

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

NOTICE PAPER

No. 3

MONDAY, 11 MARCH 2002

The Senate meets at 12.30 pm

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

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.

GOVERNMENT BUSINESS

Orders of the Day

- 1 **Regional Forest Agreements Bill 2002**—(*Senate bill*)—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)
Second reading—Adjourned debate (*Senator Cherry, in continuation, 14 February 2002*).
- 2 **Disability Services Amendment (Improved Quality Assurance) Bill 2002**—(*Senate bill*)—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)
Second reading—Adjourned debate (*13 February 2002*).

3 Governor-General's Opening Speech

Adjourned debate on the motion—That the following address-in-reply be agreed to:

To His Excellency the Governor-General

MAY IT PLEASE YOUR EXCELLENCY—

We, the Senate of the Commonwealth of Australia in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the speech which you have been pleased to address to Parliament.

And on the amendment moved by the Leader of the Australian Democrats (Senator Stott Despoja)—That the following words be added to the address-in-reply:

“, but the Senate is of the opinion that:

- (a) the Government must move towards a more humane and workable approach to asylum seekers; and
- (b) Woomera detention centre should be closed”—(*Senator Schacht, in continuation, 14 February 2002*).

***4 Financial Services Reform (Consequential Provisions) Bill 2002—(Senate bill)**—(*Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry, Senator Troeth*)

Second reading—Adjourned debate (*14 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 Economics References Committee—Report—Inquiry into mass marketed tax effective schemes and investor protection

Adjourned debate on the motion of Senator Cooney—That the Senate take note of the report (*Senator Cooney, in continuation, 14 February 2002*).

2 Superannuation and Financial Services—Select Committee—Report—Early access to superannuation benefits

Adjourned debate on the motion of Senator Sherry—That the Senate take note of the report (*Senator Cooney, in continuation, 14 February 2002*).

3 Employment, Workplace Relations, Small Business and Education References Committee—Report—Universities in crisis: Report into the capacity of public universities to meet Australia's higher education needs—Addendum

Adjourned debate on the motion of Senator West—That the Senate take note of the report (*Senator West, in continuation, 14 February 2002*).

**4 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**

Adjourned debate on the motion of Senator Sandy Macdonald—That the Senate take note of the document (*Senator Sandy Macdonald, in continuation, 14 February 2002*).

**5 Foreign Affairs, Defence and Trade References Committee—Report—
Recruitment and retention of ADF personnel**

Adjourned debate on the motion of Senator Hogg—That the Senate take note of the report (*Senator West, in continuation, 14 February 2002*).

**6 Employment, Workplace Relations, Small Business and Education References
Committee—Report—The education of gifted children**

Adjourned debate on the motion of Senator Tierney—That the Senate take note of the report (*Senator Tierney, in continuation, 14 February 2002*).

**7 Community Affairs References Committee—Report entitled: Healing our
hospitals: Report on public hospital funding—Government response**

Adjourned debate on the motion of Senator West—That the Senate take note of the document (*Senator West, in continuation, 14 February 2002*).

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

**1 Auditor-General—Audit report no. 16 of 2001-02—Performance audit—
Defence Reform Program management and outcomes: Department of
Defence**

Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Hogg, in continuation, 14 February 2002*).

**2 Auditor-General—Audit report no. 24 of 2001-02—Performance audit—
Status reporting of major defence acquisition projects: Department of
Defence**

Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Hogg, in continuation, 14 February 2002*).

**3 Auditor-General—Audit report no. 26 of 2001-02—Performance audit—
Management of fraud and incorrect payment in Centrelink**

Adjourned debate on the motion of Senator Cooney—That the Senate take note of the document (*Senator Cooney, in continuation, 14 February 2002*).

**4 Auditor-General—Audit report no. 30 of 2001-02—Performance audit—Test
and evaluation of major defence equipment acquisitions: Department of
Defence**

Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Cooney, in continuation, 14 February 2002*).

***5 Auditor-General—Audit report no. 31 of 2001-02—Audit activity report:
July to December 2001: Summary of outcomes**

Consideration (*14 February 2002*).

- *6 **Auditor-General—Audit report no. 32 of 2001-02—Performance audit—Home and community care follow-up audit: Department of Health and Ageing**
Consideration (14 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; andto 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 the 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;
- (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.

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.

*Notice given 13 February 2002***13 Senator Allison:** To move—That the Senate—

- (a) notes that:
 - (i) Victorian school principals are struggling to fill teaching vacancies for the 2002 school year,
 - (ii) Victoria has a shortage of mathematics, science, information technology, languages other than English, accounting and woodwork teachers, and
 - (iii) schools in regional areas and country towns experience the greatest difficulty filling teacher vacancies; and
- (b) urges the Government to do more to increase the number of available teachers by improving conditions and incentives for teachers, particularly in rural areas, and by increasing university places and funding for teacher education.

*Notice given 14 February 2002****17 Senator Tierney:** To move—That the Senate—

- (a) notes the serious problem of overcrowding in New South Wales public schools, especially when compared with other states across the country;

- (b) acknowledges the shameful results of a New South Wales Teachers Federation survey showing 20 per cent of all classes in each of the first 3 years of primary school being over the Carr Government's own limit, and 32 per cent of all kindergarten classes exceeding suggested class sizes during 2001;
- (c) condemns the Carr Government for putting New South Wales children's education at risk by increasing class numbers and not reducing them as other states are now doing;
- (d) congratulates the Howard Government for increasing funding to New South Wales government schools by 5.2 per cent in 2001, as opposed to Premier Carr's paltry 2.6 per cent; and
- (e) recognises the low priority given to education by the Carr Government, as evidenced by the fact that the amount spent on education as a percentage of total state budget has dropped from 25.5 per cent to 22 per cent in the 7 years since Labor came to power in New South Wales.

*18 **Senator Bourne:** To move—That the following bill be introduced: A Bill for an Act to provide for parliamentary scrutiny of appointments to the ABC Board and for related purposes. *Australian Broadcasting Corporation Amendment Bill 2002.*

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**
Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 14 February 2002*).
- 2 **Aged Care Act 1997—Report for 2000-01 on the operation of the Act**
Adjourned debate on the motion of Senator West—That the Senate take note of the document (*Senator Buckland, in continuation, 14 February 2002*).
- 3 **Wet Tropics Management Authority—Report for 2000-01**
Adjourned debate on the motion of Senator Bartlett—That the Senate take note of the document (*Senator Bartlett, in continuation, 14 February 2002*).
- 4 **Aged Care Standards and Accreditation Agency Limited—Report for 2000-01**
Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*Senator West, in continuation, 14 February 2002*).
- 5 **Tiwi Land Council—Report for 2000-01**
Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 14 February 2002*).
- 6 **Torres Strait Regional Authority—Report for 2000-01**
Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 14 February 2002*).
- 7 **Aboriginal Hostels Limited—Report for the period 25 June 2000 to 23 June 2001**
Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 14 February 2002*).

8 Indigenous Land Corporation—Report for 2000-01

Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 14 February 2002*).

9 Northern Land Council—Report for 2000-01

Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 14 February 2002*).

10 Australian Postal Corporation (Australia Post)—Report for 2000-01

Adjourned debate on the motion of Senator Mackay—That the Senate take note of the document (*Senator Mackay, in continuation, 14 February 2002*).

11 Centrelink—Report for 2000-01

Adjourned debate on the motion of Senator West—That the Senate take note of the document (*Senator West, in continuation, 14 February 2002*).

12 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*

Adjourned debate on the motion of Senator Bartlett—That the Senate take note of the document (*Senator Cooney, in continuation, 14 February 2002*).

13 Department of Reconciliation and Aboriginal and Torres Strait Islander Affairs—Report for the period 30 January to 30 June 2001

Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 14 February 2002*).

14 Australian Customs Service—Report for 2000-01

Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 14 February 2002*).

15 Australian Federal Police—Report for 2000-01, including a report pursuant to the *Complaints (Australian Federal Police) Act 1981*

Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 14 February 2002*).

16 Department of Foreign Affairs and Trade—Report for 2000-01—Volume 1: Department of Foreign Affairs and Trade

Adjourned debate on the motion of Senator Cooney—That the Senate take note of the document (*Senator Cooney, in continuation, 14 February 2002*).

17 Department of Foreign Affairs and Trade—Report for 2000-01—Volume 2: Australian Agency for International Development (AusAID)

Adjourned debate on the motion of Senator Cooney—That the Senate take note of the document (*Senator Cooney, in continuation, 14 February 2002*).

18 Insolvency and Trustee Service Australia—Report for 2000-01

Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 14 February 2002*).

19 Inspector-General in Bankruptcy—Report for 2000-01 on the operation of the *Bankruptcy Act 1966*

Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 14 February 2002*).

20 Office of Film and Literature Classification—Classification Board and Classification Review Board—Reports for 2000-01

Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 14 February 2002*).

21 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

Adjourned debate on the motion of Senator Bartlett—That the Senate take note of the document (*Senator Bartlett, in continuation, 14 February 2002*).

22 National Oceans Office—Report for 2000-01

Adjourned debate on the motion of Senator Bartlett—That the Senate take note of the document (*Senator Bartlett, in continuation, 14 February 2002*).

23 Defence Force Retirement and Death Benefits Authority—Report for 2000-01

Adjourned debate on the motion of Senator West—That the Senate take note of the document (*Senator West, in continuation, 14 February 2002*).

24 Department of Family and Community Services—Report for 2000-01

Adjourned debate on the motion of Senator West—That the Senate take note of the document (*Senator West, in continuation, 14 February 2002*).

25 Health Insurance Commission—Report for 2000-01

Adjourned debate on the motion of Senator West—That the Senate take note of the document (*Senator West, in continuation, 14 February 2002*).

26 Crimes Act 1914—Report on controlled operations for 2000-01

Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Hogg, in continuation, 14 February 2002*).

27 National Library of Australia—Report for 2000-01

Adjourned debate on the motion of Senator Tierney—That the Senate take note of the document (*Senator Tierney, in continuation, 14 February 2002*).

28 Australia New Zealand Food Authority—Report for 2000-01

Adjourned debate on the motion of Senator West—That the Senate take note of the document (*Senator West, in continuation, 14 February 2002*).

29 Witness Protection Act 1994—Report for 2000-01 on the operation of the Act

Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Hogg, in continuation, 14 February 2002*).

30 Refugee Review Tribunal—Report for 2000-01

Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Bartlett, in continuation, 14 February 2002*).

31 Australian Radiation Protection and Nuclear Safety Agency—Report for 2000-01

Adjourned debate on the motion of Senator Bartlett—That the Senate take note of the document (*Senator Bartlett, in continuation, 14 February 2002*).

- 32 **Department of Employment, Workplace Relations and Small Business—Report for 2000-01**
Adjourned debate on the motion of Senator Hutchins—That the Senate take note of the document (*Senator Hutchins, in continuation, 14 February 2002*).
- 33 **Inspector-General of Intelligence and Security—Report for 2000-01**
Adjourned debate on the motion of Senator West—That the Senate take note of the document (*Senator West, in continuation, 14 February 2002*).
- 34 **Australian Fisheries Management Authority—Report for 2000-01**
Adjourned debate on the motion of Senator Bartlett—That the Senate take note of the document (*Senator Bartlett, in continuation, 14 February 2002*).
- 35 **Fisheries Research and Development Corporation and Fisheries Research and Development Corporation Selection Committee—Reports for 2000-01**
Adjourned debate on the motion of Senator Bartlett—That the Senate take note of the document (*Senator Bartlett, in continuation, 14 February 2002*).
- 36 **Grains Research and Development Corporation—Report for 2000-01**
Adjourned debate on the motion of Senator Bartlett—That the Senate take note of the document (*Senator Bartlett, in continuation, 14 February 2002*).
- 37 **Migration Review Tribunal—Report for 2000-01**
Adjourned debate on the motion of Senator Bartlett—That the Senate take note of the document (*Senator Bartlett, in continuation, 14 February 2002*).
- 38 **Comcare Australia—Report for 2000-01, including the report of QWL Corporation Pty Limited**
Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Hogg, in continuation, 14 February 2002*).
- 39 **Attorney-General's Department—Report for 2000-01**
Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 14 February 2002*).
- 40 **Department of Defence—Report for 2000-01**
Adjourned debate on the motion of Senator West—That the Senate take note of the document (*Senator West, in continuation, 14 February 2002*).
- 41 **Safety, Rehabilitation and Compensation Commission—Report for 2000-01**
Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Hogg, in continuation, 14 February 2002*).
- 42 **Australian Industrial Relations Commission and Australian Industrial Registry—Reports for 2000-01**
Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Hogg, in continuation, 14 February 2002*).
- 43 **Federal Court of Australia—Report for 2000-01**
Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Hogg, in continuation, 14 February 2002*).
- 44 **Office of Parliamentary Counsel—Report for 2000-01**
Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Hogg, in continuation, 14 February 2002*).

- 45 **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**
Adjourned debate on the motion of Senator West—That the Senate take note of the document (*Senator West, in continuation, 14 February 2002*).
- 46 **Australian Research Council—Report for 2000-01**
Adjourned debate on the motion of Senator Tierney—That the Senate take note of the document (*Senator Tierney, in continuation, 14 February 2002*).
- 47 **Social Security Appeals Tribunal—Report for 2000-01**
Adjourned debate on the motion of Senator Bartlett—That the Senate take note of the document (*Senator Bartlett, in continuation, 14 February 2002*).
- 48 **Great Barrier Reef Marine Park Authority—Report for 2000-01**
Adjourned debate on the motion of Senator Bartlett—That the Senate take note of the document (*Senator Bartlett, in continuation, 14 February 2002*).
- 49 **Forest and Wood Products Research and Development Corporation—Report for 2000-01**
Adjourned debate on the motion of Senator Bartlett—That the Senate take note of the document (*Senator Bartlett, in continuation, 14 February 2002*).
- 50 **Federal Magistrates Service—Report for 2000-01**
Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Hogg, in continuation, 14 February 2002*).
- 51 **Family Court of Australia—Report for 2000-01**
Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Hogg, in continuation, 14 February 2002*).
- 52 **Australian Communications Authority—Report for 2000-01**
Adjourned debate on the motion of Senator Mackay—That the Senate take note of the document (*Senator Mackay, in continuation, 14 February 2002*).
- 53 **Australian Greenhouse Office—Report for 2000-01**
Consideration (*12 February 2002*).
- 54 **Australian Heritage Commission—Report for 2000-01**
Consideration (*12 February 2002*).
- 55 **Members of Parliament (Staff) Act 1984—Report for 2000-01 on consultants engaged under section 4 of the Act**
Consideration (*12 February 2002*).
- 56 **Civil Aviation Safety Authority Australia—Report for 2000-01**
Consideration (*12 February 2002*).
- 57 **Airservices Australia—Report for 2000-01**
Consideration (*12 February 2002*).
- 58 **Australian Sports Drug Agency—Report for 2000-01**
Consideration (*12 February 2002*).

