (c) the results, if available, of those studies.
- (19) Were the dead fish used for other purposes; if so, what purposes and what numbers.
- (20) How many fish were not used at all but were discarded for whatever reason.
- (21) What impacts occurred as a result of the competition.
- (22) What post-competition monitoring has occurred.

*19 **Senator Brown:** To ask the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) Have Mrs Kefaya Ahmad and her son Ali Abdul-Razzaq been in detention for more than 2 years.
- (2) What is the difficulty and what has caused the delay in assessing their request for asylum.
- (3) What are the options being considered for the two and when is a decision expected.

*20 **Senator Bartlett:** To ask the Minister for Defence—

- (1) Is research into active sonar a research priority of the department.
- (2) (a) What is the decibel range of the low frequency active sonar (LFAS); and (b) in the marine environment, how far can that sound travel.
- (3) Have any active sonar tests been conducted by the Australian Navy; if so, where, when, and what permits were: (a) applied for; and (b) received.
- (4) If tests were conducted in the marine environment: (a) what impact assessment was undertaken; and (b) can those documents be provided.
- (5) What mitigation measures were imposed.
- (6) What information does the Navy have regarding the impacts of LFAS on marine mammals and other marine life.
- (7) (a) What distances/levels of exposure to underwater noise are considered safe for: (i) humans, (ii) different species of whales found in Australian waters, (iii) different species of dolphins found in Australian waters, (iv) dugong, (v) different species of seals found in Australian waters, (vi) fish, with particular reference to threatened species, (vii) different species of turtles, and (viii) different species of marine birds; and (b) can details of the scientific basis for these assessments be provided.
- (9) Is the Navy currently conducting any research into the impacts of LFAS on any species of marine life found in Australian waters; if so, can details be provided.
- (10) Why did the Navy recently withdraw an application for a test of LFAS in the Rottne Trench.
- (11) Are any other tests planned; if so, can details be provided.

*21 **Senator Bartlett:** To ask the Minister representing the Minister for the Environment and Heritage—

- (1) How many seismic tests have been conducted in Australian waters in the past 5 years.
- (2) Can details of those tests be provided, including: (a) the nature of impact assessment that took place; (b) locations of all tests; (c) duration of all tests; (d) intensity of sound (including decibel level); (e) permits applied for and received by the proponent; (f) mitigation measures imposed; (g) the monitoring program in place during the testing; (h) conclusions of any monitoring; (i) the purpose of the tests; and (j) the companies undertaking the tests.
- (3) What is the current state of knowledge regarding noise pollution in Australia; in particular: (a) (i) are the impacts of marine noise on different species of mammals established, and (ii) can details of studies and reports that investigate potential harm to marine life as a result of marine noise be provided; (b) is there any data on the levels of noise in Australian waters from all sources, natural and human; if so, can details be provided; and (c) is there any data on the cumulative impacts of those noise sources; if so, can details be provided.

*22 **Senator Allison:** To ask the Minister for Family and Community Services—With reference to the answer to question on notice no. 3919, asked on 8 October 2001:

- (1) What has the department discovered in its monitoring of child care award rates and the impact of increasing costs on child care services as they relate to the Special Needs Subsidy Scheme (SNSS).
- (2) Has there been any further consideration of a review of the SNSS.

- *23 Senator Bourne:** To ask the Minister for Defence—
- (1) What is the daily at-sea operating cost inclusive of spares, POL contractor and in-house maintenance and crew costs of: (a) an FFG frigate; (b) an ANZAC frigate; (c) a Collins class submarine; (d) the former fast catamaran, *Jervis Bay*, while in service; (e) a Fremantle class patrol boat; and (f) by class, each other ship type in service with the Royal Australian Navy of displacement not less than 500 tons.
 - (2) What are the hourly operating costs, inclusive of spares, POL contractor and in-house maintenance and crew costs, by each type of aircraft in service with the Royal Australian Air Force.
- *24 Senator Bourne:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the questions without notice asked of the Minister by Senator Bourne in September 2001 regarding the aid money given to Nauru in exchange for processing refugees, the allegations of financial impropriety against members of the Nauru Government and Nauru's involvement in money laundering:
- (1) (a) Is the Minister aware of the role the Organisation for Economic Co-operation and Development's Financial Action Task Force is now playing in the international effort to combat terrorism through stamping out money laundering; and (b) is the Minister also aware that the organisation still considers Nauru's efforts to stamp out the practice unsatisfactory.
 - (2) (a) Did the additional \$10 million of aid given in September 2001 include substantial cash payments; (b) is this not contrary to the Minister's 'in kind' description of aid to Nauru; and (c) what transparency and accountability measures have been put in place for these new payments.
 - (3) Will the Minister renew his unfulfilled undertaking to provide a listing of the component parts of Australian money given to Nauru as part of the so-called 'Pacific Solution'.
- *25 Senator O'Brien:** To ask the Minister representing the Minister for Trade—
- (1) Is the department currently involved in attempting to facilitate access for Australian rural exports to the Philippines; if so, in each case: (a) what is the product Australia is seeking to export; (b) what was the original timetable set by the department for accessing the Philippine market; (c) what is the process being following in order to facilitate access; and (d) what is the current timetable for accessing the market.
 - (2) In each case, if there have been any delays in accessing the Philippine market: (a) what caused the delay; (b) when did the action or incident that caused the delay occur; and (c) what action has the department taken to overcome the problem.
- *26 Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—In the 1998-99, 1999-2000 and 2000-01 financial years, by month: (a) how many air operating certificates (AOCs) were suspended; (b) how many AOC holders were issued with a 'Show Cause' notice; (c) how many AOCs were cancelled; and (d) how many AOC holders surrendered their AOCs.
- *27 Senator O'Brien:** To ask the Minister representing the Minister for Trade—
- (1) (a) What is the cost of the Reflection Sydney 2000 promotion; and (b) who met that cost.

- (2) What consultancies have been let as part of the campaign, in each case: (a) who is the consultant; (b) what is the cost of each consultancy; and (c) what is the duration of each consultancy.
- (3) (a) How many videos were produced as part of the promotion; (b) to whom were these videos distributed; and (c) what was the cost of the production of the videos.
- (4) (a) How many books were produced as part of the promotion; (b) to whom were these books distributed; and (c) what was the cost of the production of the books.
- (5) (b) How many CD ROMS were produced as part of the promotion; (b) to whom were these CD ROMS distributed; and (c) what was the cost of the production of the CD ROMS.
- (6) What additional costs including travel costs have been, or will be incurred, as part of this promotion.

*28 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) (a) When did the Civil Aviation Authority (CAA) enter into a formal agreement with the sports aviation sector in relation to the administration of sports aviation; and (b) when did that agreement come into affect.
- (2) Can a copy of that agreement be provided.
- (3) Did that agreement impose conditions on the sports aviation sector in relation to the maintenance of ultralight aircraft; if so: (a) what were those conditions; and (b) were they provided in a technical manual that required the approval of the CAA; if so, (i) when was the manual approved, and (ii) can a copy be provided.
- (4) (a) When did the Civil Aviation Safety Authority (CASA) enter into an agreement with the Australian Ultralight Federation in relation to the administration of sports aviation; and (b) when did that agreement come in affect.
- (5) Can a copy of that agreement be provided.
- (6) Did that agreement impose conditions on the sports aviation sector in relation to the maintenance of ultralight aircraft; if so: (a) what were those conditions; and (b) were they provided in a technical manual that required the approval of CASA; if so, (i) when was the manual approved, and (ii) can a copy be provided.
- (7) Since the first sports aviation technical manual was approved: (a) on how many occasions has the manual been amended; (b) when was each amendment made; (c) on each occasion who initiated the amendment; and (d) what was the nature of each amendment.

*29 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Did the agreement between the Civil Aviation Authority (CAA) and the sports aviation sector in relation to the administration of sports aviation require the development and approval of an operations manual prior to the agreement coming into effect; if so: (a) when was that operations manual approved by the CAA; and (b) can a copy be provided.
- (2) Did the agreement between the Civil Aviation Safety Authority (CASA) and the Australian Ultralight Federation in relation to the administration of sports aviation require the development and approval of an operations

manual prior to the agreement coming into effect; if so: (a) when was the operations manual approved by CASA; and (b) can a copy of that agreement be provided.

- (3) Since the first sports aviation operations manual was approved: (a) on how many occasions has the manual been amended; (b) when was each amendment made; (c) on each occasion who initiated the amendment; and (d) what was the nature of each amendment.

*30 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) When was the proposal for a bypass around Moree first brought to the Minister's attention or the attention of his staff.
- (2) (a) Who raised the Moree bypass proposal with the Minister or his staff; and (b) how was the proposal first raised.
- (3) (a) When was the proposal for a Moree bypass first raised with the department; (b) who raised the proposal; and (c) how was it first raised with the department.

*31 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—Did the Minister or his staff contact the Moree Plains Council about the proposed Moree bypass; if so: (a) when was contact made; (b) who initiated the contact; and (c) was the contact with or by the Minister, or his staff.

*32 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—Did the Minister or his staff contact the Moree Chamber of Commerce about the proposed Moree bypass; if so: (a) when was contact made; (b) who initiated the contact; and (c) was the contact with or by the Minister, or his staff.

*33 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—Did the Minister or his staff contact the New South Wales Roads and Traffic Authority about the proposed Moree bypass; if so: (a) when was contact made; (b) who initiated the contact; and (c) was the contact with or by the Minister, or his staff.

*34 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) When did the department first become aware of a proposal for a Moree bypass contained in forward strategy reports prepared by the New South Wales Roads and Traffic Authority.
- (2) When did the proposed Moree bypass first appear in the above forward strategy reports.
- (3) When was federal funding first allocated for the development of a proposal for the construction of the proposed bypass.
- (4) (a) How much funding has been allocated to date; and (b) what is the purpose of this funding.
- (5) If no funding has yet been allocated, when will funding be allocated for the Moree bypass.