- 59 **Australian Film Finance Corporation Limited—Report for 2000-01**
Consideration (12 February 2002).
- 60 **Australian Maritime Safety Authority—Report for 2000-01**
Consideration (12 February 2002).
- 61 **Australian Institute of Family Studies—Report for 2000-01**
Consideration (12 February 2002).
- 62 **Dairy Adjustment Authority—Report for the period 3 April 2000 to 30 June 2001**
Consideration (12 February 2002).
- 63 **Snowy Mountains Council—Report for 2000-01**
Consideration (12 February 2002).
- 64 **Australian Centre for International Agricultural Research—Report for 2000-01**
Consideration (12 February 2002).
- 65 **Department of Education, Training and Youth Affairs—Report for 2000-01—Corrigenda**
Consideration (12 February 2002).
- 66 **Migration Agents Registration Authority—Report for 2000-01**
Consideration (12 February 2002).
- 67 **Office of the Official Secretary to the Governor-General—Report for 2000-01**
Consideration (12 February 2002).
- 68 **CrimTrac Agency—Report for 2000-01**
Consideration (12 February 2002).
- 69 **Office of the Federal Privacy Commissioner—Report for 2000-01 on the operation of the *Privacy Act 1988***
Consideration (12 February 2002).
- 70 **Australian Law Reform Commission—Report for 2000-01 (Report no. 93)**
Consideration (12 February 2002).
- 71 **National Native Title Tribunal—Report for 2000-01**
Consideration (12 February 2002).
- 72 **Dried Fruits Research and Development Council—Report for 2000-01**
Consideration (12 February 2002).
- 73 **Comcare Australia—Report for 2000-01, including the report of QWL Corporation Pty Limited—Addendum**
Consideration (12 February 2002).
- 74 **Australian Landcare Council—Report for 2000-01**
Consideration (12 February 2002).

- 75 **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).
- 76 **Land and Water Resources Research and Development Corporation—Report for 2000-01**
Consideration (12 February 2002).
- 77 **Australian Sports Commission—Report for 2000-01**
Consideration (12 February 2002).
- 78 **Employment National Limited—Report for 2000-01**
Consideration (12 February 2002).
- 79 **Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2000-01**
Consideration (12 February 2002).
- 80 **Commissioner of Taxation—Report for 2000-01**
Consideration (12 February 2002).
- 81 **Medibank Private—Report for 2000-01**
Consideration (12 February 2002).
- 82 **Medibank Private—Statement of corporate intent 2001-2004**
Consideration (12 February 2002).
- 83 **National Standards Commission—Report for 2000-01**
Consideration (12 February 2002).
- 84 **ComLand Limited—Report for 2000-01**
Consideration (12 February 2002).
- 85 **Family Law Council—Report for 2000-01**
Consideration (12 February 2002).
- 86 **Superannuation Complaints Tribunal—Report for 2000-01**
Consideration (12 February 2002).
- 87 **Financial Reporting Council and Australian Accounting Standards Board—Reports for 2000-01**
Consideration (12 February 2002).
- 88 **Companies and Securities Advisory Committee—Report for 2000-01**
Consideration (12 February 2002).
- 89 **Australian Securities and Investments Commission—Report for 2000-01**
Consideration (12 February 2002).
- 90 **Goldfields Land and Sea Council—Report for 2000-01**
Consideration (12 February 2002).

- 91 **Commonwealth Government of Australia—Consolidated financial statements for the year ended 30 June 2001—Statement**
Consideration (12 February 2002).
- 92 **Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2000-01**
Consideration (12 February 2002).
- 93 **Australian Nuclear Science and Technology Organisation (ANSTO)—Report for 2000-01**
Consideration (12 February 2002).
- 94 **Australian Institute of Health and Welfare—Australia’s welfare 2001: Services and assistance—Fifth biennial report**
Consideration (12 February 2002).
- 95 **Australian Broadcasting Corporation—Report for 2000-01**
Consideration (12 February 2002).
- 96 **Department of the Treasury—Tax expenditures statement 2001, December 2001**
Consideration (12 February 2002).
- 97 **Industry Research and Development Board—Report for 2000-01**
Consideration (12 February 2002).
- 98 **Foreign Investment Review Board—Report for 2000-01**
Consideration (12 February 2002).
- 99 **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).
- 100 **Human Rights and Equal Opportunity Commission—Report for 2000-01**
Consideration (12 February 2002).
- 101 **Australia Business Arts Foundation Ltd—Report for 2000-01**
Consideration (12 February 2002).
- 102 **Private Health Insurance Ombudsman—Report for 2000-01**
Consideration (12 February 2002).
- 103 **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).
- 104 **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).
- 105 **Department of Industry, Science and Resources—Energy use in Commonwealth operations—Report for 2000-01**
Consideration (12 February 2002).

- 106 **Productivity Commission—Report no. 16—Telecommunications competition regulation, 21 September 2001**
Consideration (12 February 2002).
- 107 **Freedom of Information Act 1982—Report for 2000-01 on the operation of the Act**
Consideration (12 February 2002).
- 108 **Special Broadcasting Service Corporation (SBS)—Report for 2000-01**
Consideration (12 February 2002).
- 109 **Commonwealth Government of Australia—Consolidated financial statements for the year ended 30 June 2001**
Consideration (12 February 2002).
- 110 **Centrelink and the Data-Matching Agency—Data-matching program—Report on progress for 1998-2001**
Consideration (12 February 2002).
- 111 **Private Health Insurance Administration Council—Report for 2000-01 on the operations of the registered health benefits organisations**
Consideration (12 February 2002).
- 112 **Australian Government Solicitor—Statement of corporate intent 2001-02**
Consideration (12 February 2002).
- 113 **Australian Competition and Consumer Commission—Report for 2000-01**
Consideration (12 February 2002).
- 114 **Joint Coal Board—Report for 2000-01**
Consideration (12 February 2002).
- 115 **Central Queensland Land Council Aboriginal Corporation—Report for 2000-01**
Consideration (12 February 2002).
- 116 **North Queensland Land Council Native Title Representative Body Aboriginal Corporation—Report for 2000-01**
Consideration (12 February 2002).
- 117 **Yamatji Barna Baba Maaja Aboriginal Corporation—Report for 2000-01**
Consideration (12 February 2002).
- 118 **Australian Statistics Advisory Council—Report for 2000-01**
Consideration (12 February 2002).
- 119 **High Court of Australia—Report for 2000-01**
Consideration (12 February 2002).
- 120 **Private Health Insurance Administration Council—Report for 2000-01 on the operations of the registered health benefits organisations—Errata**
Consideration (12 February 2002).
- 121 **Landcare Australia Limited—Report for 2000-01**
Consideration (12 February 2002).

- 122 **Torres Strait Protected Zone Joint Authority—Report for 1999-2000**
Consideration (12 February 2002).
- 123 **Wheat Export Authority—Report for 1 October 2000 to 30 September 2001**
Consideration (12 February 2002).
- 124 **Commissioner of Taxation—Data-matching program—ATO's interaction with the program—Report for 1998-99 to 2000-01**
Consideration (12 February 2002).
- 125 **Medical Training Review Panel—Report for 2000-01**
Consideration (12 February 2002).
- 126 **Australian Rail Track Corporation Limited (ARTC)—Report for 2000-01**
Consideration (12 February 2002).
- 127 **Australian Rail Track Corporation Limited (ARTC)—Statement of corporate intent 2001-02**
Consideration (12 February 2002).
- 128 **International Air Services Commission—Report for 2000-01**
Consideration (12 February 2002).
- 129 **Stevedoring Industry Finance Committee—Report for 2000-01**
Consideration (12 February 2002).
- 130 **Maritime Industry Finance Company Limited—Report for 2000-01**
Consideration (12 February 2002).
- 131 **Employment Advocate—Report for 2000-01**
Consideration (13 February 2002).
- 132 **Mid-year economic and fiscal outlook 2001-02—Statement by the Treasurer (Mr Costello) and the Minister for Finance and Administration (Mr Fahey)**
Consideration (13 February 2002).
- 133 **Telstra Corporation Limited—Report for 2000-01**
Consideration (13 February 2002).
- 134 **Australian Broadcasting Corporation—Equity and diversity program—Report for 1 September 2000 to 31 August 2001**
Consideration (13 February 2002).
- 135 **Telstra Corporation Limited—Equal employment opportunity program—Report for 2000-01**
Consideration (13 February 2002).
- 136 **NetAlert Limited—Report for 2000-01**
Consideration (13 February 2002).
- 137 **Australian Postal Corporation (Australia Post)—Statement of corporate intent 2001-02 to 2003-04**
Consideration (13 February 2002).

- 138 **Australian Broadcasting Authority—Co-regulatory scheme for Internet content regulation—Report for the period 1 January to 30 June 2001**
Consideration (13 February 2002).
- 139 **Australian Communications Authority—Telecommunications performance—Report for 2000-01**
Consideration (13 February 2002).
- 140 **Australian Broadcasting Authority—Report for 2000-01**
Consideration (13 February 2002).
- 141 **Australian Postal Corporation (Australia Post)—Equal employment opportunity program—Report for 2000-01**
Consideration (13 February 2002).
- 142 **Pooled Development Funds Registration Board—Report for 2000-01**
Consideration (13 February 2002).
- 143 **Australian Security Intelligence Organisation—Report for 2000-01**
Consideration (13 February 2002).
- 144 **National Residue Survey—Results—Report for 2000-01**
Consideration (13 February 2002).
- 145 **Australian Political Exchange Council—Report for 2000-01**
Consideration (13 February 2002).
- 146 **Sydney Airports Corporation Limited—Statement of corporate intent, 2001-2004**
Consideration (13 February 2002).
- 147 **Essendon Airport Limited—Report for 2000-01**
Consideration (13 February 2002).
- 148 **Centrelink—Compliance activity for Family and Community Services—Report for 2000-01**
Consideration (13 February 2002).
- 149 **National Competition Council—Report for 2000-01**
Consideration (13 February 2002).
- 150 **United Nations—International Covenant on Civil and Political Rights—Communication No. 832/1998—Decision**
Consideration (13 February 2002).
- 151 **United Nations—International Covenant on Civil and Political Rights—Communication No. 930/2000—Views**
Consideration (13 February 2002).
- 152 **United Nations—International Covenant on Civil and Political Rights—Communication No. 978/2001—Outline**
Consideration (13 February 2002).

- 153 **United Nations—International Covenant on Civil and Political Rights—Communication No. 984/2001—Outline**
Consideration (13 February 2002).
- 154 **United Nations—International Covenant on Civil and Political Rights—Communication No. 1011/2001—Outline**
Consideration (13 February 2002).
- 155 **United Nations—International Covenant on Civil and Political Rights—Communication No. 1012/2001—Outline**
Consideration (13 February 2002).
- 156 **United Nations—International Covenant on Civil and Political Rights—Communication No. 1014/2001—Outline**
Consideration (13 February 2002).
- 157 **United Nations—International Covenant on Civil and Political Rights—Communication No. 1036/2001—Outline**
Consideration (13 February 2002).

Orders of the Day

- 1 **ABC Amendment (Online and Multichannelling Services) Bill 2001 [2002]—(Senate bill)—(Senator Bourne)**
Second reading—Adjourned debate (*adjourned, Senator Calvert, 3 April 2001*)—(*restored pursuant to resolution of 13 February 2002*).
- 2 **Air Navigation Amendment (Extension of Curfew and Limitation of Aircraft Movements) Bill 1995 [2002]—(Senate bill)—(Senator Bourne)**
Second reading—Adjourned debate (*27 March 1995*)—(*restored pursuant to resolution of 13 February 2002*).
- 3 **Anti-Genocide Bill 1999 [2002]—(Senate bill)—(Senator Greig)**
Second reading—Adjourned debate (*5 April 2001*)—(*restored pursuant to resolution of 13 February 2002*).
- 4 **Australian Broadcasting Corporation Amendment Bill 1999 [2002]—(Senate bill)—(Senator Bourne)**
Second reading—Adjourned debate (*adjourned, Senator O'Brien, 25 March 1999*)—(*restored pursuant to resolution of 13 February 2002*).
- 5 **Electoral Amendment (Political Honesty) Bill 2000 [2002]**
Charter of Political Honesty Bill 2000 [2002]—(Senate bills)—(Senator Murray)
Second reading—Adjourned debate (*adjourned, Senator Calvert, 10 October 2000*)—(*restored pursuant to resolution of 13 February 2002*).
- 6 **Constitution Alteration (Appropriations for the Ordinary Annual Services of the Government) 2001 [2002]—(Senate bill)—(Senator Murray and the Leader of the Australian Democrats, Senator Stott Despoja)**
Second reading—Adjourned debate (*adjourned, Senator Calvert, 26 June 2001*)—(*restored pursuant to resolution of 13 February 2002*).

- 7 **Constitution Alteration (Electors' Initiative, Fixed Term Parliaments and Qualification of Members) 2000 [2002]**—(*Senate bill*)—(*Senator Murray*)
Second reading—Adjourned debate (*adjourned, Senator Calvert, 4 April 2000*)—(*restored pursuant to resolution of 13 February 2002*).
- 8 **Corporate Code of Conduct Bill 2000 [2002]**—(*Senate bill*)—(*Senator Bourne*)
Second reading—Adjourned debate (*adjourned, Senator Calvert, 6 September 2000*)—(*restored pursuant to resolution of 13 February 2002*).
- 9 **Freedom of Information Amendment (Open Government) Bill 2000 [2002]**—(*Senate bill*)—(*Senator Murray*)
Second reading—Adjourned debate (*adjourned, Senator Calvert, 5 September 2000*)—(*restored pursuant to resolution of 13 February 2002*).
- 10 **Parliamentary Approval of Treaties Bill 1995 [2002]**—(*Senate bill*)—(*Senator Bourne*)
Second reading—Adjourned debate (*31 May 1995*)—(*restored pursuant to resolution of 23 November 1998*)—(*restored pursuant to resolution of 13 February 2002*).
- 11 **Public Interest Disclosure Bill 2001 [2002]**—(*Senate bill*)—(*Senator Murray*)
Second reading—Adjourned debate (*adjourned, Senator O'Brien, 27 June 2001*)—(*restored pursuant to resolution of 13 February 2002*).
- 12 **Reconciliation Bill 2001 [2002]**—(*Senate bill*)—(*Senator Ridgeway*)
Second reading—Adjourned debate (*adjourned, Senator Calvert, 5 April 2001*)—(*restored pursuant to resolution of 13 February 2002*).
- 13 **State Elections (One Vote, One Value) Bill 2001 [2002]**—(*Senate bill*)—(*Senator Murray*)
Second reading—Adjourned debate (*adjourned, Senator Calvert, 7 August 2001*)—(*restored pursuant to resolution of 13 February 2002*).
- *14 **Public liability insurance premiums**
Adjourned debate on the motion of Senator Conroy—That the Senate—
(a) expresses its concern about the significant increase in public liability insurance premiums and the effect it is having on the viability of many small businesses and community and sporting organisations;
(b) condemns the Government for its inaction; and
(c) urges the Minister to propose a solution to this pressing issue, as quickly as possible, not just look at the problem—(*Senator Ferguson, in continuation, 14 February 2002*).
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BUSINESS FOR FUTURE CONSIDERATION

Next day of sitting (12 March 2002)

General Business—Notice of Motion

Notice given 13 February 2002

- 16 **Senator Brown:** To move—That the following bill be introduced: A Bill for an Act to establish a Parliamentary Commission of Inquiry into Forestry Tasmania, the Forest Practices Board and Private Forests Tasmania, and for related purposes. *Parliamentary Commission of Inquiry into Forestry Tasmania Bill 2002.*

On 13 March 2002

Business of the Senate—Order of the Day

*1 **Legislation Committees**

Reports to be presented in respect of the 2001-02 additional estimates.

General Business—Notices of Motion

Notice given 12 February 2002

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

Notice given 13 February 2002

14 **Senator Harris:** To move—

- (1) That a select committee, to be known as the Select Committee on the Lindeberg Grievance, be appointed to inquire into and report, by 30 June 2002, on the following matters:
 - (a) whether any false or misleading evidence was given to the Select Committee on Public Interest Whistleblowing, the Select Committee on Unresolved Whistleblower Cases or the Committee of Privileges in respect of its 63rd and 71st reports;
 - (b) whether any contempt was committed in that regard, having regard to previous inquiries by Senate committees relating to the shredding of the Heiner documents, the fresh material that has subsequently been revealed by the Dutney Memorandum, and Exhibits 20 and 31 tabled at the Forde Commission of Inquiry into the Abuse of Children in Queensland Institutions, and any other relevant evidence; and

- (c) whether this matter should be taken into account in framing the proposed legislation on whistleblower protection recommended by the Select Committee on Public Interest Whistleblowing.
- (2) That the committee consist of 7 senators, 2 nominated by the Leader of the Government in the Senate, 2 nominated by the Leader of the Opposition in the Senate, 1 nominated by the Leader of the Australian Democrats, 1 nominated by the One Nation Party and 1 nominated by the Australian Greens or Senator Harradine.
- (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:
 - (a) the chair of the committee be elected by and from the members of the committee;
 - (b) in the absence of agreement on the selection of a chair, duly notified to the President, the allocation of the chair be determined by the Senate;
 - (c) the deputy chair of the committee be elected by and from the members of the committee immediately after the election of the chair;
 - (d) the deputy chair act as chair when there is no chair or the chair is not present at a meeting; and
 - (e) 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.
- (5) That the quorum of the committee be a majority of the members of the committee.
- (6) 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.
- (7) 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 the subcommittee be a majority of the members appointed to the subcommittee.
- (8) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint investigative staff and persons, including senior counsel, with specialist knowledge for the purposes of the committee, with the approval of the President.
- (9) That the committee have access to, and have power to make use of, the evidence and records of the Select Committee on Public Interest Whistleblowing, the Select Committee on Unresolved Whistleblower Cases and the Committee of Privileges in respect of its 63rd and 71st reports.
- (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.

On 14 March 2002

Business of the Senate—Order of the Day

***1 Legal and Constitutional Legislation Committee**

Report to be presented on the provisions of the Proceeds of Crime Bill 2002 and the provisions of the Proceeds of Crime (Consequential Amendments and Transitional Provisions) Bill 2002. (*Referred immediately upon the introduction of the bills in the House of Representatives pursuant to the order of the Senate of 14 February 2002.*)

On the tenth sitting day of 2002 (21 March 2002)

Business of the Senate—Order of the Day

***1 Legislation Committees**

Reports to be presented on annual reports tabled by 31 October 2001.

On 16 May 2002

Business of the Senate—Order of the Day

1 A Certain Maritime Incident—Select Committee

Report to be presented.

On 19 June 2002

Business of the Senate—Order of the Day

***1 Legislation Committees**

Reports to be presented in respect of the 2002-03 budget estimates.

On 27 June 2002

Business of the Senate—Orders of the Day

***1 Community Affairs References Committee**

Report to be presented on nursing.

***2 Environment, Communications, Information Technology and the Arts References Committee**

Report to be presented on urban water use.

On the tenth sitting day after 30 June 2002 (17 September 2002)

Business of the Senate—Order of the Day

***1 Legislation Committees**

Reports to be presented on annual reports tabled by 30 April 2002.



BILLS REFERRED TO COMMITTEES

Provisions of bills currently referred†

Proceeds of Crime Bill 2002

Proceeds of Crime (Consequential Amendments and Transitional Provisions) Bill 2002

Referred to the Legal and Constitutional Legislation Committee (*referred immediately upon the introduction of the bills in the House of Representatives pursuant to the order of the Senate of 14 February 2002; reporting date: 14 March 2002*).

†Further information about the progress of these bills may be found in the Department of the Senate's Bills to Committees Update.

QUESTIONS ON NOTICE

Questions remaining unanswered

No questions have remained unanswered for more than 30 days.

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.
- 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.

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.

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.
- 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 Rottneest 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.

58 **Senator Allison:** To ask the Minister representing the Minister for Industry, Tourism and Resources—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.

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 Minister for the Environment and Heritage

62 Minister representing the Minister for the Environment and Heritage

63 Minister representing the Minister for the Environment and Heritage

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76 Minister representing the Minister for the Environment and Heritage

77 **Senator Allison:** To ask the Minister representing the Minister for 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 MTAW (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 MTAW 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 MTAW 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 MTAW 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 MTAW 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.

Notice given 13 February 2002

88 **Senator Ray:** To ask the Minister representing the Treasurer—

- (1) Has the Australian Competition and Consumer Commission (ACCC) used an electronic version of the Electoral Roll provided by the Australian Electoral Commission (AEC); if so: (a) when did the AEC provide the Electoral Roll; and (b) for what purpose(s) has it been used.
- (2) Has the ACCC ever sought legal advice as to the lawfulness of using the Electoral Roll for those purposes; if so, from whom has this legal advice been sought.
- (3) Following the provision of the legal advice, was the ACCC satisfied that the use of the Electoral Roll was in fact lawful; if so, on what basis was the ACCC satisfied that the use of the Electoral Roll was lawful.

89 **Senator Ray:** To ask the Minister representing the Treasurer—

- (1) Has the Australian Securities and Investments Commission (ASIC) used an electronic version of the Electoral Roll provided by the Australian Electoral Commission (AEC); if so, (a) when did the AEC provide the Electoral Roll; and (b) for what purpose(s) has it been used.
- (2) Has ASIC ever sought legal advice as to the lawfulness of using the Electoral Roll for those purposes; if so, from whom has this legal advice been sought.
- (3) Following the provision of the legal advice, was ASIC satisfied that the use of the Electoral Roll was in fact lawful; if so, on what basis was ASIC satisfied that the use of the Electoral Roll was lawful.

90 **Senator Ray:** To ask the Minister for Health and Ageing—

- (1) How many Freedom of Information (FOI) requests were received by the department in the 1999-2000 financial year.
- (2) (a) How many of those requests have been finalised; (b) how many are pending; and (c) how many were refused and, in each instance, on what grounds.
- (3) On how many occasions have costs been waived for the processing of FOI requests.

Senator Ray: To ask the Ministers listed below (Question Nos 91-92)—

- (1) What contracts has the department or any agency of the department provided to the firm Deloitte Touche Tohmatsu in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken by Deloitte Touche Tohmatsu.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select Deloitte Touche Tohmatsu (open tender, short-list or some other process).

91 Minister representing the Treasurer

92 Minister for Health and Ageing

Senator Ray: To ask the Ministers listed below (Question Nos 93-94)—

- (1) What contracts has the department or any agency of the department provided to the firm KPMG in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken by KPMG.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select KPMG (open tender, short-list or some other process).

93 Minister representing the Treasurer

94 Minister for Health and Ageing

Senator Ray: To ask the Ministers listed below (Question Nos 95-96)—

- (1) What contracts has the department or any agency of the department provided to the firm PriceWaterhouseCoopers in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken by PriceWaterhouseCoopers.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select PriceWaterhouseCoopers (open tender, short-list or some other process).

95 Minister representing the Treasurer

96 Minister for Health and Ageing

Senator Ray: To ask the Ministers listed below (Question Nos 97-98)—

- (1) What contracts has the department or any agency of the department provided to the firm Ernst & Young in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken by Ernst & Young.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select Ernst & Young (open tender, short-list or some other process).

97 Minister representing the Treasurer

98 Minister for Health and Ageing

Senator Ray: To ask the Ministers listed below (Question Nos 99-100)—

- (1) What contracts has the department or any agency of the department provided to the firm Arthur Andersen in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken by Arthur Andersen.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select Arthur Andersen (open tender, short-list or some other process).

99 Minister representing the Treasurer

100 Minister for Health and Ageing

Senator Ray: To ask the Ministers listed below (Question Nos 101-102)—

- (1) What was the total value of market research sought by the department and any agencies of the department for the 1999-2000 financial year.
- (2) What was the purpose of each contract let.
- (3) In each instance: (a) how many firms were invited to submit proposals; and (b) how many tender proposals were received.

- (4) In each instance, which firm was selected to conduct the research.
- (5) In each instance: (a) what was the estimated or contract price of the research work; and (b) what was the actual amount expended by the department or any agency of the department.

101 Minister representing the Minister for Transport and Regional Services

102 Minister representing the Treasurer

103 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to Environment Australia's Threat Abatement Plan for the Predation by the European Fox, in particular relating to Tasmania, and with particular reference to page 8 of the report, dated June 1999, which refers to the threats posed by foxes on islands.

- (1) What action (please provide dates) has the Government taken to fulfil the recommendation of the report.
- (2) How much money has been spent by the Government on fox control in Tasmania, and when.
- (3) (a) What specific requests have been made by the Tasmanian Government, or any other individual or entity, to the Government for assistance in fox control for Tasmania since 1996; and (b) what response did the Government make in each case.
- (4) How many foxes are in Tasmania.
- (5) What is the annual cost (in dollars and in damage to the land and wildlife) of foxes to Australia.

Notice given 14 February 2002

*104 **Senator Hutchins:** To ask the Minister representing the Minister for Employment and Workplace Relations—

- (1) Is the Minister aware that more than five hundred former staff of Traveland lost their jobs as a result of the collapse of Ansett and Internova Travel.
- (2) Is the Minister aware that none of the former employees of Traveland have received their workers' entitlements.
- (3) Will the Government Employee Entitlements Scheme (GEERS) provide payment of workers' entitlements to former employees of the Ansett subsidiary Traveland.
- (4) Can details be provided of the processing of applications received from workers applying for their entitlements under GEERS.
- (5) Has GEERS begun processing the applications of former Traveland workers.
- (6) Were the former Traveland employees misled when they were informed that the processing of their payments would begin on 7 January 2002.
- (7) How much time was taken by GEERS to process the applications of former National Textiles workers.
- (8) When will former Traveland employees receive their workers' entitlements.

*105 **Senator Hutchins:** To ask the Minister for Communications, Information Technology and the Arts—

- (1) Was a decision made by Telstra, on 4 April 2001, to retrench 25 customer field workforce employees in the Sydney metropolitan area.

- (2) Is the Minister aware that there are some 8 000 Telstra customers within the Sydney metropolitan area waiting for their phone services to be repaired.
- (3) Was the decision made for commercial reasons.
- (4) Is the Minister aware that an additional 260 staff were brought in from interstate and regional New South Wales.
- (5) (a) Is the Minister aware that 170 telephone installations are being carried out by contractors every day; and (b) would permanent staff be more economically efficient in terms of cost for installing telephones.
- (6) Will the decision to retrench 25 customer field workforce employees impact upon the level of service provided to Telstra customers.
- (7) Is the Government able to use its majority shareholding in Telstra to reverse the decision.
- (8) How is the decision to retrench the workers in the interest of the provision of an effective telecommunications service to the people of Sydney.

*106 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the use of coltan in mobile phones:

- (1) (a) What is the availability of this mineral in Australia; and (b) is this sufficient to meet domestic needs.
- (2) Is it a fact that mining for coltan in Africa is a major threat to the survival of the population of eastern lowland Grauer gorillas, *gorilla beringei graueri*, a subspecies distinct from the mountain gorilla; if so, what steps has the Government taken, or will it take, to ensure Australia is not importing, directly or indirectly, coltan from this region.
- (3) What measures has the Australian Government taken otherwise to help avoid the extinction of gorillas in the wild.

Notice given 15 February 2002

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

- (1) Why did the testing procedures fail to detect inherent data faults with the Telstra 1800 prefix 'conditioning' from and/or prior to 1 September 1993.
- (2) Why have the '008 – 1800' subscribers still not been advised of the conditioning faults.
- (3) Is it a fact that the above conditioning faults were the result of exchanges not being conditioned by 1 September 1993, and one of those not conditioned was Salisbury ARE in Brisbane (Mr Ivory's 1800 prefix exchange) thus preventing incoming 1800 calls to all Telstra subscribers who were reliant on the Salisbury exchange.
- (4) Is it a fact that exchanges that were not conditioned by 1 September 1993 and/or by 20 September 1993 would have then not been conditioned except in response to a customer complaint that callers could not get through; if not, can evidence to the contrary be provided.
- (5) Please advise, with documented evidence, the specific date of the initial complaint that was lodged by Mr Ivory, on 11 May 1994, in relation to the Solar-Mesh 1800 777 592 service, and what date it was finally conditioned to rectify the initial 1800 prefix fault.
- (6) From 1 September 1993, was there also a problem with the DMS accepting 1800 numbers for trunking in some exchanges.