*35 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) What negotiations or discussions have there been with the New South Wales Roads and Traffic Authority (RTA), the Moree Plains Council and

the Moree Chamber of Commerce about possible Commonwealth funding for the proposed Moree bypass.

- (2) (a) When did those negotiations or discussions take place with the RTA, the Council and the Chamber of Commerce; (b) who initiated those discussions; (c) what role did the Minister or his staff play in those discussions; and (d) what was the outcome of those discussions.

*36 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) What assessment process has been undertaken to date of the route selection for the proposed Moree bypass.
- (2) What role has, or will, the department play in the above route selection process.
- (3) What role has, or will, the Minister or his staff play in the above route selection process.
- (4) (a) Who initiated the route selection process; (b) what has been the cost to date; and (c) who has undertaken the above work.
- (5) (a) What has been the public consultative process followed to date in relation to the above route selection process; (b) who is managing that process; and (c) what has been the outcome of that process.
- (6) (a) How many routes are currently under consideration; (b) what is the estimated cost of each of these options; (c) what is the level of community support and what is the basis of that support for each of the above options; and (d) what is the environmental impact of each of these options.

*37 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) What negotiations or discussions have there been with the New South Wales Roads and Traffic Authority (RTA), the Moree Plains Council and the Moree Chamber of Commerce about route options for the proposed Moree bypass.
- (2) (a) When did those negotiations or discussions take place with the RTA, the Council and the Chamber of Commerce; (b) who initiated those discussions; (c) what role did the Minister or his staff play in those discussions; and (d) what was the outcome of those discussions.
- (3) What route options for a Moree bypass have been contained in forward strategy reports prepared by the RTA.
- (4) When did those route options first appear in the RTA forward strategy reports.

*38 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Since January 1999, how many staff employed by the Civil Aviation Safety Authority have been relocated at the Authority's expense.
- (2) In each case: (a) what position did the officer hold prior to the transfer; (b) where was the officer located; (c) where was each officer transferred to; and (d) what position did the officer hold following the transfer.
- (3) In each case: (a) when did the transfer take place; and (b) what relocation and other allowances were paid to the officer.
- (4) In each case, what was the value and duration of each of the above location and other allowances.

- (5) Since January 1999, have any officers been relocated on more than one occasion; if so: (a) how many officers were involved; and (b) in each case, on how many occasions has each officer been relocated.

*39 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Can the Minister confirm that a letter (reference K98/1492—K98/1751) contained in documents (file reference K99—92—0007) relating to an investigation into heavy vehicles undertaken by Roaduser International, and tabled in response to an order for the production of documents by the Senate, was not the only written communication from Louise and John Bauer.
- (2) If all written communications from Mrs and Mr Bauer were contained in the documents tabled on 27 November 2000 in response to the order, can the Minister provide specific reference numbers for the additional documents.
- (3) If all written communications from Mrs and Mr Bauer were not contained in the tabled documents: (a) why were they deleted; and (b) can copies of all these documents be provided.

*40 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Can the Minister confirm that an inspection of a heavy vehicle, a Mack CH Fleetliner (F4), took place on 24 March 1999 as part of an investigation into problems associated with heavy vehicles (reference K99—92—0008 in documents tabled in the Senate on 27 November 2000).
- (2) Was the inspection undertaken by Mr Warren Duncan.
- (3) Did Mr Duncan discover serious safety problems with that vehicle.
- (4) Did Mr Duncan make a number of recommendations following his inspection of the above vehicle; if so: (a) what were those recommendations; and (b) who was responsible for implementing those recommendations.
- (5) Is the Minister, his office or the department aware that the significant safety problems discovered with the above vehicle have still not been corrected and the vehicle continues to operate on public roads; if so, when was the Minister, his office or the department made aware that this vehicle was still operating on public roads despite significant safety problems.
- (6) (a) What action has the Minister taken to ensure the above vehicle does not pose a threat to other road users; and (b) when was that action taken.

*41 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Can the Minister confirm that Mr Scott McFarlane wrote to Mr McLucas from the Federal Office of Road Safety (FORS) on 18 February 1999, advising of inspections of nine prime movers (reference K99—92—00117 in documents tabled in the Senate on 27 November 2000).
- (2) Did Mr McFarlane advise that while all vehicles exhibited problems, four vehicles: a 1997 Mack Titan (F17), a 1997 HN 80 Ford (F6), a HN 80 Ford (F13) and another Ford prime mover were, in fact, unsafe.
- (3) Is the Minister aware of a fax from Mr Peter Sweatman from Roaduser International to Mr Bill Ellis from the department dated 30 June 1999, concerning a draft report from the Driver Education Centre of Australia

(DECA) relating to the above inspections (reference L99—390—38 in the documents tabled).

- (4) (a) Is the Minister aware that that fax stated in part: ‘Subsequently we have confirmed with DECA that the report prepared by Lindsay Pollock is a draft only. We are now awaiting a copy of the final report which may not include the opinion comments on safety concerns to which you have referred’; and (b) is the Minister aware that Mr Ellis noted in the margin of that fax that the contents of the above paragraph were ‘amazing’.
- (5) Did FORS request that it continue to be advised of any safety problems identified by DECA or Roaduser International following the fax from Mr Sweatman to Mr Ellis dated 30 June 1999; if so: (a) on how many occasions was such information provided to FORS; (b) when was the information provided; and (c) what action did FORS take following receipt of that information.
- (6) Did FORS provide that information to vehicle owners or manufacturers; if so: (a) when was it provided; (b) what was the nature of the information provided; and (c) to whom was it provided.
- (7) If FORS did not request that information relating to the safety of vehicles used as part of the inquiry continue to be provided, why not.
- (8) Did FORS seek legal advice as to the status of the reports from Roaduser International and any comments about vehicle safety contained in those reports; if not, why not; if so: (a) when was the legal advice sought; (b) who provided the advice; (c) when was the legal advice received; (d) what did the advice relate to; and (e) what action did FORS take following receipt of that legal advice.
- (9) When was the Minister or his office first advised that a number of the vehicles tested were found to be unsafe to operate.
- (10) What action did the Minister or his office take in response to that advice to ensure unsafe heavy vehicles did not continue to operate on public roads.
- (11) If the Minister or his office was not advised, why not.
- (12) Given that these vehicles were deemed to be unsafe at that time: (a) what action was taken; and (b) who took the action to correct the problems with the vehicles or required that they be removed from public roads until they were considered to be safe to operate.
- (13) Did these four vehicles referred to in document K99—92—00117 exhibit exactly the same unsafe characteristics; if not, what were the differences in the problems identified in each of the above vehicles.
- (14) If those four vehicles did exhibit the same unsafe characteristics, does that suggest a design problem with those vehicles.

*42 **Senator O’Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Can the Minister confirm that a Mack Titan truck (F19) inspected as part of an investigation into problems associated with heavy vehicles exhibited similar problems to those identified in the Mack Titan prime mover (F7) (reference K99—590—00030 in documents tabled in the Senate on 27 November 2000).
- (2) If both the above vehicles displayed similar problems, does that suggest a design problem with that vehicle type.

*43 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Is the Minister aware that Mr Michael Klug, a partner from Clayton Utz, wrote to Mr John Lambert from Roaduser International on 8 April 1999, on behalf of Mack Trucks Australia, criticising a report on the results of vehicle tests carried out in Adelaide on 25 March 1999 (reference K99—590—00098 in documents tabled in the Senate on 27 November 2000).
- (2) Is the Minister aware that the letter states in part: 'We find it astounding that Mack Trucks Australia has not been afforded the opportunity to drive and/or test this vehicle or indeed any of the vehicles that you have been testing'.
- (3) Can the Minister confirm that on three separate occasions prior to vehicle F4 being involved in the heavy vehicle investigation, Mack Trucks Australia was given the opportunity to test drive vehicle F4 but refused.
- (4) Can the Minister also confirm that Mack Trucks Australia was also given a number of opportunities to test drive vehicle F26 but refused those offers.
- (5) If the Minister cannot confirm that Mack Trucks Australia was invited to test both of the above vehicles, will he seek advice from Mack Trucks Australia as to whether such offers were made and the basis for the company's refusal to test drive the trucks.

*44 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Can the Minister confirm that Mack Trucks Australia were given the opportunity to attend a Mack instrumentation test drive in Melbourne on 17 May 1999 (reference K99—804—143 in documents tabled in the Senate on 27 November 2000).
- (2) Was the attendance of the company at the tests a result of a request by Mack Trucks Australia, an offer by the Minister or his office, an offer by the department, or an offer by the Federal Office of Road Safety (FORS).
- (3) If the attendance of the company at the tests was the result of an offer from the Minister, his office or the department: (a) when was the offer made; (b) what was the reason for the offer; and (c) who approved the offer.
- (4) If the attendance of the company at the tests was the result of a request to the Minister or his office, the department or FORS, by the company: (a) who was the request made to; (b) when was the request made; (c) what was the reason for the request; (d) who made the decision to agree to the request; and (e) did the Minister or his office approve the decision to agree to the request.

*45 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Can the Minister confirm that the owners of vehicle F4 inspected as part of an investigation into problems associated with heavy vehicles by Roaduser International were denied the opportunity to be present when the vehicle was being tested in May 1999.
- (2) Was the attendance of the vehicle owners at the tests refused as a result of a decision by the Minister, his office, the department or by the Federal Office of Road Safety (FORS).

- (3) If the attendance of the owners of the vehicle was denied as a result of a decision by the Minister, his office, the department or FORS: (a) when was the decision made; and (b) what was the reason for the decision.

*46 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Did an engineer acting on behalf of Mrs and Mr Bauer request, on 26 May 1999, access to the Mack trucks F4 and F26, owned by the Bauers, at the Driver Trainer Education Centre of Australia in Melbourne, to facilitate a superficial inspection (reference K99—804—221 in documents tabled in the Senate on 27 November 2000).
- (2) Was the request refused; if so: (a) who refused the request; (b) what was the basis for the refusal; and (c) was the Minister or his office aware of the request and did the Minister or his office approve the decision to refuse the request.

*47 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Did the Federal Office of Road Safety invite Mack Trucks Australia, Ford/Stirling and Kenworth Australia to attend a technical briefing in Melbourne on 10 June 1999, conducted by Roaduser International relating to its inquiry into heavy vehicles (reference K99—804—268 in documents tabled in the Senate on 27 November 2000).
- (2) Were any of the owners of vehicles that were the subject of testing by Roaduser International or independent engineers representing those owners invited to attend the briefing; if not, why not.
- (3) (a) Who made the decision not to invite the vehicle owners or their technical advisers; (b) was the Minister or his office advised of the decision; and (c) did the Minister or his office endorse the decision.

*48 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Can the Minister confirm that there were three permits to operate unlicensed vehicles obtained to test vehicles F4 and F1 as part of the inquiry into heavy vehicles conducted by Roaduser International (reference K99—917—24 in documents tabled in the Senate on 27 November 2000).
- (2) Was vehicle F4 tested on two occasions.
- (3) (a) Why was vehicle F4 tested on two occasions; and (b) was raw data collected and stored on a CD Rom on both occasions.
- (4) Can the Minister confirm that only one CD Rom was provided to the owners of vehicle F4; if so: (a) why was the second CD Rom withheld from the vehicle owners; and (b) does the Minister plan to provide the second CD Rom to the owners of vehicle F4 at some future time.

*49 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Further to the answer provided to question on notice no. 3531 (Senate *Hansard*, 20 August 2001, pp 26019-22), what funding has been allocated to specific projects on each of the roads identified in answers (4)(a) to (d).
- (2) (a) What is the nature of each of the above projects; (b) what is the level of funding allocated to each of the above projects; (c) over what period has

funding been allocated to each of the above projects; and (d) in what category of funding does each of the above projects appear.

- (3) Is the above information relating to specific projects for all roads identified in answers (4)(a) to (d) provided to each state government or state transport department; if so: (a) how often is this information provided to each state; and (b) when is the above information provided to each state.

*50 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) When did Mr Kym Brougham, or someone on behalf of Mr Brougham, first approach the Civil Aviation Safety Authority (CASA) seeking approval to take the position of acting Chief Pilot with Whyalla Airlines.
- (2) How was the above approach made and to whom was the approach made.
- (3) (a) When did CASA respond to the above approach; (b) who responded; and (c) what was the nature of the response.

*51 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) When did Mr Kym Brougham, or someone on behalf of Mr Brougham, apply to the Civil Aviation Safety Authority (CASA) for approval to take the position of acting Chief Pilot with Whyalla Airlines.
- (2) How was the above application made and to whom was the application made.
- (3) (a) When did CASA respond to the above application; (b) who responded; and (c) when did the approval for Mr Brougham to act as Chief Pilot take effect.

*52 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) On how many occasions did the Minister or his staff meet with, or hold a discussion with, the owners, directors or employees of Whyalla Airlines between 1 December 1999 and 31 May 2000.
- (2) On each occasion: (a) who attended the meeting, or participated in the discussion; (b) when did the meeting or discussion take place; and (c) where did the meeting or discussion take place.
- (3) If any of the above discussions took place by telephone, where were the parties involved in each discussion located.

*53 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Did the Minister receive any written, electronic or oral representations on behalf of Mr Chris Brougham or Mr Kym Brougham concerning the appointment of Mr Kym Brougham as acting Chief Pilot, and later Chief Pilot, for Whyalla Airlines between 1 December 1999 and 31 May 2000; if so: (a) when was each representation made; (b) what was the form of the representation; and (c) what was nature of the representation.
- (2) (a) When were the above representations responded to; (b) who responded; and (c) what was the nature of the response.

*54 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) When did Mr Kym Brougham, or someone on behalf of Mr Brougham, first approach the Civil Aviation Safety Authority (CASA) seeking approval to take the position of Chief Pilot with Whyalla Airlines.
- (2) How was the above approach made and to whom was the approach made.
- (3) (a) When did CASA respond to the above approach; (b) who responded; and (c) what was the nature of the response.

***55 Senator Allison:** To ask the Minister for Revenue and Assistant Treasurer—

- (1) Is it the case that the Melbourne office of the Australian Prudential Regulation Authority (APRA) failed to notify trustees of pre-existing pooled superannuation trusts (PSTs) that, under new regulations, they were required to notify APRA in writing that they wished their trusts to continue to be treated as PSTs by 31 October 2000.
- (2) Is it the case that trusts that have failed to so notify APRA will become non-complying superannuation funds, attracting a tax rate of 48.5 per cent on fund earnings instead of the concessional 15 per cent.
- (3) How long has APRA been aware of the failure to notify outlined in (1).
- (4) How long has the Minister or the department been aware of the failure to notify.
- (5) Has APRA or the Government taken any action to resolve this matter.
- (6) What action will the Government and APRA be taking to resolve this matter.

***56 Senator Allison:** To ask the Minister for Health and Ageing—When will the Australian Radiation Protection and Nuclear Safety Agency be updating its website (The Maralinga Rehabilitation Project 1996-1999 and Maralinga Rehabilitation Project Gallery: Part 1 1998) with respect to the pits in which *in situ* vitrification was not used.

***57 Senator Allison:** To ask the Minister for Defence—

- (1) Does the department have a policy on purchasing 'green energy' or energy from renewable sources for its own operations.
- (2) What, if any, are the constraints for agencies in purchasing 'green energy'.
- (3) What steps does the department take to promote the purchase of 'green energy' in its agencies.
- (4) (a) How much 'green energy' was purchased, and by which agencies, for the 2000-01 financial year; and (b) how does this compare with the previous financial year.

***58 Senator Allison:** To ask the Minister representing the Treasurer—With reference to import tariffs on 4-wheel drive (4WD) vehicles:

- (1) How many 4WD vehicles are currently being imported into Australia.
- (2) What percentage of 4WD vehicles are used in primary production or primarily for business purposes.
- (3) How many 4WD vehicles have been imported into Australia in each of the past 5 years.
- (4) How many second-hand 4WD vehicles have been imported into Australia during each of the past 5 years.
- (5) How many of those used imported vehicles ran on: (a) diesel; (b) gas; and (c) petrol.

- (6) How many 4WD vehicles imported into Australia in the past 5 years have not attracted the luxury vehicle tariff/tax.
- (7) What was the total import tariff/tax revenue derived during the 2000-01 financial year from 4WD vehicles.
- (8) How much of that revenue is derived from the luxury vehicle tariff/tax.
- (9) What is the total import tariff/tax revenue foregone as a result of imposing only a 5 per cent instead of the 15 per cent tariff/tax which other passenger vehicles attract.
- (10) What is the projected revenue loss for the 2001-02 and 2002-03 financial years because of that discrepancy.
- (11) What is the policy justification for the differential tariff/tax rates between 4WD and passenger vehicles.

*59 **Senator Allison:** To ask the Minister for Health and Ageing—

- (1) Is it the case that the Chiltern Hospital in Victoria will receive \$185 000 a year for support services from the Small Rural Hospitals Fund.
- (2) When will this funding commence.
- (3) Is the Minister aware that the Chiltern Hospital Committee of Management has advised that this support will not be adequate to avert closure of the hospital because of the number of older people in the hospital.
- (4) What measures does the Government propose to adopt in the event of closure of the hospital.
- (5) Will the Government consider providing a \$55 a day operational subsidy to the hospital for these residents given that this is the only aged care option for these people; if not, why not.

*60 **Senator Allison:** To ask the Minister for the Arts and Sport—

- (1) Is it the case that material from the National Archives in South Australia is to be destroyed; if so, when is this scheduled to take place.
- (2) Can detailed information be provided on this material and the reasons for destroying it.

Senator Allison: To ask the Ministers listed below (Question Nos 61-76)—

- (1) (a) When did the department last conduct an audit of heritage values in its properties; and (b) can that report be made available.
- (2) Does the department have policies, protocols and/or guidelines for the protection of heritage values in its properties; if not, why not.
- (3) (a) What is the budget for maintenance and conservation works in the department for the 2001-02 financial year; and (b) how does this compare with each of the previous four financial years.
- (4) Which properties has the department sold over the past five years that have heritage values.
- (5) Which of these are listed on the Register of the National Estate.
- (6) Which of these have state government and local government protection.
- (7) What are the department's policy, protocol and/or guidelines for archiving documents.
- (8) (a) Does the department have a collection of artworks and/or artefacts, including documents, of heritage value; (b) are these documented; and (c) is there a budget for acquisition or conservation of such work.

- (9) Does the department use the National Culture-Leisure Industry Statistical Framework prepared by the Cultural Ministers' Council in compiling data; if not, why not.
- (10) For those services contracted out, what arrangements, guidelines and requirements are in place to safeguard records for archiving.
- (11) (a) What, if any, historical guides and publications on heritage were prepared by the department in the 2000-01 financial year; and (b) what is the budget for this purpose in the 2001-02 financial year.