- (7) If the above referred to 'DMS 1800 accepting faults' existed, could it have adversely affected incoming (Australia Wide) Telstra subscribers' calls after the initial conditioning fault had been rectified, and/or from day one for the few 1800 services that were lucky enough not to have suffered damage from a conditioning fault.
- (8) Did 10-digit number faults occur pertaining to numbers beginning with '1'.
- (9) If 10-digit number faults occurred on numbers beginning with '1', would Telstra subscribers' customers have been prevented from receiving calls when 1800 prefixes were dialled.
- (10) During the 10-digit number faults and during the conditioning fault periods, could Telstra subscriber's freecall customers still have received incoming 008 dialled calls if customers knew to dial 008 in front of the number instead of dialling the new 1800 prefix.
- (11) (a) Is it correct that Telstra 'number length difficulties' caused further faults with 1800 numbers from 1 September 1993 in relation to the CPE problems; (b) did these faults still exist on 16 March 1995; and (c) would the ANP have escalated these systemic fault difficulties.
- (12) (a) Is it a fact that Telstra has 1800 'cyclic storage problems' with ARF common register and KS failure that prevented proper digit transfer (eg. 1800 123 456 will be changed to 1800 123 418, i.e. The first two digits will be reinserted after the 8th digit);
(b) was this cyclic storage problem another 1800 prefix systemic fault; if so, did Telstra have difficulties with having sufficient maintenance staff trained to be able to attend the faulty exchanges for rectification;
(c) would this fault have occurred not just when dialling 1800 code prefix numbers but also where more than 8 digits are dialled (eg. 100, 1800, ANP 1818 etc.); and
(d) was this another very major fault covered up by Telstra.
- (13) If the cyclic storage fault existed, could it have adversely affected incoming Australia Wide 1800 customer calls.
- (14) Is it a fact that Telstra also had another 1800 prefix systemic fault called a 'no progress fault' whereby the switching of 1800 calls takes a longer switching time than 008 calls, leaving customers to believe that their calls had failed.
- (15) If the above referred to 'no progress fault' existed, would it have adversely affected incoming Australia Wide 1800 customer calls.
- (16) Is it a fact that Telstra also had another 1800 prefix fault, called a 'congestion tone fault' route fault for 18 codes not graded to sufficient capacity, causing 1800 customers to have insufficient answering capacity to receive incoming 1800 code prefix calls.
- (17) If the 'congestion tone fault' existed, could it have also adversely affected incoming Australia Wide 1800 customer calls.
- (18) Between 1 December 1994 and 31 December 1994, over its entire 008 - 1800 network, did Telstra calls received total 27 565 289; if so, how many of those calls were 008 dialled calls and how many were 1800 dialled calls.
- (19) How many total Telstra network 008 / 1800 dialled calls were recorded between and including 1 August 1993 and 31 August 1993.

- (20) How many total Telstra network 008 / 1800 dialled calls were recorded between and including 1 September 1993 and 30 September 1993.
- (21) How many total Telstra network 008 / 1800 dialled calls were recorded between and including 1 October 1993 and 31 October 1993.
- (22) How many total Telstra network 008 / 1800 dialled calls were recorded between and including 1 November 1993 and 30 November 1993.
- (23) How many total Telstra network 008 / 1800 dialled calls were recorded between and including 1 December 1993 and 31 December 1993.
- (24) (a) How many total Telstra network 008 / 1800 dialled calls were recorded between and including 1 January 1994 and 31 May 1994; and (b) how many total Telstra network 008 / 1800 dialled calls were recorded between and including 1 June 1994 and 21 December 1994.
- (25) (a) Did Telecom/Telstra do any print, radio or television advertising to advise its 008 – 1800 subscribers and to also advise its 1800 subscribers customers and/or to advise the general public of the defective limitations adversely affecting 1800 prefix subscribers' businesses;
- (b) if no such advertising was published nationally to the public by Telstra, could it have adversely restricted nationally the number of incoming 1800 customer calls being received by Telstra's subscribers from their potential customers and/or from the general public who were not informed by Telstra (the then trusted fully Commonwealth-owned carrier), which was still promoting the use of 1800 prefix numbers nationally;
- (c) did Telstra keep concealing from its 1800 subscribers and from the public that Telstra's 1800 prefix network was not fit for use from the 1 September 1993 change-over commencement date; if so, why was a large pool of Telstra's subscribers not informed of their daily accruing potential damage; if not, why not; and
- (d) were these potential liabilities fully disclosed in the T1 and T2 public offer documents; if not, why not.
- (26) (a) What action will the Commonwealth be taking to ensure that the Telstra Board informs all of its investor/shareholders of their right to pursue Telstra for any failure to disclose all of its potential liabilities from the T1 and T2 public offer documents;
- (b) (i) was Mr David Hoare, then Chairman of Telstra, also the chairman of Telstra's share sale legal advisory law firm, (ii) was Mr Stephen Mead, a partner of the law firm also a Telstra employee, and (iii) did this represent a conflict of interest;
- (c) was the above conflict of interest revealed in Telstra's public offer documents; if not, why not; and
- (d) were the above systemic faults in Telstra's 1800 network and computer software disclosed in the Telstra public offer documents; if not, why not.
- (27) (a) As the Minister responsible for the T1 and T2 share sell-off by the Commonwealth, why did the Minister not ensure to have disclosed in the T1 and T2 offer documents the fact that Telstra's then Chairman, Mr David Hoare, was at the same time Chairman of Telstra's legal advisory firm, Mallesons Stephen Jaques;
- (b) as the Minister responsible for the T1 and T2 share sell-off by the Commonwealth, why did the Minister not ensure to have disclosed in the T1 and T2 offer documents the fact that Telstra's then in-house Counsel,

Mr Stephen Mead, was at the same time a partner of Telstra's legal advisory firm, Mallesons Stephen Jaques; and

(c) as the Minister responsible for the T1 and T2 share sell-off by the Commonwealth, why did the Minister not ensure to have disclosed in the T1 and T2 offer documents the fact that the Commonwealth's legal advisory firm, Freehill Hollingdale and Page, was also on a Telstra retainer in relation to the concealment of the potential liabilities to the COTs (Casualties of Telecom/Telstra) in other COT related matters, including the few COT cases settled just before the T2 sale.

(28) (a) Is the Minister aware that Mr Stephen Mead was a good friend of a Mr Simon Dudley Williams who, along with the firm (Spruson and Ferguson), were, since before Mr Ivory's 11 May 1994 1800 conditioning fault complaint to Telstra, being sued by Mr Ivory's company for professional negligence; and

(b) was the Minister aware that Mr Mead and Mr Hoare's law firm partnership of Mallesons Stephen Jaques was acting for Mr Ivory's multinational competitors, Boral Cyclone – Azon Cyclone Hardware, at the same time Mr Mead's friend (Mr Williams) of Spruson and Ferguson was acting for Boral Cyclone.

(29) (a) Is it a fact that the 1800 universal exchanges could have only been conditioned in blocks of 10 000 number ranges;

(b) was it possible for any single 10 000 lot 1800 number ranges to have been missed completely in the 1 September 1993 conditioning;

(c) is it a fact that the 1800 universal exchange conditioning defects could have accidentally allowed a single number to have been completely missed in the 1 September 1993 conditioning of the 1800 prefixes; and

(d) is it a fact that Telstra would have been reliant on receiving a customer complaint to enable it to rectify any numbers that were not conditioned.

(30) (a) Is the Minister aware:

(i) that the Solar-Mesh 1800 777 592 code conditioning fault occurred from 1 September 1993, but was not initially uncovered and reported until 11 May 1994, when it was first reported to Telstra's faults department by Telstra's Miss Hatton and also by Mr Ivory, and

(ii) it was then not rectified until the 31 May 1994 when Miss Hatton, witnessed by Mr Ivory over the telephone in a three-way conversation, bypassed Telstra's faults department and went straight to Telstra's exchange;

(b) is the Minister aware that the phantom fault testing done on 1 June 1994, by Telstra's Mr Adam Sears, was done the day after the conditioning fault had been rectified; and

(c) Given that these matters could be proven to the Minister if he were to instigate an internal investigation into Telstra and/or have a face-to-face meeting with Mr Ivory, is the Minister prepared to do so.

(31) (a) Is it a fact that Telstra's Operational Processes Support People, Network Operations Manager and Product Integration Management, during October 1993, each became aware of many major 1800 code implementation fault problems that had resulted in no access to a large number of 1800 services right across Australia, not just in country areas but also in metropolitan areas;

- (b) did these problems stem from system failures, equipment failures, planning failures and/or managerial neglect prior to and from 1 September 1993;
- (c) is it also a fact that, by 8 October 1993, Telstra knew that some of these implementation faults and network faults existed and were likely to worsen unless some rationale and co-ordination was introduced at high level to the product introduction process; and
- (d) is it a fact that Telstra has concealed these faults and defects.
- (32) How many Australia Wide 1800 customers did Telecom/Telstra have as 008 – 1800 prefix subscribers as at 31 August 1993 at the Salisbury Queensland exchange.
- (33) How many Australia Wide 1800 customers did Telecom/Telstra have as 008 – 1800 prefix subscribers as at 31 May 1994 at the Salisbury Queensland exchange.
- (34) How many Australia Wide 1800 customers did Telecom/Telstra have as 008 – 1800 prefix subscribers as at 31 August 1993 at the Valley Queensland exchange.
- (35) How many Australia Wide 1800 customers did Telecom/Telstra have as 008 – 1800 prefix subscribers as at 31 May 1994 at the Valley Queensland exchange.
- (36) How many Australia Wide 1800 prefix exchanges did OPTUS have as at 1 September 1993.
- (37) How many Australia Wide customers did OPTUS have as 008 – 1800 prefix subscribers as at 1 September 1993 in their Queensland exchanges.
- (38) How many Australia Wide customers did OPTUS have as 008 – 1800 prefix subscribers as at 1 September 1993 in their New South Wales exchanges.
- (39) How many Australia Wide customers did OPTUS have as 008 – 1800 prefix subscribers as at 1 September 1993 in their Victorian exchanges.
- (40) How many Australia Wide customers did OPTUS have as 008 – 1800 prefix subscribers as at 1 September 1993 in their South Australia exchanges.
- (41) How many Australia Wide customers did OPTUS have as 008 – 1800 prefix subscribers as at 1 September 1993 in their Western Australia exchanges.
- (42) How many Australia Wide customers did OPTUS have as 008 – 1800 prefix subscribers as at 1 September 1993 in their Tasmanian exchanges.
- (43) How many Australia Wide customers did OPTUS have as 008 – 1800 prefix subscribers as at 1 September 1993 in their Northern Territory exchanges.
- (44) How many Australia Wide customers did OPTUS have as 008 – 1800 prefix subscribers as at 1 September 1993 in their Australian Capital Territory exchanges.
- (45) In which, if any, states or territories were OPTUS's 1800 prefix exchanges, as listed above, fully working and/or fully compatible with Telstra's exchange equipment as at 1 September 1993.
- (46) (a) Is it also a fact that, despite Telstra key staff knowing about the above 1800 code implementation and network faults and the possibility of the faults being likely to worsen, Telstra still failed to put in place an exchange

- by exchange, 1800 number by 1800 number, process of testing and sending staff out to each 1800 exchange across Australia to locate and rectify the systemic 1800 code implementation faults and network failures;
- (b) is it a fact that Telstra elected to wait and fix individual faults in response to individual customer complaints being made that callers could not get through when dialling 1800 code numbers; and
- (c) what does the Minister intend to do to have the appropriate department, or Telstra, immediately recompense subscribers for damage and injury.
- (47) Is it a fact that it is a policy of Telstra that, since at least the 1995-96 financial year, its employees have not been allowed to obtain outside employment, and must keep their outside activities separate from Telstra Company work.
- (48) Is it a fact that Telstra employees since at least the 1995-96 financial year have not been allowed to take outside employment without first obtaining written approval from their Telstra Manager; if so, can copies be provided of the signed approval for Mr David Hoare to become the dual hat Chairman of Mallesons Stephen Jaques and the signed authorisation for Stephen John Mead to become a partner in Mallesons Stephen Jaques while Mallesons Stephen Jaques was on a Telstra retainer and while Mr Mead was still employed by Telstra.
- (49) If these signed authorities cannot be produced, what action will the Minister immediately be taking against Mr Hoare and Mr Mead, and against Mallesons Stephen Jaques and against Telstra's negligent directors responsible for bringing Telstra into such disrepute in breach of Telstra's own Code of Conduct.
- (50) (a) Is it a fact that Telecom Australia/Telstra has, and has always had, a strict duty of care to keep secure and confidential its customers' records, unless specifically authorised to do otherwise; and (b) does the Commonwealth ensure that such procedures and policies are in place within Telecom/Telstra and that they are at all times adhered to, even in the case of Casualties of Telecom complainants' matters; if not, why not.
- (51) (a) Is it a fact that Telecom Australia/Telstra employees are not allowed to be involved in bribes, pay-offs or kickbacks or in other considerations that are either paid or received directly or indirectly; and
- (b) did the Minister know of Telstra's potential liabilities pertaining to the 1800 network being sold and promoted from 1 September 1993 while the 1800 network of Telstra was not fit for use; if so, why did this occur.
- (52) (a) With reference to Freehill Hollingdale and Page, the Telstra-retained COT claimants law firm from at least 1993: why did the 1994-95 financial year revenue received by Freehill Hollingdale and Page from Telstra fall below the amount that Mallesons Stephen Jaques received from Telstra in relation to COT claimant's matters; and
- (b) was the Minister aware of the conflicting loyalties of partnerships which occurred while both David Hoare and Stephen John Mead were Telstra employees.
- (53) Can a detailed breakdown be provided, including claimants names, of which 'Casualties of Telstra' related matters Mallesons Stephen Jaques was specifically retained by Telstra to handle in exchange for the \$1 129 767 00 paid by Telstra to Malleson Stephen Jaques from the 1993-94 financial year up to and including the 1996-97 financial year.

- (54) Can a fully itemised detailed statement be provided of how much money, financial year by financial year, has been specifically paid by Telstra to Mallesons Stephen Jaques since the 1993-94 financial year up to and including the 2000-01 financial year with each individual matter separately itemised.

Notice given 18 February 2002

- *108 **Senator Brown:** To ask the Minister representing the Prime Minister—With reference to whistleblower Alwyn Johnson, and the Minister's commitment, on 12 August 2000, to undertake an inquiry to look at compensation for Mr Johnson, even if the Tasmanian Government refused to take part:
- (1) Why has no inquiry been instituted.
 - (2) (a) When will the inquiry begin; and (b) who will arbitrate.
- *109 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—Do mining booklets produced by Environment Australia offer any advice on what is considered best environmental practice in relation to ocean disposal of mining tailings.
- *110 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—Has Environment Australia been asked for advice by any government agency, since 1 January 2000, on proposed mining projects involving the ocean disposal of tailings; if so: (a) by which agency; (b) when; (c) what project did it relate to; and (d) what was the nature of the advice.
- *111 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—
- (1) Did the former Minister for the Environment and Heritage, Senator Hill, state that: 'In certain circumstances and when correctly managed, the Government understands that deep sea tailings placement has been accepted as causing relatively low environmental impact. The subject, however, remains one of international debate. The choice of disposal mechanism must take account of the geophysical, biophysical and climatic environmental conditions but is ultimately the decision of the host country.'
 - (2) Does the Minister share this view.
 - (3) Has Environment Australia undertaken any independent assessment of the environmental impacts and risks of the ocean disposal of mine tailings; if not, what is the basis for the view that 'deep sea tailings placement has been accepted as causing relatively low environmental impact'; if so: (a) when was this review done; (b) what were the results of the review; (c) is the report publicly available; if not, why not; and (d) who did the review.
- *112 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—Do mining booklets produced by Environment Australia clearly indicate that the riverine disposal of tailings does not constitute best environmental practice; if not, why not.
- *113 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—Since 1 January 2000, has Environment Australia been consulted by any government agency on mining proposals involving riverine disposal of tailings.
- *114 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the answer to question on notice

no. 3649 (Senate *Hansard*, 20 August 2001, p. 26206), in which the Minister indicated that in certain circumstances the disposal of mine tailings into the oceans may be appropriate but that it was considered that the disposal of mine tailings into rivers in Australia was inappropriate: Does Environment Australia consider there are circumstances in which the riverine disposal of mine tailings by Australian companies operating overseas could ever be best environmental practice; if so, under what circumstances.

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

- (1) Will the Minister provide a detailed and itemised schedule of individual and total payments made to Mallesons Stephen Jaques (MSJ) by Telecom/Telstra during each of the following financial years:
 - (a) 1 July 1990 to 30 June 1991;
 - (b) 1 July 1991 to 30 June 1992;
 - (c) 1 July 1992 to 30 June 1993;
 - (d) 1 July 1993 to 30 June 1994;
 - (e) 1 July 1994 to 30 June 1995;
 - (f) 1 July 1995 to 30 June 1996;
 - (g) 1 July 1996 to 30 June 1997;
 - (h) 1 July 1997 to 30 June 1998;
 - (i) 1 July 1998 to 30 June 1999;
 - (j) 1 July 1999 to 30 June 2000;
 - (k) 1 July 2000 to 30 June 2001; and
 - (l) 1 July 2001 to 31 January 2002.
- (2) Will the Minister provide a detailed and itemised schedule of individual and total payments made to MSJ either directly or indirectly by the Commonwealth of Australia during each of the following financial years:
 - (a) 1 July 1990 to 30 June 1991;
 - (b) 1 July 1991 to 30 June 1992;
 - (c) 1 July 1992 to 30 June 1993;
 - (d) 1 July 1993 to 30 June 1994;
 - (e) 1 July 1994 to 30 June 1995;
 - (f) 1 July 1995 to 30 June 1996;
 - (g) 1 July 1996 to 30 June 1997;
 - (h) 1 July 1997 to 30 June 1998;
 - (i) 1 July 1998 to 30 June 1999;
 - (j) 1 July 1999 to 30 June 2000; and
 - (k) 1 July 2000 to 30 June 2001.
- (3) Will the Minister provide a detailed and itemised schedule of individual and total payments made to Baker Johnson (Lawyers) and/or to any identity associated with that firm by Telecom/Telstra during each of the following financial years:
 - (a) 1 July 1990 to 30 June 1991;
 - (b) 1 July 1991 to 30 June 1992;
 - (c) 1 July 1992 to 30 June 1993;
 - (d) 1 July 1993 to 30 June 1994;
 - (e) 1 July 1994 to 30 June 1995;
 - (f) 1 July 1995 to 30 June 1996;

- (g) 1 July 1996 to 30 June 1997;
 - (h) 1 July 1997 to 30 June 1998;
 - (i) 1 July 1998 to 30 June 1999;
 - (j) 1 July 1999 to 30 June 2000; and
 - (k) 1 July 2000 to 30 June 2001.
- (4) Will the Minister provide a detailed and itemised schedule of individual and total payments made to Spruson & Ferguson (Patent & Trade Mark Attorney's) by Telecom/Telstra (including any amounts that Telecom/Telstra contracted to pay) during each of the following financial years:
- (a) 1 July 1990 to 30 June 1991;
 - (b) 1 July 1991 to 30 June 1992;
 - (c) 1 July 1992 to 30 June 1993;
 - (d) 1 July 1993 to 30 June 1994;
 - (e) 1 July 1994 to 30 June 1995;
 - (f) 1 July 1995 to 30 June 1996;
 - (g) 1 July 1996 to 30 June 1997;
 - (h) 1 July 1997 to 30 June 1998;
 - (i) 1 July 1998 to 30 June 1999;
 - (j) 1 July 1999 to 30 June 2000; and
 - (k) 1 July 2000 to 30 June 2001.
- (5) Will the Minister provide a detailed and itemised schedule of individual and total payments made to Ebsworth & Ebsworth (Lawyers) by Telecom/Telstra (including any amounts that Telecom/Telstra contracted to pay) during each of the following financial years:
- (a) 1 July 1990 to 30 June 1991;
 - (b) 1 July 1991 to 30 June 1992;
 - (c) 1 July 1992 to 30 June 1993;
 - (d) 1 July 1993 to 30 June 1994;
 - (e) 1 July 1994 to 30 June 1995;
 - (f) 1 July 1995 to 30 June 1996;
 - (g) 1 July 1996 to 30 June 1997;
 - (h) 1 July 1997 to 30 June 1998;
 - (i) 1 July 1998 to 30 June 1999;
 - (j) 1 July 1999 to 30 June 2000; and
 - (k) 1 July 2000 to 30 June 2001.
- (6) Will the Minister provide a detailed and itemised schedule of individual and total payments made to Williams Niblett (Solicitors) (now called Spruson Solicitors) by Telecom/Telstra (including any amounts that Telecom/Telstra contracted to pay) during each of the following financial years:
- (a) 1 July 1990 to 30 June 1991;
 - (b) 1 July 1991 to 30 June 1992;
 - (c) 1 July 1992 to 30 June 1993;
 - (d) 1 July 1993 to 30 June 1994;
 - (e) 1 July 1994 to 30 June 1995;
 - (f) 1 July 1995 to 30 June 1996;
 - (g) 1 July 1996 to 30 June 1997;
 - (h) 1 July 1997 to 30 June 1998;

- (i) 1 July 1998 to 30 June 1999;
 - (j) 1 July 1999 to 30 June 2000; and
 - (k) 1 July 2000 to 30 June 2001.
- (7) Will the Minister provide a detailed and itemised schedule of individual and total payments made to Thynne & Macartney (Solicitors) by Telecom/Telstra (including any amounts that Telecom/Telstra contracted to pay) during each of the following financial years:
- (a) 1 July 1990 to 30 June 1991;
 - (b) 1 July 1991 to 30 June 1992;
 - (c) 1 July 1992 to 30 June 1993;
 - (d) 1 July 1993 to 30 June 1994;
 - (e) 1 July 1994 to 30 June 1995;
 - (f) 1 July 1995 to 30 June 1996;
 - (g) 1 July 1996 to 30 June 1997;
 - (h) 1 July 1997 to 30 June 1998;
 - (i) 1 July 1998 to 30 June 1999;
 - (j) 1 July 1999 to 30 June 2000; and
 - (k) 1 July 2000 to 30 June 2001.
- (8) Will the Minister provide a detailed and itemised schedule of individual and total payments made to Henderson Trout (Lawyers) (now Clayton Utz since 31 December 1991) by Telecom/Telstra (including any amounts that Telecom/Telstra contracted to pay) during each of the following financial years:
- (a) 1 July 1990 to 30 June 1991;
 - (b) 1 July 1991 to 30 June 1992;
 - (c) 1 July 1992 to 30 June 1993;
 - (d) 1 July 1993 to 30 June 1994;
 - (e) 1 July 1994 to 30 June 1995;
 - (f) 1 July 1995 to 30 June 1996;
 - (g) 1 July 1996 to 30 June 1997;
 - (h) 1 July 1997 to 30 June 1998;
 - (i) 1 July 1998 to 30 June 1999;
 - (j) 1 July 1999 to 30 June 2000; and
 - (k) 1 July 2000 to 30 June 2001.
- (9) Will the Minister provide a detailed and itemised schedule of individual and total payments made to Robert Douglas QC, James Douglas QC, Phillip McMurdo QC, Jim North SC, or Peter Ambrose SC by Telecom/Telstra (including any amounts that Telecom/Telstra contracted to pay) during each of the following financial years:
- (a) 1 July 1990 to 30 June 1991;
 - (b) 1 July 1991 to 30 June 1992;
 - (c) 1 July 1992 to 30 June 1993;
 - (d) 1 July 1993 to 30 June 1994;
 - (e) 1 July 1994 to 30 June 1995;
 - (f) 1 July 1995 to 30 June 1996;
 - (g) 1 July 1996 to 30 June 1997;
 - (h) 1 July 1997 to 30 June 1998;
 - (i) 1 July 1998 to 30 June 1999;

- (j) 1 July 1999 to 30 June 2000; and
 - (k) 1 July 2000 to 30 June 2001.
- (10) Will the Minister provide a detailed and itemised schedule of individual and total payments made to JLB Allsop SC, JV Nicholas, barrister or Mr A McSporan by Telecom/Telstra (including any amounts that Telecom/Telstra contracted to pay) during each of the following financial years:
- (a) 1 July 1990 to 30 June 1991;
 - (b) 1 July 1991 to 30 June 1992;
 - (c) 1 July 1992 to 30 June 1993;
 - (d) 1 July 1993 to 30 June 1994;
 - (e) 1 July 1994 to 30 June 1995;
 - (f) 1 July 1995 to 30 June 1996;
 - (g) 1 July 1996 to 30 June 1997;
 - (h) 1 July 1997 to 30 June 1998;
 - (i) 1 July 1998 to 30 June 1999;
 - (j) 1 July 1999 to 30 June 2000; and
 - (k) 1 July 2000 to 30 June 2001.
- (11) Have payments made by Telstra to MSJ increased since Mr Hoare became the Chairman of MSJ in 1995; if so, by what percentage have payments increased compared with the 3 years before Mr Hoare became the Chairman.
- (12) Have payments made by Telstra to MSJ increased since Mr Mead became a partner of MSJ in 1996; if so, by what percentage have payments increased compared with: (a) the 3 years before Mr Mead became a partner in January 1996; and (b) the 3 years before Mr Mead became an employee of Telecom/Telstra Australia in about May 1994 on secondment from MSJ.
- (13) Is the Minister aware that a complaint (to obtain an apprehension warrant against Mr Ivory) was sworn by Mr Mead contrary to written advice from MSJ.
- (14) (a) Has the Minister been advised of a finding by the Magistrates Court, upheld on appeal, that Mr Ivory had been wrongfully arrested; and (b) what was the cost to Telstra of the legal action relating to Mr Ivory's wrongful arrest.
- (15) (a) Is the Minister aware that Mr Ivory in 2000 wrote to Telstra's lawyers offering to accept a settlement of \$28 000 in February 2001 in relation to this matter; (b) is the Minister also aware that Telstra's lawyers rejected that offer; and (c) did Telstra then spend public funds in outlays and legal costs in further action against Mr Ivory, now a disability pensioner; if so, how much.
- (16) Did Telstra publish a solution to the 1800 prefix problems and/or faults by telling the public that the old 008 prefix code was still working efficiently if they failed to get through by dialling the 1800 prefix code; if so, how much did Telstra spend in advertising this solution; please provide details of the dates of advertisements and the media outlets which carried them, together with copies of all advertising done.
- (17) Did Telstra limit the scope of individual COT-related claimants' FOI requests to their telephone lines; if so: (a) why did Telstra board meeting minutes record that 'Congestion' was one of the COT's complaints; and (b) did documents relating to the performance of Telstra's network contain

information relating to 'Congestion', '1800 systemic faults' and 'Switching failures' relevant to COT-related claimants' telephone services.

- (18) Will the Minister provide to Mr Kenneth Clyde Ivory, copies of all Telstra board meeting minutes that are related to COT-related complaints from July 1993 to 12 February 2002 including any minutes which relate to Mr Ivory and/or to Solar-Mesh complaints.
- (19) (a) What reasons were given by Telstra in refusing Mr Ivory and Solar-Mesh Australia partnerships access under FOI to requested information; and (b) what means are available to COT claimants and/or Mr Ivory and/or Solar-Mesh Australia to obtain this important information.
- (20) (a) Did the Minister have any knowledge of Mr Mead's intentions in seeking the arrest of Mr Ivory; and (b) were Mr Mead's actions authorised.
- (21) Has Telstra attempted to have any COT-related claimants committed to psychiatric confinement or imprisonment; if so, on how many occasions and with what results.
- (22) Will the Minister direct Telstra to comply fully with Mr Ivory's FOI request of 28 November 2001.
- (23) What action will the Minister take to have all unresolved COT-related claims, including those of Mr Ivory and Solar-Mesh Australia, fully settled on no less favourable terms of settlement than those reached in the process overseen by the Senate.
- (24) Will the Minister cause information to be published about the rights of 1800 subscribers to sue Telstra and/or the Commonwealth for damages in relation to their 1800 services.

*116 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—

- (1) Did the Ambassador to Indonesia, Mr Richard Smith, visit the mining area held by the Australian company, Aurora Gold, through its Indonesian subsidiary, PT Indo Muro Kencana, in May 2001.
- (2) Was the trip at the request of Aurora Gold or its Indonesian subsidiary; if so, why was the invitation accepted.
- (3) What was the duration of the trip.
- (4) What was the purpose of the visit.
- (5) Did the Ambassador make any formal speeches during the trip; if so, can a copy of each of his presentations be provided.
- (6) (a) Did the Ambassador publicly urge the Indonesian government agencies and security forces to ensure secure conditions at mining operations run by Australian mining companies and their subsidiaries; and (b) did the Ambassador urge the government agencies to deal with what Aurora describes as 'illegal' miners working within its mine lease area; if so, why.
- (7) What form of action did the Ambassador expect security agencies to take in dealing with small-scale miners.

*117 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the Aurora mine site in Kalimantan, and reports that approximately 1 week after the recent visit of the Australian Ambassador, Indonesian security forces shot and/or stoned to death within the Aurora lease area two local people considered to be 'illegal' miners:

- (1) Was the Ambassador or any other representative of the department aware of this incident; if so, when was the Ambassador or any other representative of the department made aware of the two deaths.
- (2) Did the Ambassador or any other representative of the department make any representations to any Indonesian government officials or agencies about the killings; if so, to whom and when.
- (3) Did Aurora and/or its Indonesian subsidiary make any representation to the Ambassador or any other representative of the department after the deaths; if so, what was the nature of these representations and when did they occur.
- (4) Did the Ambassador or any other representative of the department make any representations to Aurora and/or its Indonesian subsidiary about the events that had taken place.

*118 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the Aurora mine site in Kalimantan, and reports that on 27 August 2001 a local teenage boy considered to be an ‘illegal’ miner at the Kerikil mine within Aurora’s lease area was shot in the leg by Indonesian security forces:

- (1) Was the Australian Ambassador or any other representative of the department made aware of this incident; if so, when was the Ambassador or representative of the department made aware of the incident.
- (2) Did the Ambassador or any other representative of the department make any representations to any Indonesian government officials or agencies about the shooting; if so, to whom and when.
- (3) Did Aurora and/or its Indonesian subsidiary make any representation to the Ambassador or any other representative of the department after the shooting; if so, what was the nature of these representations and when did they occur.
- (4) Did the Ambassador make any representations to Aurora and/or its Indonesian subsidiary about the events that had taken place.