*61 Minister representing the Prime Minister

*62 Minister representing the Minister for Transport and Regional Services

*63 Minister representing the Treasurer

*64 Minister representing the Minister for Trade

*65 Minister for Defence

*66 Minister for Communications, Information Technology and the Arts

*67 Minister representing the Minister for Foreign Affairs

*68 Minister representing the Minister for Employment and Workplace Relations

*69 Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs

*70 Minister representing the Attorney-General

*71 Minister for Finance and Administration

*72 Minister representing the Minister for Agriculture, Fisheries and Forestry

*73 Minister for Family and Community Services

*74 Minister representing the Minister for Education, Science and Training

*75 Minister for Health and Ageing

*76 Minister representing the Minister for Industry, Tourism and Resources

*77 **Senator Allison:** To ask the Minister for Health and Ageing—

- (1) How many 20 year-olds were provided with government-funded hearing aids by the Australian Hearing Service (AHS) in the 1999-2000 financial year, broken down by state.
- (2) How many 21 year-olds were provided with government-funded hearing aids by the AHS in the 1999-2000 financial year.
- (3) How many 21 year-olds were provided with government-funded hearing aids by the AHS in the 2000-01 financial year.
- (4) (a) What, if any, AHS centres were closed in 1999, 2000 and to date in 2001; and (b) which of these were in country areas.
- (5) What was the reason for these closures.
- (6) (a) How many audiologists are currently employed by the AHS; (b) how many were employed in 1999; and (c) how many were employed in 2000.
- (7) What is the policy rationale for hearing aids not being provided by the AHS to hearing impaired people over 21 years of age.
- (8) Why is it that hearing impaired people over 21 years of age are not able to purchase services, including hearing aids, from the AHS.

*78 **Senator Allison:** To ask the Minister representing the Prime Minister—

- (1) Was the Prime Minister accurately reported in the *Sydney Morning Herald* of 24 May 2001 as saying, ‘...I don’t think people should be in any way discriminated against or personalised against if they are homosexual.’
- (2) Does the Government intend to remove discrimination against homosexual couples with regard to superannuation entitlements for surviving partners of members of the Commonwealth Superannuation Scheme; if so, when.

*79 **Senator Sherry:** To ask the Minister for Finance and Administration—With reference to submissions 197 and 216 by the Department of Finance and Administration to the inquiry into the benefit design of Commonwealth public sector and defence force unfunded superannuation funds and schemes, by the Select Committee on Superannuation and Financial Services, which provide the following information:

- (a) in submission 197 the department notes that, under AWOTE or MTAWTE (as opposed to CPI) indexation of pensions, unfunded liabilities would increase by \$6.6 billion assuming a positive difference of 1 per cent between the new indexation measure and CPI and by \$4.1 billion assuming a positive difference of 1.5 per cent;
- (b) in submission 216 the department provides a table outlining the fiscal impact, over the forward estimate period, of applying AWOTE indexation to the CSS and PSS schemes;

Can the following information be provided:

- (1) What assumptions about the difference between AWOTE and CPI were made in these calculations.
- (2) Are estimates available of the cost of MTAWTE indexation of CSS and PSS benefits and pensions as opposed to CPI or AWOTE indexation.
- (3) What is the estimated cost of changing to AWOTE or MTAWTE indexation of CSS and PSS pensions while retaining CPI indexation of preserved benefits.
- (4) Do these estimates include any offsetting increases in taxation revenue from AWOTE or MTAWTE indexation instead of CPI indexation for both CSS and PSS pensions and preserved benefits or pensions in isolation.
- (5) What is the expected increase in taxation revenue from AWOTE or MTAWTE indexation instead of CPI indexation for both CSS and PSS pensions and preserved benefits or pensions in isolation.

*80 **Senator Harris:** To ask the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) What was the purchase price paid by the Indigenous Land Corporation to acquire the Roebuck Plains cattle station.
- (2) What was the price paid by the vendors of the Roebuck Plains when it was purchased some 12 months prior to the resale to the Indigenous Land Corporation.
- (3) What was the reason for the substantial increase in sale price over that 12-month period.
- (4) Was the price paid by the Indigenous Land Corporation for Roebuck Plains within commercial valuation at the time.
- (5) Was a commercial valuation of Roebuck Plains undertaken prior to its purchase by the Indigenous Land Corporation.

- (6) Why did the Indigenous Land Corporation purchase Roebuck Plains when there was no registration of a land need or application by proponents.
- (7) Was there an assessment of Roebuck Plains against National Indigenous Land Strategy criteria before the Indigenous Land Corporation Board considered a purchase proposal.
- (8) Who negotiated the purchase price of Roebuck Plains.
- (9) Why did the Indigenous Land Corporation not utilise its usual service provider, KFPW, in negotiating a purchase price.
- (10) Was a cattle muster conducted prior to the Indigenous Land Corporation's purchase of Roebuck Plains.
- (11) Why did the Indigenous Land Corporation enter into a 15-year management agreement with the vendors of Roebuck Plains that effectively locked Aboriginal people out of the arrangement.
- (12) What capital investment did the vendors of Roebuck Plains (Great Northern Pastoral Company) make to entitle their retaining about 50 per cent of all profits for the 15-year period of the management agreement.
- (13) Why did the Indigenous Land Corporation pay the Great Northern Pastoral Company \$1 million to extricate itself from the 15-year management agreement that still had 14 years to run.
- (14) Who negotiated the 15-year management agreement.
- (15) Was a commission paid to the person or persons who negotiated the purchase price and management agreement.
- (16) (a) Who are the directors of the Great Northern Pastoral Company; and (b) do any of them have a criminal record.
- (17) Was there any relationship between the Great Northern Pastoral Company and the deceased Max Green.
- (18) Is there any relationship between David Baffsky, a director of the Indigenous Land Corporation, and the Great Northern Pastoral Company.
- (19) Is there any relationship between David Baffsky and John Vereker, a director of the Great Northern Pastoral Company.
- (20) Was there a relationship between David Baffsky and Max Green.
- (21) Have there been any money laundering activities evident at Roebuck Plains, or investigations into such activities.
- (22) Has a commercial crop of marijuana been grown at Roebuck Plains whilst that station was owned or jointly managed by the Great Northern Pastoral Company.
- (23) When the Indigenous Land Corporation purchased a related cattle property, Cardabia Station, did the corporation assist the vendor in avoiding a taxation obligation by attributing false valuations to land and stock.
- (24) Did two directors and the Chief Executive Officer of the Indigenous Land Corporation enter into negotiations with the former owners of Roebuck Plains (Great Northern Pastoral Company) to strip the station of its stock without the knowledge or consent of other directors of the corporation.
- (25) Was the price proposed by the Great Northern Pastoral Company for the purchase of the entire cattle herd of Roebuck Plains in accord with then current market prices.

*81 **Senator Harris:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to documents relating to heavy truck specifications tabled pursuant to orders of the Senate:

- (1) In the middle of 1999 was a data disc deliberately corrupted by Mr Scott McFarlane of Roaduser International before being sent to the owner of F1, so that it would be unusable and thus prevent others from analysing the data, and that an uncorrupted disc was not sent until 2 to 3 months later.
- (2) Were the air fare and related accommodation costs for the Melbourne to Brisbane return trip on 13 May 1999 that were listed in the external supplier expense document (K99-917, 024-026) relating to the Roaduser Report used solely for that purpose and not used to subsidise the costs of Roaduser personnel attending other functions at the Brisbane Truck Show, unrelated to the report.
- (3) Was the second testing of F4, a Mack CH Fleetliner prime mover, undertaken at the request of the manufacturer; if so, was the expense of this additional test costed to the report or to the manufacturer.
- (4) (a) Did the manufacturer of the Australian-designed and tested Hendrickson WD2 460 suspension that was fitted to the worst performing vehicle, F6, withdraw that suspension from the market early in 2001 after claiming there was nothing wrong with it; and (b) is it a fact that the manufacturer has no substitute available until a new suspension is introduced in 2002; if so: (i) why was the suspension withdrawn, and (ii) if it was due to its poor performance, why has there not been a recall or other action taken in relation to other vehicles similar in style to F6 fitted with that suspension.
- (5) (a) Was Roaduser International's tender for this investigation \$79 400, compared with the losing bidder's quote of about \$120 000; and (b) was the final payment to Roaduser International close to \$580 000.
- (6) With reference to documents T1112- 121-138 and K99-804—126-132, did Roaduser International tender to undertake publicity and problem definition for \$8 000, inspect-and-drive appraisals of 6 vehicles for \$14 850 (\$2 470 each), instrumented testing of 4 vehicles for \$33 050 (\$8 250 each), computer simulation and analysis relating to 4 instrumented tests for \$21 000, assessment of vehicles against industry standards for \$5 000, risk amelioration and problem scoping for \$3 000 and a report of the investigation for \$5 000.
- (7) Did Roaduser charge about \$80 000 to appraise 13 vehicles (\$6 200 each, or 2.5 times the quoted cost per vehicle) even though it did not undertake analysis of each vehicle using Roaduser's in-house, computer-based performance assessment and did not undertake a lane-change manoeuvre.
- (8) Did Roaduser charge about \$340 000 for 8 instrumented tests and drives (\$42 500 each, or 5 times the quoted cost per vehicle) even though the number of channels of data quoted to be collected was a minimum of 28 compared with only 3 more collected, and evaluation of the vehicle negotiating a standard bump and a steady turn and under severe braking were not carried out.
- (9) In relation to the investigation: (a) was Roaduser allowed to charge, for graduate engineers with about 2-years experience on \$40 000 per year (or \$30 per chargeable hour), a rate around \$150 per hour, or more than twice the rate generally charged by consultants for such engineers; (b) were the charge-out rates for the Chief Engineer and Manager Accident Mitigation \$250 per hour, and the rate for Dr Peter Sweatman \$350 per hour; and

(c) have there been any other consultants in the road transport field for which the Australian Transport Safety Bureau has paid similar charge-out rates; if not, can the Minister advise why these rates were paid for this investigation.

- (10) Can the Minister confirm that: (a) while the Federal Office of Road Safety tender suggested the use of subcontracted, experienced and qualified organisations to conduct the vibration related tests of the investigation, Roaduser, which was not an experienced or qualified organisation in this field, undertook this work itself; (b) Roaduser quoted on, and undertook measuring of, driver's seat vibration in the vertical and fore-aft directions only, even though the relevant international standard (ISO 2631-1) required measurements in the side-to-side direction as well, and rates this vibration as being more important than the vertical direction; (c) in order to undertake this work, the Chief Engineer purchased a text on vibration around August 1999; (d) much of the analysis of 'vibration' and other data was undertaken by a PhD student with no specific skills in either heavy vehicles or vibration; and (e) Roaduser charged the same hourly rate for this work even though it was not expert in the field.
- (11) Given the above, what action is being taken to recover excess monies paid to Roaduser under this contract.