*119 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the mining company Aurora: Has the Australian Ambassador to Indonesia or any other representative of the department, at any stage, made any representation to any Indonesian government minister or agency expressing concern about the actions of Indonesian security forces at Aurora’s Indonesian subsidiary’s mine site; if so: (a) when; (b) to whom; and (c) what was the nature of the request made.

*120 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the mining company Aurora: Has the Australian Ambassador to Indonesia or any representative of the department made any visits to Aurora’s Indonesian mining operations since 1 January 2000; if so: (a) when; and (b) for what purpose.

*121 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the operations of Aurora at its Kalimantan mine site and recent deaths and injuries of local people on or near the site: Given the Government’s support for the Minerals Council of Australia’s voluntary Code for Environment Management (to which Aurora is a signatory) as adequate to deal with social and environmental issues of Australian companies operating overseas: Does the Minister believe the actions of Aurora and its Indonesian subsidiary are appropriate; if so, why.

- *122 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—Has Austrade or any section of the department assisted the mining company Aurora in any way with the Indo Muro mine in Indonesia; if so, how.
- *123 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the mining company Aurora: Has the Ambassador to Indonesia or any representative of the department made representations to Indonesian government agencies relating to issues involving Aurora's Indonesian mining operations; if so: (a) what were the representations; (b) when did they occur; (c) what were the results of the representations; and (d) were the representations made at the request of Aurora and/or any of its agents.
- *124 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—Has the department undertaken any review of its role in the tragic events at the Aurora mine site in Indonesia, and, in particular, the appropriateness of the Australian Ambassador urging Indonesian security forces to deal with local small scale-miners; if not, will it.
- *125 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the mining company Aurora's Kalimantan operations, and reports that, on 19 January 2002, Indonesian security forces shot a local man, deemed to be an 'illegal' miner within the Aurora lease area, in the head with a rubber bullet at close range resulting in a serious injury:
- (1) Was the Australian Ambassador or any representative of the department made aware of this incident; if so, when was the Ambassador or representative of the department made aware of the incident.
 - (2) Did the Ambassador or representative of the department make any representations to any Indonesian government officials or agencies about the shooting; if so, to whom and when.
 - (3) Did Aurora and/or its Indonesian subsidiary make any representation to the Ambassador or any other representative of the department after the deaths; if so, what was the nature of these representations and when did they occur.
 - (4) Did the Ambassador or any other representative of the department make any representations to Aurora and/or its Indonesian subsidiary about the events that had taken place.
- *126 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—Since 1 January 1999, has the Australian Ambassador to Indonesia or any representative of the department ever raised with any Indonesian government agency or minister concerns about human rights abuses where they have been publicly reported, or where the department has been made aware of them, at mine sites where Australian mining companies have interests.
- *127 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—Since 1 January 1999, has the Australian Ambassador to Indonesia or any representative of the department made representations to Indonesian government agencies or ministers over security issues at any mine sites in Indonesia.
- *128 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—Since 1 January 1999, has the Australian Ambassador to Indonesia or any representative of the department visited any mine sites in Indonesia in which Australian companies have interests.
- *129 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—Since 1 January 1999, has the Australian Ambassador to Indonesia or

any representative of the department met with representatives of the Indonesian Mining Association to discuss security issues at mines that Australian companies have interests in; if so, when and what projects were discussed.

Notice given 20 February 2002

*130 **Senator Bartlett:** To ask the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) What is the total number of visitor visa rejections, by country of origin, for males aged 50 to 59 years who applied for a visa for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (2) What is the total number of visitor visa rejections, by country of origin, for males aged 60 years and above who applied for a visa for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (3) What is the percentage of visitor visa non-return rates for females, by country of origin and age, for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (4) What is the total number of female visitor visa holders who do not return, by country of origin, for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (5) What is the percentage of visitor overstay rates for females, by country of origin and age, for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (6) What is the total number of female overstayers, by country of origin, for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (7) What is the percentage of visitor visa non-return rates for males, by country of origin and age, for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (8) What is the total number of male visitor visa holders who do not return, by country of origin, for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (9) What is the percentage of visitor overstay rates for males, by country of origin and age, for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (10) What is the total number of verified visitors, by country of origin, for 1999.
- (11) What is the total number of verified visitors, by country of origin, for 2000.
- (12) What is the total number of verified visitors, by country of origin, for 2001.
- (13) What is the total number of visitors, by country of origin, who did not return in 1999.
- (14) What is the total number of visitors, by country of origin, who did not return in 2000.
- (15) What is the total number of visitors, by country of origin, who did not return in 2001.
- (16) What is the total number of visitor overstayers, by country of origin, for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (17) What is the total number of visitors issued with an 8503 criterion, by country of origin, for each of the following years: (a) 1999; (b) 2000; and (c) 2001.

- (18) What is the total number of visitor visas issued with bonds, by country of origin, for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (19) What is the total of funds received from bonds placed on visitor visas, by country of origin, for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (20) What is the total number of enforced departures, by country of origin, for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (21) What is the total number of visitor visa rejections, by country of origin, for females aged 18 to 29 years who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (22) What is the total number of visitor visa rejections, by country of origin, for females aged 30 to 39 years who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (23) What is the total number of visitor visa rejections, by country of origin, for females aged 40 to 49 years who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (24) What is the total number of visitor visa rejections, by country of origin, for females aged 50 to 59 years who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (25) What is the total number of visitor visa rejections, by country of origin, for females aged 60 years and above who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (26) What is the total number of females aged 18 to 29 years, by country of origin, who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (27) What is the total number of females aged 30 to 39 years, by country of origin, who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (28) What is the total number of females aged 40 to 49 years, by country of origin, who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (29) What is the total number of females aged 50 to 59 years, by country of origin, who applied for a visa for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (30) What is the total number of females aged 60 years and above, by country of origin, who applied for a visa for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (31) What is the total number of visas issued for females.
- (32) What is the total number of males aged 18 to 29 years, by country of origin, who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (33) What is the total number of males aged 30 to 39 years, by country of origin, who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (34) What is the total number of males aged 40 to 49 years, by country of origin, who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.

- (35) What is the total number of males aged 50 to 59 years, by country of origin, who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (36) What is the total number of males aged 60 years and above, by country of origin, who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (37) What is the total number of visas issued for males.
- (38) What is the total number of visitor visa rejections, by country of origin, for males aged 18 to 29 years who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (39) What is the total number of visitor visa rejections, by country of origin, for males aged 30 to 39 years who applied for visas for each of the following years: (a) 1999; (b) 2000; and (c) 2001.
- (40) (a) How many deaths have there been in immigration detention centres since 1996; and (b) can details of each death be provided.
- (41) How many attempted suicides have there been in immigration detention centres since 1996.
- (42) How many injuries have been recorded in immigration detention centres since 1996.
- (43) How many teeth extractions have been performed in immigration detention centres comparative to other dental procedures.
- (44) How many births have there been in immigration detention centres.
- (45) How many immigration detainees have given birth in hospitals.
- (46) How many times are pregnant asylum seekers seen by doctors before their confinement.
- (47) How many times are pregnant asylum seekers seen by other medical staff (for example, nurses) before their confinement.
- (48) How many times were chemical restraints used on immigration detainees in the year 2001.
- (49) In what circumstances are chemical restraints used.

Notice given 21 February 2002

*131 **Senator Allison:** To ask the Minister for Finance and Administration—

- (1) What does the department plan to do with numbers 52 and 54 Temira Crescent, Darwin.
- (2) (a) Why has the department withdrawn its offer to give numbers 52 and 54 Temira Crescent, Darwin, to the National Trust at no cost, as stated in a letter from Ms Janette Tate of the Domestic Property Group, on 4 December 1997, and subsequently accepted by the Trust in a letter dated 15 December 1997; (b) why has the department now asked the National Trust to pay \$440 000 for the two buildings; and (c) does the department expect to receive \$700 000 for the two properties on the open market.
- (3) Does the department know how much money the Trust has spent maintaining the properties and, therefore, how much the Commonwealth has saved because of the Trust's occupancy.
- (4) Is the department aware that if the National Trust is made to purchase these two buildings it will severely curtail the Trust's other conservation activities.

- (5) Does the department agree that the best way to maintain the heritage values of these buildings and to ensure that the public continues to have access to them is either to give the properties to the Trust or to grant a crown lease in perpetuity to the Trust.
- (6) Will the department consider transferring ownership of these two buildings to the Northern Territory Government.
- (7) If the buildings are put up for private sale, how will the department ensure that the heritage values of the properties are maintained.
- (8) (a) Is the department concerned that the private sale of these two historic buildings may either severely limit or totally restrict public access to these buildings, which are an important part of Darwin's heritage; and (b) what will the department do to ensure that the public has continued access to these two buildings.

*132 **Senator Allison:** To ask the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs—With reference to the Non-humanitarian Entry Program:

- (1) What are the priorities for professional groups under the program.
- (2) What is the current waiting time for teacher applicants under the program.
- (3) How many teacher applicants are currently awaiting consideration under the program, broken down into specialist subject areas and country of origin.
- (4) What advice, if any, has the department received regarding the demand for teachers.

Notice given 25 February 2002

*133 **Senator Allison:** To ask the Minister representing the Minister for the Environment and Heritage—

- (1) (a) How many renewable energy certificates (RECs) have been granted for hydro-electricity generation to date; and (b) can details of the RECs awarded to each individual, company and organisation be provided.
- (2) How does the number of certificates for hydro-electricity compare to the number of certificates for solar, wind and biomass.
- (3) What baseline has been set for Hydro Tasmania.
- (4) How many RECs have been awarded to Hydro Tasmania.
- (5) Has Hydro Tasmania made any additional investment to obtain these RECs.

Notice given 28 February 2002

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

- (1) Since January 2000, how many regular passenger transport passengers have passed through Australian airports each month.
- (2) In each month, how many of these passengers were taking: (a) international; (b) interstate; and (c) intrastate journeys.

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

- (1) What is the current estimated cost of the Sydney Airport Noise Amelioration Program.

- (2) What is the total expenditure on the program to date.
- (3) To date: (a) how many houses have been insulated; and (b) how many houses remain to be insulated.
- (4) (a) How many houses were scheduled to be insulated in 2001; and (b) how many houses were actually insulated.
- (5) (a) How many public buildings have now been insulated; and (b) how many public buildings remain to be insulated.

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

- (1) What is the current estimated cost of the Adelaide Airport Noise Amelioration Program.
- (2) What is the total expenditure on the program to date.
- (3) To date: (a) how many houses have been insulated; and (b) how many houses remain to be insulated.
- (4) (a) How many houses were scheduled to be insulated in 2001; and (b) how many houses were actually insulated.
- (5) (a) How many public buildings have now been insulated; and (b) how many public buildings remain to be insulated.

*137 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the review of the 1991 Intergovernmental Agreement on Road Funding:

- (1) (a) Who commissioned the review; and (b) who is conducting the review.
- (2) What are the terms of reference for the review.
- (3) (a) What role did the states and local government play in the development of the terms of reference for the review; and (b) what role will the states and local government play in the actual review.
- (4) (a) When is the above review scheduled for completion; and (b) what process will be followed in the consideration and implementation of any recommendations that might flow from the above review.
- (5) What role will the Australian Transport Council play in the development of recommendations from the above review and the implementation of those recommendations.

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

- (1) What was the value of road funding announced by the Government in the lead-up to the 2001 federal election.
- (2) (a) How many road projects were announced in the lead-up to the 2001 federal election; (b) what is the level of funding allocated for each of these projects; and (c) what is the nature of the work to be carried out in each project.
- (3) How much additional funding will be added to the roads budget as a result of road project announcements in the lead-up to the 2001 federal election.
- (4) If there is additional funding required for the road budget as a result of spending announcements in the lead-up to the 2001 federal election, will that additional money go to the National Highway and Roads of National Importance Program; if not, where will the additional funding be allocated.

- *139 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—
- (1) Is the department conducting a review of the National Road Transport Commission (NRTC); if not, is there any other agency conducting a review of the NRTC.
 - (2) If a review is being conducted: (a) Who is actually undertaking the review; (b) what are the terms reference for the review; (c) what is the consultative process to be followed by the department or the reviewing agency as part of the review process; and (d) when is the review scheduled for completion.
 - (3) What process will be followed in relation to any recommendations that might flow from the review.
 - (4) When does the Minister expect to make a decision in relation to the recommendations that might flow from the review.
- *140 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—
- (1) Is the department funding any research into causes of deep vein thrombosis (DVT) in air travel; if so: (a) what is the nature of the research; (b) what is the cost of the research; (c) over what period is the research scheduled to run; and (d) who is undertaking that research.
 - (2) (a) What process was followed by the department in selecting the recipient of the research funding; and (b) who was the final decision-maker in relation to the approval of the expenditure.
 - (3) What programs are available in the department to fund research into issues like DVT.
 - (4) Is the department involved in any World Health Organisation or International Civil Aviation Organisation processes that might be investigating the causes of DVT; if so, what is the nature of that involvement.
- *141 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—
- (1) (a) How much of the \$4 million allocated for the construction of the Lismore Flood Levee is to be funded through the Flood Recovery Fund; and (b) how much is to be funded through the Flood Assistance Package Business Grants Program.
 - (2) How much has been spent, or committed, to date through these two programs.
 - (3) In each case: (a) what projects have attracted funding; (b) what was the amount of funding; and (c) when was the funding approved.
- *142 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—
- (1) Has the Minister, the department or the Forests and Wood Products Research and Development Corporation held discussions with the Australian plantation industry about data collection for that industry.
 - (2) Has any process been put in place, or proposed, that would enable the collection of data about the area of commercial tree planting, the types of trees being planted, the location of those plantings and the commercial returns being realised from the harvesting of plantation timber; if so:

- (a) who is, or will be, responsible for the data collection process; and
 - (b) how is this process being managed.
- (3) If no data collection regime for the plantation industry is in place, or being implemented, why not.

*143 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) (a) Was the original Forest Industry Structural Adjustment Package (FISAP) funding allocation for New South Wales for the 2000-01 financial year \$24.8 million; and (b) was the FISAP funding for the 2001-02 financial year \$11.3 million.
- (2) (a) How much of the funding allocation for New South Wales for the 2000-01 financial year was actually spent; (b) what has been spent to date this financial year; and (c) what is the likely expenditure to the end of June 2002.
- (3) (a) Was the original FISAP allocation in Victoria for the 2000-01 financial year set at \$11.1 million; and (b) was funding of \$4.1 million allocated to that state for the 2001-02 financial year.
- (4) (a) How much of the funding allocation for Victoria for the 2000-01 financial year was actually spent; (b) what has been spent to date this financial year; and (c) what is the likely expenditure to the end of June 2002.
- (5) (a) Was the FISAP funding allocation for Western Australia set at \$7.9 million for the 2000-01 financial year; and (b) was the FISAP funding for the 2001-02 financial year set at \$4.6 million.
- (6) (a) How much of the funding allocation for Western Australia for the 2000-01 financial year was actually spent; (b) what has been spent to date this financial year; and (c) what is the likely expenditure to the end of June 2002.
- (7) What is the level of FISAP funding allocation by state for the 2002-03 financial year.