*82 **Senator Harris:** To ask the Minister for Communications, Information Technology and the Arts—

- (1) Why did the Minister's office take from 14 June 2000 until 14 November 2000 to initially respond to a freedom of information (FOI) request by Kenneth Ivory, in relation to 'Casualties of Telstra' (COT) related matters.
- (2) What action is the Minister going to take to rectify the fact that the department's delay has, whether intentionally or inadvertently, resulted in Mr Ivory not having FOI documents and not being in a position to present his case in January 2001 to the Supreme Court of Queensland.
- (3) Is the Minister aware that this FOI delay potentially had the same effect as in the five COT cases listed in Schedule A and Schedule B of the Senate working paper of 1997, whose matters also related to breaches of FOI by Telstra.
- (4) What action will the Minister take to have Telstra, or the relevant department, settle Mr Ivory's damages immediately.
- (5) Why were Mr Ivory's (Solar-Mesh) COT-related matters not settled prior to the Telstra 'T2' float, under the same terms and conditions as the five COT cases listed in Schedule A of the Senate committee's working paper of 1997.
- (6) Will Mr Ivory's damages claim immediately be resolved, under no less than the same terms and conditions as the five resolved COT cases listed in Schedule A that were settled just before the T2 float; if not, why not.
- (7) (a) How many people with COT-related issues has Telstra had arrested, or attempted to have arrested, under a mental health warrant, peace and good behaviour warrant or criminal warrant.
- (8) Was the purpose of that action to assist Telstra to assassinate the character of the COTs and to conceal the truth about systemic faults, to comply with Freehill, Hollingdale and Page's 'COT case strategy', dated 10 September 1993.
- (9) How many of these COT-related matters have already been settled.

- (10) Against how many people with COT-related issues has Telstra and/or its lawyers prevailed on federal or state police to falsify police records to assassinate those people's character and reputation to assist in concealing the truth about Telstra's defective network, by use of corporate thuggery and neglect of duty of care.
- (11) Were any Telstra employees (and/or their agents) involved in having police records and/or mental health reports falsified to cause injury to COT-related people; if so, who were they.
- (12) What are the names of the police officers, medical practitioners, or others (and/or their agents) involved in having COTs defamed, intimidated, harassed or wrongfully arrested and who have been obtaining either mental health warrants, bogus psychiatric reports or bogus psychologists assessments made, based solely on information from Telstra or its agents, or who were involved in apprehension warrants being wrongfully obtained against COTs.
- (13) (a) Were any persons from within or associated with the Minister's office involved in the actions described in (12); if so, who were they; and (b) were any of these warrants ever condoned by the Minister.
- (14) Were any Telstra employees (and/or their agents) involved in wrongfully obtaining warrants; if so, who were they.
- (15) Did Telstra's former chairman, Mr David Hoare, have any conflict of interest.
- (16) What other directorships has Mr David Hoare held from 1990 to date.
- (17) Did any conflict of interest occur when Mr Stephen Mead, while seconded from Mallesons Stephen Jacques to Telstra, became in January 1996 a partner in Mallesons Stephen Jacques, while remaining on secondment to Telstra.
- (18) On what specific date did Mr Stephen Mead cease being a seconded employee of Telstra.
- (19) Is there any outstanding Telstra documentation that has not been provided under FOI and discovery processes; if so: (a) why has there been a delay in providing that information; and (b) when can Mr Ivory expect to receive that outstanding information, whether professional legal privilege has previously been claimed or not.
- (20) Are there any outstanding documents under FOI and non-party disclosure in the Minister's offices; if so, when can Mr Ivory expect to receive this outstanding information, whether professional legal privilege has been previously claimed or not.
- (21) Did Telstra employee, Mr Armstrong, attempt to have Mr Ivory sign a Telstra deed of settlement in January or February 2001, to walk away from his claims against Telstra and Mr Mead.
- (22) Was the Minister aware that Telstra was attempting to have Mr Ivory commit illegal and unauthorised acts had he signed the settlement deed.
- (23) Has the Minister condoned unconscionable conduct by Telstra's authorised officer in his attempt to silence Mr Ivory's claims while Mr Ivory was unrepresented.
- (24) Why did Telstra refuse to pay for Mr Ivory to seek independent legal representation to advise Mr Ivory of Telstra's proposed settlement deed terms that Telstra tried to force Mr Ivory into signing without time or money to seek advice before Telstra withdrew the settlement offer.

- (25) What action will be taken under administrative law to prevent such mismanagement of Telstra continuing to unjustly sabotage Mr Ivory's life and livelihood.
- (26) (a) Why did Telstra take from 11 May 1994 until 1 June 1994 to test Mr Ivory's 1800 prefix complaint.
- (27) (a) Is it Telstra's policy that, when any line/number fault is reported it is logged into Telstra's fault reporting system; (b) is it correct that a standard set of remote tests are immediately conducted in the first instance; and (c) if the fault cannot be rectified or found remotely, is a field technician dispatched to attend the premises; if so, why was this process not followed with Mr Ivory's 1800 fault complaint.
- (28) Why did Telstra only test the 1800 fault reported by Mr Ivory after the fault had been rectified at the exchange on the 31 May 1994.
- (29) Did Telstra fabricate and falsify its records and documentation to conceal the 1800 prefix systemic fault.
- (30) How many 1800 subscribers did Telstra have in September 1993.
- (31) Why has Telstra withheld 'as obviously irrelevant' information consistent with the possibility of proving innocence.

*83 **Senator Harris:** To ask the Minister representing the Attorney-General—With reference to the Family Court of Australia:

- (1) Given that there are obviously financial costs involved in family breakdown, the chief of these being the costs of litigation, what are the department's estimates of the average cost of such litigation and the number of children affected for each of the past 5 years.
- (2) Would the Minister please confirm or deny the accuracy of the following statistics: That children from fatherless homes account for: (a) 60 per cent of youth suicides; (b) 65 per cent of teenage pregnancies; (c) 65 per cent of adolescent drug abusers; and (d) 75 per cent of all homeless or run away children.
- (3) What are the liaison procedures between the Family Court and state government agencies that ensure that no Family Court litigant can manipulate differing jurisdictions in ways that can result in functional abuses of process.
- (4) How many convictions for perjury have there been in the Family Court since its inception.
- (5) Is section 121 of the Family Law Act in need of revision or repeal.
- (6) Would the Minister please confirm or deny that three men in Australia commit suicide every day whilst involved in Family Court proceedings or following such proceedings.
- (7) What is the Government's position with regard to the concept that 'joint parenting' should be the Family Court's first and favoured residential presumption (as was the objective of the amendments of 1995).

*84 **Senator Harris:** To ask the Minister for Communications, Information Technology and the Arts—

- (1) Is it correct that the Minister and/or his department claimed that the terms of reference for the Senate Working Party investigating the 'Casualties of Telstra' (COT) allegations in 1997 had to be changed on the basis that the previously settled terms, which included all the 21 COT group members

would impede upon and prevent the further privatisation of Telstra (ie the 'T2' float).

- (2) Can the Minister explain how the amended terms of reference did not impede upon the T2 float and how, by omitting the other 16 members of the COT group, this would do so.

*85 **Senator Murray:** To ask the Special Minister of State—With reference to members' and senators' entitlements:

- (1) Which entitlements are not separately identified in management reports.
- (2) Which entitlements are not audited.
- (3) Which entitlements are not benchmarked (assuming 'benchmarking' means that members and senators that incur abnormal expenditures would be asked to explain significant deviances).
- (4) Which entitlements are not the subject of public reports.

*86 **Senator Murray:** To ask the Minister for Revenue and Assistant Treasurer—

- (1) Were any applications made to the Australian Securities and Investment Commission (ASIC) prior to 1 July 1998 for finance brokers in Western Australia to be exempted from the Corporations Law requirements with respect to prescribed interests; if so: (a) when was each application made; (b) by whom and on whose behalf was each application made; (c) when was the application determined; and (d) what was the outcome of each application and what were the reasons for the decision for each application.
- (2) Did ASIC enforce the Corporations Law against finance brokers who were offering 'Pooled Mortgage Schemes' in contravention of the law in Western Australia.
- (3) Is ASIC, in Western Australia, now taking steps to ensure that each prospectus issued in Western Australian Pooled Mortgage Schemes are in all respects accurate and reliable: if not, why not.

*87 **Senator Murray:** To ask the Special Minister of State—

- (1) Can the full details of all use of entitlements by retired members of parliament (on the same reporting basis as applies to current members of parliament) for the 2000-01 financial year be provided.
- (2) With reference to the revelation in the Australian National Audit Office's report *Parliamentarians' Entitlements: 1999-2000* that a number of parliamentarians had used entitlements that significantly exceeded the average, could the Minister please indicate (with respect to those that did significantly exceed the average): (a) whether the use of these entitlements by those parliamentarians has been investigated to determine if it is proper; and (b) what action is being taken with regard to the use of these entitlements that significantly exceeded the average.
- (3) Without limiting the scope of the questions above, which apply to all relevant entitlements, could the Minister please address the questions outlined in (2) (a) and (2) (b) with respect to the following entitlements: (a) personalised stationery, newsletters and other printing; (b) photographic services; (c) photocopy paper; and (d) flags for presentation to constituents.

ORDERS OF THE SENATE

Auditor-General's reports—Consideration

1 Amendment of standing order 62

That standing order 62 be amended by adding a new paragraph (2):

- (2) Reports of the Auditor-General in respect of which no motion is moved on their presentation, and orders of the day for adjourned debates on such reports, shall be placed on the Notice Paper for consideration on Thursday at the time for the consideration of committee reports and government responses under general business, after those reports and responses.

renumbering existing paragraphs (2) and (3) and adding “and Auditor-General’s reports” to the heading of the standing order.

(Agreed to 10 May 2000.)

Committees

2 Allocation of departments

Departments and agencies are allocated to the legislative and general purpose standing committees as follows:

Community Affairs

- Family and Community Services
- Health and Aged Care

Economics

- Treasury
- Industry, Science and Resources

Employment, Workplace Relations, Small Business and Education

- Employment, Workplace Relations and Small Business
- Education, Training and Youth Affairs

Environment, Communications, Information Technology and the Arts

- Environment and Heritage
- Communications, Information Technology and the Arts

Finance and Public Administration

- Parliament
- Prime Minister and Cabinet
- Finance and Administration
- Reconciliation and Aboriginal and Torres Strait Islander Affairs

Foreign Affairs, Defence and Trade

- Foreign Affairs and Trade
- Defence (including Veterans’ Affairs)

Legal and Constitutional

- Attorney-General
- Immigration and Multicultural Affairs

Rural and Regional Affairs and Transport

- Transport and Regional Services
- Agriculture, Fisheries and Forestry.

(1 May 1996, amended 2 September 1997, 21 October 1997, 11 November 1998 and 8 February 2001)

3 Estimates hearings

(2) That the committees meet in the following groups:

Group A:

Community Affairs
 Legal and Constitutional
 Finance and Public Administration
 Rural and Regional Affairs and Transport.

Group B:

Employment, Workplace Relations, Small Business and Education
 Environment, Communications, Information Technology and the Arts
 Economics
 Foreign Affairs, Defence and Trade.

(Agreed to 26 November 1998.)

4 Privileges—Standing Committee—Adoption of 94th report recommendation

That the Senate authorise the President, if required, to engage counsel as *amicus curiae* if either the action for defamation against Mr David Armstrong or a similar action against Mr William O’Chee is set down for trial.

(Agreed to 4 September 2000.)

5 Supplementary hearings on additional estimates

That paragraph (9) of standing order 26 be amended as follows:

(9) After a committee has considered proposed expenditure referred to it by the Senate and agreed to its report to the Senate, the committee shall fix:

- (a) a day for the submission to the committee of any written answers or additional information relating to the proposed expenditure; and
- (b) in respect of the annual estimates only, a day for the commencement of supplementary meetings of the committee to consider matters relating to the proposed expenditure.

(Agreed to 6 February 2001.)

Legislation

6 Amendments in the form of requests

That the Senate requires that all amendments circulated in the Senate chamber in the form of requests be accompanied by a statement of reasons for their being framed as requests together with a statement by the Clerk of the Senate on whether the amendments would be regarded as requests under the precedents of the Senate.

(Agreed to 26 June 2000.)

Meeting of Senate

*7 Meeting of Senate

That the Senate meet on Wednesday, 13 February 2002.

(Agreed to 12 February 2002.)

Orders for production of documents

8 Health—Assessment reports by the Australian Competition and Consumer Commission on anti-competitive health cover practices—Order for production of documents

That there be laid on the table as soon as practicable after the end of each period of 6 months, commencing with the 6 months ending on 31 December 1999, a report by the Australian Competition and Consumer Commission containing an assessment of any anti-competitive or other practices by health funds or providers which reduce the extent of health cover for consumers and increase their out-of-pocket medical and other expenses.

(Agreed to 25 March 1999.)

9 Australian Competition and Consumer Commission—Australian grocery retailers—Order for production of documents

- (1) That there be laid on the table, as soon as practicable after 30 June 2001, a report by the Australian Competition and Consumer Commission on the prices paid to suppliers by Australian grocery retailers for the goods that they re-sell, and whether retailers and wholesalers of a similar scale, as customers of suppliers, are offered goods on like terms and conditions, and including:
 - (a) an assessment, based on a sampling of key suppliers and major retailers of:
 - (i) the extent of any price differences,
 - (ii) the impact of any such price differences on competition in the relevant markets, and
 - (iii) whether there is public benefit in the existence of price differences;
 - (b) subject to paragraph (2)(b), identification of any conduct found by the commission in the course of preparing the report that is likely to be in breach of the *Trade Practices Act 1974*, together with an account of action taken or proposed to be taken by the commission in respect of such conduct; and
 - (c) an outline of the circumstances in which, in the commission's view, differences in prices paid to suppliers by the various industry participants would amount to a breach of the anti-competitive conduct provisions of the Act.
- (2) That, in carrying out the requirements of paragraph (1), the commission:
 - (a) is to take 'prices' to include all aspects of the terms and conditions of dealings between retailers or wholesalers and their suppliers, including the total funding support given by suppliers to the major retailers and wholesalers; and
 - (b) may withhold genuinely commercially sensitive information from the report provided that the withholding of such information does not prevent the commission from giving the Senate a clear account of the matters mentioned in paragraph (1).

(Agreed to 8 February 2001.)

10 Departmental and agency contracts—Order for production of documents

- (1) There be laid on the table, by each minister in the Senate, in respect of each agency administered by that minister, or by a minister in the House of Representatives represented by that minister, by not later than the tenth day

of the spring and autumn sittings, a letter of advice that a list of contracts in accordance with paragraph (2) has been placed on the Internet, with access to the list through the department's or agency's home page.

- (2) The list of contracts referred to in paragraph (1) indicate:
- (a) each contract entered into by the agency which has not been fully performed or which has been entered into during the previous 12 months, and which provides for a consideration to the value of \$100 000 or more;
 - (b) the contractor, the amount of the consideration and the subject matter of each such contract;
 - (c) whether each such contract contains provisions requiring the parties to maintain confidentiality of any of its provisions, or whether there are any other requirements of confidentiality, and a statement of the reasons for the confidentiality; and
 - (d) an estimate of the cost of complying with this order and a statement of the method used to make the estimate.
- (2A) If a list under paragraph (1) does not fully comply with the requirements of paragraph (2), the letter under paragraph (1) indicate the extent of, and reasons for, non-compliance, and when full compliance is expected to be achieved. Examples of non-compliance may include:
- (a) the list is not up to date;
 - (b) not all relevant agencies are included; and
 - (c) contracts all of which are confidential are not included.
- (2B) Where no contracts have been entered into by a department or agency, the letter under paragraph (1) is to advise accordingly.
- (3) In respect of contracts identified as containing provisions of the kind referred to in paragraph (2)(c), the Auditor-General be requested to provide to the Senate, within 6 months after each day mentioned in paragraph (1), a report indicating that the Auditor-General has examined a number of such contracts selected by the Auditor-General, and indicating whether any inappropriate use of such provisions was detected in that examination.
- (3A) In respect of letters including matter under paragraph (2A), the Auditor-General be requested to indicate in a report under paragraph (3) that the Auditor-General has examined a number of contracts, selected by the Auditor-General, which have not been included in a list, and to indicate whether the contracts should be listed.
- (4) The Finance and Public Administration References Committee consider and report on the first year of operation of this order.
- (5) This order has effect on and after 1 July 2001.
- (6) In this order:
- agency* means an agency within the meaning of the *Financial Management and Accountability Act 1997*;
- autumn sittings* means the period of sittings of the Senate first commencing on a day after 1 January in any year;
- previous 12 months* means the period of 12 months ending on the day before the first day of sitting of the autumn or spring sittings, as the case may be; and
- spring sittings* means the period of sittings of the Senate first commencing on a day after 31 July in any year.

(Agreed to 20 June 2001; varied 27 September 2001.)

11 Health—Tobacco—Order for production of document

- (1) That the Senate, having regard to:
 - (a) the enormous health disaster represented by tobacco;
 - (b) the rising costs of tobacco diseases, conservatively estimated at \$12.7 billion (1992), that are borne by governments, individuals and businesses, including health care costs, lost productivity, absenteeism, and social security payments;
 - (c) the availability of evidence that the tobacco industry in other countries, including parent companies to Australian manufacturers may have engaged in:
 - (i) misleading and deceptive conduct to downplay the adverse health effects of smoking and the addictiveness of nicotine, and
 - (ii) misleading, deceptive and unconscionable conduct in relation to the marketing of tobacco products to children; and
 - (d) the desirability of preventing or reducing loss or damage suffered or likely to be suffered by such conduct, and of compensation being available for any loss and damage suffered or likely to be suffered by that conduct;

resolves that there be laid on the table, no later than 30 April 2002, a report by the Australian Competition and Consumer Commission (ACCC) on the performance of its functions under the *Trade Practices Act 1974*, with respect to:

- (e) the outcome of ACCC investigations into the conduct of Australian tobacco companies and their overseas parent and affiliate companies in relation to any such misleading, deceptive or unconscionable conduct;
 - (f) whether documents publicly released during the course of tobacco litigation in the United States of America contain evidence of anti-competitive behaviour or breaches of Australian law;
 - (g) the adequacy of current labelling laws under the Trade Practices (Consumer Product Information Standards) (Tobacco) Regulations to fully inform consumers of the risk that they are exposed to;
 - (h) the extent of loss or damage caused, or likely to be caused, by the conduct referred to in paragraph (e) in Australia;
 - (i) the extent to which the tobacco industry may be made liable to compensate for that loss or damage, or the extent to which that loss or damage may be prevented or reduced; and
 - (j) the potential for tobacco litigation in Australia, including for compensation and remedial action, in respect of that conduct.
- (2) That, in preparing a report under paragraph (1), the ACCC is to consider:
 - (a) the importance of this issue to Australian public health;
 - (b) the impact of the costs of treating tobacco-related disease in Australia and the associated productivity losses borne by Australian businesses;
 - (c) the desirability of ensuring that the tobacco industry is made accountable under the Trade Practices Act in respect of such conduct, that any loss or damage suffered or likely to be suffered by

that conduct be prevented or reduced and that any persons harmed or likely to be harmed by that conduct obtain appropriate compensation; and

- (d) the potential for overseas parent and affiliate companies being made liable for such loss or damage; and

indicate in its report the action it has taken, and the action it proposes to take, with regard to the matters upon which it is required to report.