*144 **Senator O'Brien:** To ask the Minister for Forestry and Conservation—

- (1) How many quota holders were actively fishing the Southern Shark Fishery in 2001.
- (2) What tonnage was allocated to those quota holders who were not actively working the Southern Shark Fishery in 2001.
- (3) What tonnage was allocated to fishers in state waters not actively fishing the Southern Shark Fishery in 2001.
- (4) Has the Australian Fisheries Management Authority (AFMA) bought out any state fishers in the Southern Shark Fishery; if so: (a) how many fishers were bought out; and (b) in each case, what was the cost of the buy out.
- (5) What gear effort was allocated to the fishers bought out by the AFMA.
- (6) Has the AFMA allowed additional fishers into the Tasmanian state shark fishery; if so: (a) how many additional fishers have been allowed into the fishery; (b) when were they allowed into the fishery; and (c) what was the basis for allowing the additional capacity into the fishery.
- (7) How many shark fishers in the Tasmanian state shark fishery lost their licences over the period 1994 to 1997 through state regulations.

- *145 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—
- (1) What form and what level of detail is required for plans, proposals or submissions seeking funding through the National Action Plan (NAP) on Salinity and Water Quality.
 - (2) What assessments preceded the approval of funding for the three areas in South Australia that were approved for NAP funding prior to the state election, namely: (a) the lower Murray, the South East and the Lofty Ranges; (b) the northern agricultural districts; and (c) Kangaroo Island.
 - (3) (a) Who undertook the assessments; (b) when did the assessment process commence; (c) when was the assessment process completed; (d) who approved the applications; and (e) when were the applications approved.
 - (4) In each case, what negotiations took place with the various community groups in these regions before the applications for funding were approved and the announcement made.
 - (5) (a) What community groups are associated with each of the above regions; (b) exactly when were they consulted; and (c) in each case, what was the outcome of those negotiations.
- *146 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—
- (1) What are the benchmarks referred to on page 121 of the 2001-02 Environment Australia's Portfolio Budget Statement that will be used to measure the efficiency of the administration of the National Action Plan on Salinity and Water Quality (NAP).
 - (2) What process will be followed to test the NAP against these benchmarks.
- *147 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—
- (1) What is the proposed level of funding from the Commonwealth, by year, for the Natural Heritage Trust stage 2.
 - (2) What is the proposed level of funding from the Commonwealth, by year, for the National Action Plan on Salinity and Water Quality.
 - (3) What was the level of funding for the National Landcare Program for the 2001-02 financial year.
 - (4) What is the proposed level of funding from the Commonwealth, by year, for the National Landcare Program.
 - (5) What level of funding, by year, will the National Landcare Program receive through the Natural Heritage Trust stage 2.
- *148 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—
- (1) Are Australian Quarantine Inspection Service (AQIS) meat inspectors employed under identical individual contracts.
 - (2) Were meat inspectors sent a copy of a contract on 12 April 2001.
 - (3) What process of consultation and negotiation was provided for in relation to the terms of that contract offered to inspectors by AQIS.
 - (4) (a) When did negotiations on the terms of the contract commence; (b) what were the nature of those negotiations; and (c) when did those negotiations conclude.

- (5) (a) Did that contract require inspectors to return the document by 30 April 2001; and (b) would AQIS assume that inspectors who did not meet that deadline did not wish to provide contract services to AQIS.
- (6) (a) What was the basis for the imposition of that deadline; and (b) how was that deadline compatible with proper negotiations over the terms of the AQIS offer.
- (7) Under this contract, are meat inspectors required to: (a) provide an ABN to AQIS; (b) supply their own equipment, including a knife and a steel; and (c) make their own arrangements for taxation, superannuation, insurance and other overheads.
- (8) Do any of the contracted meat inspectors receive more than 80 per cent of their income through their contract with AQIS; if so, would those contractors be regarded as employees for the purpose of their taxation assessment.
- (9) Does the AQIS contract explicitly refuse the payment of superannuation guarantee contributions for meat inspectors; if so, is this permitted under the *Superannuation Guarantee (Administration) Act 1992*.

*149 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) (a) What is the budget for the Action Plan for Australian Agriculture (APAA) for the 2001-02 financial year; and (b) what funding is provided in the out years.
- (2) Is the APAA still largely built around the *Rural Vision* magazine.
- (3) When was the last time the APAA was the subject of a review.
- (4) (a) When did that review commence; (b) when was it completed; and (c) what were the findings from that review.
- (5) Has the Government responded to the recommendations from the review; if so: (a) which of those recommendations have been picked up, and why; and (b) which of those recommendations have been rejected, and why.

*150 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) Has the Australian Bureau of Agriculture and Resource Economics (ABARE) undertaken any research into the impact of deregulation on the Australian dairy industry in addition to the analysis commissioned by the Federal Government as part of the deregulation process; if so: (a) what was the nature of that work; (b) who commissioned the work; and (c) what were the major findings of that work.
- (2) Has ABARE undertaken any investigations into the impact of the amendments to the Northern Prawn Fishery Management Plan in 2000 and 2001 on the North Queensland regional economy; if so: (a) when did that work commence; (b) what were the terms of reference; and (c) when was that worked completed.
- (3) (a) What were the results of that study; and (b) when were those results provided to the Federal Government.
- (4) What has been the response from the Federal Government to the findings of that ABARE study.

*151 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) Has the Bureau of Rural Sciences (BRS) commenced a salinity mapping consultancy as part of the National Action Plan on Salinity and Water Quality; if not, why not and when is the work scheduled to commence; if so: (a) where has this work been undertaken to date; and (b) what is the program, by region, to be followed by the BRS in completing this consultancy.
- (2) What is the planned timing of the commencement and completion of this work, by state.
- (3) (a) What is the value of the contract for the salinity mapping consultancy; and (b) who will meet that cost.
- (4) If the states are to contribute to the cost of the project: (a) what is the cost to be met by each state; (b) what is the cost to be met by the Commonwealth; and (c) are there agreements in place with each state to meet those costs.

*152 **Senator Ridgeway:** To ask the Minister representing the Minister for Small Business and Tourism—With reference to the collapse of Ansett in 2001 and the \$15 million Ansett Holiday Package Relief Scheme:

- (1) Following newspaper advertisements in 2001: (a) how many applications were lodged; and (b) of these, how many applications met the funding criteria.
- (2) Were all payments to the successful business applicants under this scheme made prior to 25 December 2001, as the department suggested would be the case at the time of the establishment of the scheme.
- (3) How much of the \$15 million for businesses under this scheme has been allocated.
- (4) If funds available under the Ansett Holiday Package Relief Scheme remain unallocated: (a) will those funds remain with AusIndustry, and for what purpose; or (b) will those funds be redirected; if so, to where and for what purpose.

*153 **Senator Ridgeway:** To ask the Minister representing the Minister for Small Business and Tourism—With reference to the \$5 million made available to Australian households under the Domestic Holiday Rebate Scheme:

- (1) How much money has been allocated.
- (2) How many households have received a rebate.
- (3) What is the average rebate received by each household.
- (4) What does the Government intend to do with any surplus funds.
- (5) What promotional activities were undertaken by the Government to ensure Australian households were aware of this scheme and how to apply for the rebate.
- (6) What costs were incurred as a result of these promotional activities.

*154 **Senator Ridgeway:** To ask the Minister representing the Minister for Small Business and Tourism—With reference to the Air Passenger Ticket Levy:

- (1) How much money has been raised by the levy since its introduction on 1 October 2001.
- (2) How does this amount compare to the expected revenue-raising potential of the levy.
- (3) Has the Government made any of these funds available to Ansett workers retrenched prior to 27 February 2002.

- (4) Are there sufficient funds available from the levy to meet the entitlements of all Ansett workers (ie. those retrenched prior to and after 27 February 2002); if not, will the levy remain in place until all Ansett workers' entitlements have been met in full.
- (5) Which government authority, instrumentality or entity is in receipt of the monies accrued under the levy to date.
- (6) What types of investment schemes have the levy funds been directed to in the interim to ensure the funds maintain value.
- (7) What has the performance of these funds been to date.
- (8) (a) Is the interest on the principal being used to maintain value for the fund; (b) are these monies also available for the levy; and (c) have these monies been used in any way whatsoever; if so, how; if not, why not.
- (9) If the levy generates more revenue than is required to meet the Ansett workers' entitlements, how will the surplus funds be used.
- (10) If the Government is not required to use the levy to repay Ansett workers' entitlements: (a) how will the funds accrued to date be used; and (b) will the Minister cause the levy to be terminated.

Notice given 1 March 2002

*155 **Senator Greig:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the Bellevue chemical fire in January 2001, and the claims made on *Four Corners* that toxins have leached into and contaminated soil and groundwater, threatening Perth's drinking water:

- (1) Were uniform standards for hazardous waste storage areas ever drawn up and implemented, as recommended in the House of Representatives report, *Hazardous Chemicals Waste: Storage, transport and disposal*, dated 1982.
- (2) Why did the Commonwealth not step in to legislate to control hazardous wastes to the fullest extent of its power when it became clear that the Western Australian State Government had failed to introduce effective waste disposal strategies, as recommended in the report 20 years ago.
- (3) How does the Commonwealth ensure its citizens are not threatened by poor record keeping, and poor storage and disposal of highly toxic chemicals.
- (4) Is the Minister aware of the nearby toxic OMEX oil recycling site where the State Government planned to spend \$7 million to protect freshwater supplies, largely because of the potential impact of the site on groundwater resources.
- (5) Given that the toxic disaster area at Bellevue remains one year on and the extent of the threat to water supplies has only just been revealed, will the Government step in and provide funds for the clean-up operation.
- (6) Given that Australia is a signatory to the Stockholm Convention regarding storage, disposal, production and use of persistent organic pollutants, and given that Australia has recognised the need for a national approach with national standards for certain hazardous wastes, what practical steps has Australia taken to fulfil the aims of the Stockholm Convention.

Notice given 4 March 2002

*156 **Senator Evans:** To ask the Minister representing the Minister for Ageing—With reference to Aged Care Assessment Teams (ACAT), can the following details be

provided (in a breakdown by state and territory) for the 1997-98, 1998-99 and 1999-2000 financial years:

- (1) How many ACAT assessments were carried out.
- (2) How many individuals were assessed.
- (3) What was the average number of assessments for those assessed.
- (4) How many ACAT assessments resulted in an assessment that the person required residential high care.
- (5) How many ACAT assessments resulted in an assessment that the person required residential low care.
- (6) How many ACAT assessments resulted in an assessment that the person required community care in the form of a community aged care package.
- (7) How many ACAT assessments resulted in an assessment that the person did not require one of the above forms of care.
- (8) How many ACAT assessments took place (identify separately) while the person assessed was in hospital, at home, in a hostel or other location.

*157 **Senator Evans:** To ask the Minister for Health and Ageing—With reference to the answer to question 123 at the Senate additional estimates hearings of February 2001, can the department provide a full list of the departmental committees and advisory bodies on research education and training on which Dr Jack Best sits, and the remuneration and expenses that has gone to Dr Best from each appointment.

*158 **Senator Evans:** To ask the Minister representing the Minister for Ageing—

- (1) How many serious risk reports under the Aged Care Act were submitted to the Secretary of the department by the Standards and Accreditation Agency (separately indicating the total for each state by month, from July 1999).
- (2) Did any of these serious risk reports arise other than from a review audit report; if so: (a) how many; and (b) under what circumstances.
- (3) With reference to the Accreditation Grant Principles (3.21) which lists the reasons why a review audit may be carried out after 1 January 2001: How many review audits have been carried out to date (indicating how many were carried out for each of the reasons outlined in 3.21).

*159 **Senator Evans:** To ask the Minister representing the Minister for Ageing—Can the following information be provided on the impact of the Government's policy of funding equalisation in relation to nursing home care subsidies:

For each state and territory, and for levels 1 to 4 in the Resident Classification Scale (RCS), can the Government indicate what the daily subsidy would be for residents in the 2002-03 financial year through to the 2006-07 financial year, assuming an annual indexation of 1.5 per cent, 2 per cent and 2.5 per cent.

(For example, assuming an indexation of 1.5 per cent provide a table showing daily care subsidy in each state and territory for RCS levels 1 through to 4. Similar tables would set out the subsidies assuming an indexation of 2 per cent and 2.5 per cent. These are to be based on the current daily subsidies for the 2001-02 financial year.)

*160 **Senator Evans:** To ask the Minister representing the Minister for Ageing—With reference to the employment of external quality assessors for the accreditation of residential aged care facilities:

- (1) In each state and territory how many people accessed the training necessary to become a quality assessor.
 - (2) What is the average cost of these courses.
 - (3) In each state and territory how many people are registered with the Quality Society of Australia as aged care quality assessors.
 - (4) What is the cost of registering with the society.
 - (5) In each state and territory how many quality assessors have not participated in one or more accreditation audits.
 - (6) In each state and territory how many quality assessors have only participated in one accreditation audit.
 - (7) What is the average amount paid to an external quality assessor for participating in an accreditation audit.
- *161 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—
- (1) Since March 1996, by financial year, what was the cost of air charters used by the Minister or his office.
 - (2) (a) In each financial year, on how many occasions did the Minister or his office charter aircraft; and (b) in each case, what was the name of the charter company that provided the service.
- *162 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—Since March 1996, by financial year, what was the cost of air charters provided by Vee H Aviation, or associated companies, to the Minister or his office.
- *163 **Senator Allison:** To ask the Special Minister of State—
- (1) What precisely are the arrangements that apply to Comcar drivers who volunteer to undertake assignments for senators or members which take longer than a regular or split shift.
 - (2) Are all the hours worked beyond regular or split shifts accumulated for the quarter.
 - (3) What are the circumstances under which a driver would get a credit for hours worked beyond the 546 hours on which certified agreements are based.
 - (4) In what circumstances is the credit for hours worked paid out in overtime.
 - (5) What are the other options for credited hours.
 - (6) What meal allowances are Comcar drivers entitled to for shifts that are longer than a regular or split shift.
 - (7) Is it the case that Comcar drivers are issued with charge cards for only one petrol company; if so, why.
- *164 **Senator Allison:** To ask the Minister representing the Minister for the Environment and Heritage—Has the Victorian State Government submitted its management plan for relocating grey headed flying foxes from the Melbourne Botanic Gardens to an alternative site; if so, can a copy of the plan be provided.
- *165 **Senator Allison:** To ask the Minister representing the Minister for Ageing—
- (1) Is air conditioning considered a requirement under the categories of 'resident lifestyle' or 'physical environment' for accreditation of aged care facilities, particularly in Queensland with its extremes of temperature.