(Agreed to 24 September 2001.)

Orders for production of documents still current from previous parliaments

Date of order	Subject	Addressed to
25.10.1995	Administrative decision-making—Effect of international instruments	Minister representing the Attorney-General
13.05.1998	Waterfront reform	Minister representing the Minister for Transport and Regional Development (Senator Alston); Minister representing the Minister for Workplace Relations and Small Business (Senator Alston); and Minister representing the Prime Minister (Senator Hill)
07.03.2000	Environment—Queensland—Tree clearing	Minister for the Environment and Heritage (Senator Hill)
03.04.2000	Aged care—Riverside Nursing Home	Minister representing the Minister for Aged Care
27.06.2000	Tax reform—Petrol pricing	Assistant Treasurer (Senator Kemp)
09.11.2000	Environment—Tasmania	Minister representing the Minister for Sport and Tourism (Senator Minchin)
04.12.2000	Taxation—Opinion polls	Leader of the Government in the Senate (Senator Hill)
05.03.2001	Taxation	Minister representing the Treasurer (Senator Kemp)
23.05.2001	HIH Insurance	Minister representing the Treasurer (Senator Kemp)
24.05.2001	Workplace relations	Minister representing the Minister for Employment, Workplace Relations and Small Business
09.08.2001	Foreign Affairs—Japanese fishing boats	Minister representing the Ministers for Foreign Affairs and Trade
21.08.2001	Transport—Black Spot Project	Minister representing the Minister for Transport and Regional Services
23.08.2001	Environment—Great Barrier Reef—Water quality control	Leader of the Government in the Senate (Senator Hill)

Date of order	Subject	Addressed to
19.09.2001	Transport—Ansett Australia	Minister representing the Minister for Transport and Regional Services
20.09.2001	Transport—Ansett Australia	Minister representing the Prime Minister

Parliamentary secretaries

12 Powers

That the continuing order of the Senate relating to the powers of parliamentary secretaries be amended as follows, with effect from 1 January 2002:

- (1) Any senator appointed a parliamentary secretary under the *Ministers of State Act 1952* may exercise the powers and perform the functions conferred upon ministers by the procedures of the Senate, but may not be asked or answer questions which may be put to ministers under standing order 72(1) or represent a Senate minister in relation to that minister's responsibilities before a legislation committee considering estimates.
- (2) This order is of continuing effect.

(Agreed to 6 February 2001.)

CONTINGENT NOTICES OF MOTION

Auditor-General's reports—Consideration

1 Leader of the Opposition in the Senate (Senator Faulkner)

Senator Brown
Senator Harradine
Senator Harris

To move (contingent on the President presenting a report of the Auditor-General on any day or notifying the Senate that such a report had been presented under standing order 166)—That so much of the standing orders be suspended as would prevent Senator Faulkner moving a motion to take note of the report and any senator speaking to it for not more than 10 minutes, with the total time for the debate not to exceed 60 minutes.

Conduct of business

2 Leader of the Government in the Senate (Senator Hill):

To move (contingent on the Senate on any day concluding its consideration of any item of business and prior to the Senate proceeding to the consideration of another item of business)—That so much of the standing orders be suspended as would prevent a minister moving a motion to provide for the consideration of any matter.

3 Leader of the Opposition in the Senate (Senator Faulkner)

Leader of the National Party of Australia in the Senate (Senator Boswell)
Senator Brown
Senator Harradine
Senator Harris

To move (contingent on the Senate on any day concluding its consideration of any item of business and prior to the Senate proceeding to the consideration of another item of business)—That so much of the standing orders be suspended as would prevent the senator moving a motion relating to the conduct of the business of the Senate or to provide for the consideration of any other matter.

Government documents

- 4 **Leader of the Opposition in the Senate (Senator Faulkner)**
Leader of the National Party of Australia in the Senate (Senator Boswell)
Senator Brown
Senator Harradine
Senator Harris

To move (contingent on the Senate proceeding to the consideration of government documents)—That so much of the standing orders relating to the consideration of government documents be suspended as would prevent the senator moving a motion relating to the order in which the documents are called on by the President.

Limitation of time

- Leader of the Opposition in the Senate (Senator Faulkner)**
Senator Brown
Senator Harradine
Senator Harris

- 6 To move (contingent on a minister moving a motion that a bill be considered an urgent bill)—That so much of standing order 142 be suspended as would prevent debate taking place on the motion.
- 7 To move (contingent on a minister moving a motion to specify time to be allotted to the consideration of a bill, or any stage of a bill)—That so much of standing order 142 be suspended as would prevent the motion being debated without limitation of time and each senator speaking for the time allotted by standing orders.
- 8 To move (contingent on the chair declaring that the time allotted for the consideration of a bill, or any stage of a bill, has expired)—That so much of standing order 142 be suspended as would prevent further consideration of the bill, or the stage of the bill, without limitation of time or for a specified period.

Matters of urgency

- 9 **Leader of the Government in the Senate (Senator Hill):** To move (contingent on the moving of a motion to debate a matter of urgency under standing order 75)—That so much of the standing orders be suspended as would prevent a minister moving an amendment to the motion.
- 10 **Leader of the Opposition in the Senate (Senator Faulkner)**
Leader of the National Party of Australia in the Senate (Senator Boswell)
Senator Brown
Senator Harradine
Senator Harris

To move (contingent on the moving of a motion to debate a matter of urgency under standing order 75)—That so much of the standing orders be suspended as would prevent the senator moving an amendment to the motion.

Order of business

- 11 **Leader of the Opposition in the Senate (Senator Faulkner)**
Leader of the National Party of Australia in the Senate (Senator Boswell)
Senator Brown
Senator Harradine
Senator Harris

To move (contingent on the President proceeding to the placing of business on any day)—That so much of the standing orders be suspended as would prevent the senator moving a motion relating to the order of business on the *Notice Paper*.

Statements

- 12 **Leader of the Opposition in the Senate (Senator Faulkner)**
Leader of the National Party of Australia in the Senate (Senator Boswell)
Senator Brown
Senator Harradine
Senator Harris

To move (contingent on any senator being refused leave to make a statement to the Senate)—That so much of the standing orders be suspended as would prevent that senator making that statement.

Questions without notice

- 13 **Leader of the Opposition in the Senate (Senator Faulkner)**
Leader of the National Party of Australia in the Senate (Senator Boswell)
Senator Brown
Senator Harradine
Senator Harris

To move (contingent on a minister at question time on any day asking that further questions be placed on notice)—That so much of the standing orders be suspended as would prevent the senator moving a motion that, at question time on any day, questions may be put to ministers until 28 questions, including supplementary questions, have been asked and answered.

Tabling of documents

- 14 **Leader of the Opposition in the Senate (Senator Faulkner)**
Leader of the National Party of Australia in the Senate (Senator Boswell)
Senator Brown
Senator Harradine
Senator Harris

To move (contingent on any senator being refused leave to table a document in the Senate)—That so much of the standing orders be suspended as would prevent the senator moving that the document be tabled.



TEMPORARY CHAIRS OF COMMITTEES

Senators Bartlett, Calvert, Chapman, Cook, Crowley, Ferguson, Forshaw, Hogg, Knowles,
McKiernan, McLucas and Watson

CATEGORIES OF COMMITTEES

Standing Committees

Appropriations and Staffing
House
Library
Privileges
Procedure
Publications
Selection of Bills
Senators' Interests

Legislative Scrutiny Standing Committees

Regulations and Ordinances
Scrutiny of Bills

Legislative and General Purpose Standing Committees

Community Affairs Legislation
Community Affairs References
Economics Legislation
Economics References
Employment, Workplace Relations, Small Business and Education Legislation
Employment, Workplace Relations, Small Business and Education References
Environment, Communications, Information Technology and the Arts Legislation
Environment, Communications, Information Technology and the Arts References
Finance and Public Administration Legislation
Finance and Public Administration References
Foreign Affairs, Defence and Trade Legislation
Foreign Affairs, Defence and Trade References
Legal and Constitutional Legislation
Legal and Constitutional References
Rural and Regional Affairs and Transport Legislation
Rural and Regional Affairs and Transport References

Select Committee

Superannuation and Financial Services

Joint Statutory Committees

ASIO, ASIS and DSD
Broadcasting of Parliamentary Proceedings
Corporations and Securities

National Crime Authority
Native Title and the Aboriginal and Torres Strait Islander Land Fund
Public Accounts and Audit
Public Works

N.B. Details appear in the following section, with committees listed in alphabetical order.

COMMITTEES

Appropriations and Staffing—Standing Committee

Members

The President (*Chairman*), the Leader of the Government in the Senate, the Leader of the Opposition in the Senate

ASIO, ASIS and DSD —Joint Statutory Committee

Broadcasting of Parliamentary Proceedings—Joint Statutory Committee

Members

The President, the Speaker

Community Affairs Legislation Committee

Portfolios

Family and Community Services; Health and Aged Care

Community Affairs References Committee

Corporations and Securities—Joint Statutory Committee

Economics Legislation Committee

Portfolios

Treasury; Industry, Science and Resources

Report presented

* Commonwealth Inscribed Stock Amendment Bill 2001 (*presented to the Deputy President on 6 December 2001, pursuant to standing order 38(7); tabled 12 February 2002*)

Economics References Committee*Reports presented*

- * Inquiry into mass marketed tax effective schemes and investor protection (*presented to the President on 11 February 2002, pursuant to standing order 38(7); tabled 12 February 2002*)
 - * Inquiry into the framework for the market supervision of Australia's stock exchanges (*presented to the President on 11 February 2002, pursuant to standing order 38(7); tabled 12 February 2002*)
-

Employment, Workplace Relations, Small Business and Education Legislation Committee*Portfolios*

Employment, Workplace Relations and Small Business; Education, Training and Youth Affairs

Employment, Workplace Relations, Small Business and Education References Committee*Reports presented*

- * Education of gifted and talented children (*presented to the President on 2 October 2001, pursuant to standing order 38(7); tabled 12 February 2002*)
 - * Universities in crisis: Report into the capacity of public university to meet Australia's higher education needs—Addendum (*presented to the President on 8 November 2001, pursuant to standing order 38(7); tabled 12 February 2002*)
-

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

Environment and Heritage; Communications, Information Technology and the Arts

Environment, Communications, Information Technology and the Arts References Committee**Finance and Public Administration Legislation Committee***Portfolios*

Parliament; Prime Minister and Cabinet; Finance and Administration; Reconciliation and Aboriginal and Torres Strait Islander Affairs

Finance and Public Administration References Committee

Foreign Affairs, Defence and Trade Legislation Committee

Portfolios

Foreign Affairs and Trade; Defence (including Veterans' Affairs)

Foreign Affairs, Defence and Trade References Committee

Report presented

* Recruitment and retention of ADF personnel (*presented to the Temporary Chair of Committees, Senator Chapman, on 4 October 2001, pursuant to standing order 38(7); tabled 12 February 2002*)

House—Standing Committee

Members

The Deputy President (*Chair*)

Legal and Constitutional Legislation Committee

Portfolios

Attorney-General; Immigration and Multicultural Affairs

Legal and Constitutional References Committee

Library—Standing Committee

Members

The President (*Chair*)

National Crime Authority—Joint Statutory Committee

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Joint Statutory Committee

Privileges—Standing Committee

Procedure—Standing Committee*Members*

The Deputy President (*Chair*), the President, the Leader of the Government in the Senate, the Leader of the Opposition in the Senate

Public Accounts and Audit—Joint Statutory Committee**Public Works—Joint Statutory Committee****Publications—Standing Committee****Regulations and Ordinances—Legislative Scrutiny Standing Committee****Rural and Regional Affairs and Transport Legislation Committee***Portfolios*

Transport and Regional Services; Agriculture, Fisheries and Forestry

Rural and Regional Affairs and Transport References Committee**Scrutiny of Bills—Legislative Scrutiny Standing Committee****Selection of Bills—Standing Committee****Senators' Interests—Standing Committee***Notifications of alterations of interests*

* Register of senators' interests incorporating declarations of interests and notifications of alterations of interests lodged between 26 June 2001 and 6 December 2001 (presented to the President on 21 December 2001, pursuant to standing order 38(7); tabled 12 February 2002)

Superannuation and Financial Services—Select Committee

(appointed 22 September 1999 with effect on and from 11 October 1999)

Report presented

- * Early access to superannuation benefits (*presented to the Temporary Chair of Committees, Senator Hogg, on 31 January 2002, pursuant to standing order 38(7); tabled 12 February 2002*)

Documents presented

- * Early access to superannuation benefits—Discussion paper (*presented to the Temporary Chair of Committees, Senator Hogg, on 31 January 2002, pursuant to standing order 38(7); tabled 12 February 2002*)
- * Investing superannuation funds in rural and regional Australia—Issues paper (*presented to the Deputy President on 7 February 2002, pursuant to standing order 38(7); tabled 12 February 2002*)

SENATE APPOINTMENTS TO STATUTORY AUTHORITIES

Advisory Council on Australian Archives

Senator Faulkner (*appointed 27 June 1999 for a period of 3 years*).

Council of the National Library of Australia

Senator Tierney (*appointed 23 November 1998 for a period of 3 years*).

Parliamentary Retiring Allowances Trust

Senators Cook and Watson (*appointed 13 May 1998 and 10 February 1994, respectively*).

HARRY EVANS

Clerk of the Senate

MINISTERIAL REPRESENTATION

Minister	Representing
Senator the Honourable Robert Hill <i>Minister for Defence</i> <i>Leader of the Government in the Senate</i>	Prime Minister Minister for Trade Minister for Foreign Affairs Minister for the Environment and Heritage Minister for Veterans' Affairs
Senator the Honourable Richard Alston <i>Minister for Communications, Information Technology and the Arts</i> <i>Deputy Leader of the Government in the Senate</i>	Minister for Employment and Workplace Relations Minister for Education, Science and Training Minister for Science Minister for Employment Services
Senator the Honourable Nicholas Minchin (<u>Nick</u>) <i>Minister for Finance and Administration</i>	Treasurer Minister for Industry, Tourism and Resources Minister for Small Business and Tourism
Senator the Honourable Amanda Vanstone <i>Minister for Family and Community Services</i> <i>Minister Assisting the Prime Minister for the Status of Women</i>	Minister for Children and Youth Affairs
Senator the Honourable Kay Patterson <i>Minister for Health and Ageing</i>	Minister for Ageing
Senator the Honourable Christopher Ellison (<u>Chris</u>) <i>Minister for Justice and Customs</i>	Minister for Immigration and Multicultural and Indigenous Affairs Attorney-General Minister for Citizenship and Multicultural Affairs
Senator the Honourable Ian Macdonald <i>Minister for Forestry and Conservation</i>	Minister for Transport and Regional Services Minister for Agriculture, Fisheries and Forestry Minister for Regional Services, Territories and Local Government
Senator the Honourable Charles Kemp (<u>Rod</u>) <i>Minister for the Arts and Sport</i>	
Senator the Honourable Eric Abetz <i>Special Minister of State</i>	
Senator the Honourable Helen Coonan <i>Minister for Revenue and Assistant Treasurer</i>	
Parliamentary Secretaries	
Senator the Honourable Ian Campbell <i>Parliamentary Secretary to the Treasurer</i> <i>Manager of Government Business in the Senate</i>	
Senator the Honourable Judith Troeth <i>Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry</i>	
Senator the Honourable William Heffernan (<u>Bill</u>) <i>Parliamentary Secretary to Cabinet</i>	
Senator the Honourable Ronald Boswell (<u>Ron</u>) <i>Parliamentary Secretary to the Minister for Transport and Regional Services</i>	

In those instances where Senators prefer to be known by other than their first name, the preferred name is underlined.

A GUIDE TO THE DAILY NOTICE PAPER

The *Notice Paper* is issued each sitting day and contains details of current business before the Senate. Its structure is based on four main types of business, as follows:

Matters of privilege take precedence over all other business and are listed at the beginning of the *Notice Paper* when they arise. They consist of notices of motion which the President has determined warrant such precedence and any orders relating to uncompleted debates on such motions.

Business of the Senate has precedence over government and general business for the day on which it is listed. It includes disallowance motions, orders of the day for the presentation of committee reports, motions to refer matters to standing committees, motions for leave of absence for a senator and motions concerning the qualification of a senator.

Government business is business initiated by a minister. It takes precedence over general business except for a period of 2½ hours each week set aside on Thursdays for general business.

General business is all other business initiated by senators who are not ministers. It takes precedence over government business only as described above.

Within each of these categories, business consists of notices of motion and orders of the day:

Notices of motion are statements of intention that senators intend to move particular motions on the days indicated. They are entered on the *Notice Paper* in the order given and may be given jointly by two or more senators. Notices of motion are usually considered before orders of the day.

Orders of the day are items of business which the Senate has ordered to be considered on particular days, usually arising from adjourned debates on matters (including legislation) or requirements to present committee reports.

On days other than Thursdays, the *Notice Paper* records in full current items of business of the Senate and government business, but includes only new items of general business from the previous sitting day. On Thursdays, business relating to the consideration of government documents, committee reports and government responses to committee reports is also published.

Other sections in the *Notice Paper* are as follows:

Orders of the day relating to committee reports and government responses follows government business and lists orders of the day for adjourned debates on motions to consider or adopt committee reports and government responses which have been presented during the week. These orders may be considered for one hour on Thursdays at the conclusion of general business. New items appear in the following day's *Notice Paper*. The section is printed in full on Thursdays.

Orders of the day relating to government documents appears in general business and lists orders of the day for adjourned debates on motions to take note of government documents. Such orders arise from consideration of the government documents presented on a particular day and include consideration of any documents not reached on the day. They are also listed for consideration for one hour on Thursdays during the consideration of general business. New items appear in the following day's *Notice Paper*. The section is printed in full on Thursdays.

Business for future consideration lists any notice of motion or order of the day to be considered on a specific day in the future; for example, a committee report ordered to be presented on a specific date, or a notice of motion given for a day other than the next day of sitting.

Bills referred to committees lists all bills or provisions of bills currently being considered by committees.

Questions on notice includes the text of new questions on notice and lists the numbers of unanswered questions.

Orders of the Senate includes orders of short-term duration such as orders for production of documents and those relating to days of sitting for a period of sittings.

Contingent notices of motion are statements of intention by senators that, contingent on a specified occurrence, they may move a motion, usually to suspend standing orders. They are grouped by subject.

Temporary chairs of committees: is a daily list of all senators appointed to take the chair in the absence of the President or Deputy President.

Categories of committees: is a daily list, categorised by type, of Senate and joint committees. Details of each committee appear in the committee section.

Committees: a daily list of Senate and joint committees, including membership, current inquiries and reports presented on or since the previous sitting day.

Senate appointments to statutory authorities lists the statutory authorities on which the Senate is represented and details of representation.

Ministerial representation lists Senate ministers and the portfolios they represent.

A GUIDE TO THE FULL NOTICE PAPER

On the first day of each period of sittings a full *Notice Paper* is printed listing all outstanding business before the Senate, including the full text of all unresolved notices of motion and unanswered questions on notice. This edition is a complete reference to unresolved business from earlier in the session and is useful to keep. All business before the Senate is published daily in the full electronic version of the *Notice Paper*, available on ParlInfo and on the parliament's Internet site.

Inquiries concerning the *Notice Paper* or business listed in it may be directed to the Senate Table Office on (02) 6277 3003 or (02) 6277 3015.