- (2) Is the Minister aware that Ashworth House, a high care facility in Brisbane, uses wet towels around residents' necks and cold showers to try to cool them down because promised air conditioning has not been provided.

ORDERS OF THE SENATE

Absence of President

*1 Authority of Deputy President

That, during the absence of the President, the Deputy President shall, on each sitting day, take the chair of the Senate and may, during such absence, perform the duties and exercise the authority of the President in relation to all proceedings of the Senate and proceedings of committees to which the President is appointed.

(Agreed to 14 February 2002.)

Address-in-reply

2 Address-in-reply

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.

(Agreed to 13 February 2002.)

Committees

3 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 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.

(1 May 1996, amended 2 September 1997, 21 October 1997, 11 November 1998, 8 February 2001 and 13 February 2002.)

4 Estimates hearings

- (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.

(Agreed to 13 February 2002.)

5 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.)

Meeting of Senate

6 Meeting of Senate

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.

(Agreed to 13 February 2002.)

Orders for production of documents

7 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.)

8 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)

Date of order	Subject	Addressed to
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)
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

CONTINGENT NOTICES OF MOTION

Auditor-General's reports—Consideration

- 1 **Leader of the Opposition in the Senate (Senator Faulkner)**
Leader of the Australian Democrats (Senator Stott Despoja)
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 the senator 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)
Leader of the Australian Democrats (Senator Stott Despoja)
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)
Leader of the Australian Democrats (Senator Stott Despoja)
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)**
Leader of the Australian Democrats (Senator Stott Despoja)
Senator Brown
Senator Harradine
Senator Harris

- 5 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.
- 6 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.
- 7 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

8 **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.

9 **Leader of the Opposition in the Senate (Senator Faulkner)**
Leader of the National Party of Australia in the Senate (Senator Boswell)
Leader of the Australian Democrats (Senator Stott Despoja)
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

10 **Leader of the Opposition in the Senate (Senator Faulkner)**
Leader of the National Party of Australia in the Senate (Senator Boswell)
Leader of the Australian Democrats (Senator Stott Despoja)
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

11 **Leader of the Opposition in the Senate (Senator Faulkner)**
Leader of the National Party of Australia in the Senate (Senator Boswell)
Leader of the Australian Democrats (Senator Stott Despoja)
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

12 **Leader of the Opposition in the Senate (Senator Faulkner)**
Leader of the National Party of Australia in the Senate (Senator Boswell)
Leader of the Australian Democrats (Senator Stott Despoja)
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

- 13 **Leader of the Opposition in the Senate (Senator Faulkner)**
Leader of the National Party of Australia in the Senate (Senator Boswell)
Leader of the Australian Democrats (Senator Stott Despoja)
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 and Education Legislation
Employment, Workplace Relations 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 Committees

A Certain Maritime Incident
Superannuation and Financial Services

Joint Statutory Committees

ASIO, ASIS and DSD
Broadcasting of Parliamentary Proceedings
Corporations and Financial Services
National Crime Authority
Native Title and the Aboriginal and Torres Strait Islander Land Fund
Public Accounts and Audit
Public Works

Joint Committees

Electoral Matters
Foreign Affairs, Defence and Trade
Migration
National Capital and External Territories
Treaties

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

COMMITTEES

A Certain Maritime Incident—Select Committee

(appointed 13 February 2002; reporting date: 16 May 2002)

Members

Senator Cook (*Chair*), Senator Ferguson (*Deputy Chair*), Senators Bartlett, Calvert, Collins, Faulkner, Murphy and Payne

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 and Senators Boswell, Bourne, Heffernan, Ian Macdonald, Ray and Schacht

ASIO, ASIS and DSD —Joint Statutory Committee*Members*

Senators Calvert, Sandy Macdonald and Ray

Broadcasting of Parliamentary Proceedings—Joint Statutory Committee*Members*

The President, the Speaker and Senators Knowles and West

Community Affairs Legislation Committee*Portfolios*

Family and Community Services; Health and Ageing

Members

Senator Knowles (*Chair*), Senator Allison (*Deputy Chair*), Senators Bishop, Denman, Herron and Tchen

Participating members

Senators Abetz, Calvert, Carr, Chapman, Coonan, Crane, Crowley, Eggleston, Evans, Faulkner, Ferguson, Ferris, Gibbs, Harradine, Lightfoot, McGauran, McLucas, Payne, Tierney and Watson

Senators Lees for matters relating to the Health portfolio

Senator Cherry for matters relating to the Family and Community Services portfolio

Report presented

* Matters not disposed of at the end of the 39th Parliament (*tabled 14 February 2002*)

Community Affairs References Committee*Members*

Senator Crowley (*Chair*), Senator Knowles (*Deputy Chair*), Senators Lees, Gibbs, McLucas and Tchen

Participating members

Senators Bartlett, Bishop, Carr, Denman, Evans, Faulkner, Harradine and West

Senator Cherry for the Family and Community Services portfolio

Current inquiry

* Nursing (*referred 5 April 2001; readopted 14 February 2002; reporting date: 27 June 2002*)

Report presented

* Matters not disposed of at the end of the 39th Parliament (*tabled 14 February 2002*)

Corporations and Financial Services—Joint Statutory Committee

(formerly the Parliamentary Joint Committee on Corporations and Securities; name amended 11 March 2002 pursuant to Schedule 1, item 5 of the Financial Services Reform Act 2001)

Members

Senators Brandis, Chapman, Conroy, Cooney and Murray

Economics Legislation Committee

Portfolios

Treasury; Industry, Tourism and Resources

Members

Senators Brandis, Chapman, Collins, Murray, Schacht and Watson

Substitute member

Senator Allison to substitute for Senator Murray for matters relating to the Resources portfolio

Participating members

Senators Abetz, Boswell, Calvert, Carr, Conroy, Coonan, Crane, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Knowles, Lightfoot, Mason, McGauran, Payne, Ridgeway, Sherry, Tchen and Tierney

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

Members

Senators Bolkus, Brandis, Chapman, Collins, Cook and Ridgeway

Substitute member

Senator Allison to substitute for Senator Ridgeway for matters relating to the Resources portfolio

Participating members

Senators Carr, Conroy, Faulkner, Harradine, Murray and Sherry

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*)

Electoral Matters—Joint Standing Committee*(appointed 14 February 2002)**Members*

Senators Bartlett, Ferris, Mason, Murray and Ray

Employment, Workplace Relations and Education Legislation Committee*(formerly the Employment, Workplace Relations, Small Business and Education Legislation Committee; name amended 11 March 2002—see standing order 25)**Portfolios*

Employment and Workplace Relations; Education, Science and Training

Members

Senators Brandis, George Campbell, Carr, Ferris, Stott Despoja and Tierney

Substitute members

Senator Murray to substitute for Senator Stott Despoja for matters relating to the Workplace Relations portfolio

Senator Lees to substitute for Senator Stott Despoja for matters relating to the Training portfolio

Senator Cherry to substitute for Senator Stott Despoja for matters relating to the Employment portfolio

Senator Allison to substitute for Senator Stott Despoja for matters relating to the Schools portfolio

Senator Crane to substitute for Senator Brandis for matters relating to the Employment, Workplace Relations and Small Business portfolio

Participating members

Senators Evans, Faulkner, Gibbs, Harradine, Hutchins and Sherry

Employment, Workplace Relations and Education References Committee*(formerly the Employment, Workplace Relations, Small Business and Education References Committee; name amended 11 March 2002—see standing order 25)**Members*

Senators Brandis, George Campbell, Carr, Crossin, Stott Despoja and Tierney

Substitute members

Senator Murray to substitute for Senator Stott Despoja for matters relating to the Workplace Relations portfolio

Senator Lees to substitute for Senator Stott Despoja for matters relating to the Training portfolio

Senator Cherry to substitute for Senator Stott Despoja for matters relating to the Employment portfolio

Senator Allison to substitute for Senator Stott Despoja for matters relating to the Schools portfolio

Participating members

Senators Buckland, Crowley, Denman, Faulkner, Harradine, Hutchins and Sherry

*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

Members

Senator Eggleston (*Chair*), Senator Mackay (*Deputy Chair*), Senators Bartlett, Calvert, Lundy and Tchen

Substitute member

Senator Greig to substitute for Senator Bartlett for matters relating to the Information Technology portfolio

Participating members

Senators Abetz, Bolkus, Boswell, Carr, Chapman, Coonan, Crane, Evans, Faulkner, Ferguson, Ferris, Harradine, Knowles, Lees, Lightfoot, McLucas, Mason, McGauran, Tierney and Watson

Senators Allison and Bourne for the Communications portfolio

Senator Stott Despoja for the Information Technology portfolio

Senator Ridgeway for the Arts portfolio

Environment, Communications, Information Technology and the Arts References Committee

Members

Senator Allison (*Chair*), Senator Tchen (*Deputy Chair*), Senators Lundy, Mackay, McLucas and Tierney

Participating members

Senators Bolkus, Buckland, Carr, Faulkner, Harradine and Lees

Senators Bartlett for the Environment portfolio

Senators Greig and Stott Despoja for the Information Technology portfolio

Senator Ridgeway for the Arts portfolio

Current inquiry

* Urban water use (*referred 5 April 2001; readopted 14 February 2002; reporting date: 27 June 2002*)

Report presented

* Matters not disposed of at the end of the 39th Parliament (*tabled 14 February 2002*)

Finance and Public Administration Legislation Committee

Portfolios

Parliament; Prime Minister and Cabinet; Finance and Administration

Members

Senator Mason (*Chair*), Senator Murray (*Deputy Chair*), Senators Brandis, Faulkner, Forshaw and Lightfoot

Participating members

Senators Abetz, Carr, Chapman, Conroy, Coonan, Crane, Eggleston, Evans, Ferguson, Ferris, Harradine, Knowles, McGauran, Payne, Ridgeway, Sherry, Tchen, Tierney and Watson

Finance and Public Administration References Committee*Members*

Senator Forshaw (*Chair*), Senator Watson (*Deputy Chair*), Senators Lightfoot, Lundy, Ridgeway and Schacht

Participating members

Senators Carr, Conroy, Faulkner, Harradine, Murray and Sherry
Senators Allison for public service issues

Foreign Affairs, Defence and Trade—Joint Standing Committee

(appointed 14 February 2002)

Members

Senator Bourne, Calvert, Chapman, Cook, Evans, Ferguson, Gibbs, Harradine, Hutchins, Sandy Macdonald, Payne and Schacht

Foreign Affairs, Defence and Trade Legislation Committee*Portfolios*

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

Members

Senator Sandy Macdonald (*Chair*), Senator Hogg (*Deputy Chair*), Senators Bourne, Evans, Ferguson and Payne

Participating members

Senators Abetz, Bishop, Boswell, Brandis, Carr, Chapman, Coonan, Crane, Eggleston, Faulkner, Ferris, Harradine, Hutchins, Knowles, Mason, McGauran, McKiernan, Tchen, Tierney and Watson

Foreign Affairs, Defence and Trade References Committee*Members*

Senator Hogg (*Chair*), Senator Sandy Macdonald (*Deputy Chair*), Senators Bourne, Hutchins, Lightfoot and West

Participating members

Senators Bishop, Carr, Denman, Faulkner, Harradine and McKiernan

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*) and Senators Brandis, Calvert, Carr, Collins, Gibbs and Knowles

Legal and Constitutional Legislation Committee

Portfolios

Attorney-General; Immigration and Multicultural and Indigenous Affairs

Members

Senator Payne (*Chair*), Senators Cooney, Greig, McKiernan, Mason and Scullion

Substitute member

Senator Lees to substitute for Senator Greig for matters relating to the Indigenous Affairs portfolio

Participating members

Senators Abetz, Bolkus, Brandis, Calvert, Carr, Chapman, Crane, Eggleston, Faulkner, Ferguson, Ferris, Harradine, Knowles, Lightfoot, Ludwig, McGauran, Sherry, Tchen, Tierney and Watson

Senator Bartlett for the Immigration and Multicultural Affairs portfolio

Current inquiry

- * Provisions of the Proceeds of Crime Bill 2002 and provisions of the Proceeds of Crime (Consequential Amendments and Transitional Provisions) Bill 2002 (*referred immediately upon the introduction of the bills in the House of Representatives pursuant to the order of the Senate of 14 February 2002; reporting date: 14 March 2002*)
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Legal and Constitutional References Committee

Members

Senator McKiernan (*Chair*), Senators Cooney, Greig, Ludwig, Payne and Scullion

Substitute member

Senator Lees to substitute for Senator Greig for matters relating to the Indigenous Affairs portfolio

Participating members

Senators Bolkus, Carr, Faulkner, Harradine and Sherry

Senator Bartlett for the Immigration and Multicultural Affairs portfolio

Library—Standing Committee

Members

The President (*Chair*) and Senators Boswell, Crowley, Mackay, Scullion, Sherry and Tierney

Migration—Joint Standing Committee*(appointed 14 February 2002)**Members*

Senators Bartlett, Eggleston, McKiernan and Tierney

National Capital and External Territories—Joint Standing Committee*(appointed 14 February 2002)**Members*

The Deputy President and Chairman of Committees, the Deputy Speaker, Senators Greig, Crossin, Lightfoot, Lundy and Watson

National Crime Authority—Joint Statutory Committee*Members*

Senators George Campbell, Denman, Ferris, Greig and McGauran

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

Senators Crossin, Ferris, Lees, Mason and McLucas

Privileges—Standing Committee*Members*

Senators Eggleston, Evans, Knowles, McGauran, Payne, Ray and Sherry

Current inquiry

- * (a) Whether any breaches of the immunities of the Senate or contempts were involved in the search and seizure, and continued possession, by the Queensland police of material from the office of Senator Harris, and, if so, what remedies should be applied; (b) whether any steps should be taken to ensure that any such material protected from seizure by parliamentary privilege is returned to Senator Harris without further access to the material by the police; and (c) whether procedures should be established to ensure that, in cases of the execution of search warrants in senators' premises, material protected by parliamentary privilege is appropriately treated (*referred 14 February 2002*)

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 and Senators Bourne, Ian Campbell, Eggleston, Ferguson, Ludwig and Ray

Public Accounts and Audit—Joint Statutory Committee

Members

Senators Colbeck, Crowley, Hogg, Murray, Scullion and Watson

Public Works—Joint Statutory Committee

Members

Senators Calvert, Ferguson and Forshaw

Publications—Standing Committee

Members

Senators Bishop, Calvert, Chapman, Hutchins, Lightfoot, McLucas and McKiernan

Regulations and Ordinances—Legislative Scrutiny Standing Committee

Members

Senators Bartlett, Brandis, Buckland, Ludwig, Mason and Tchen

Rural and Regional Affairs and Transport Legislation Committee

Portfolios

Transport and Regional Services; Agriculture, Fisheries and Forestry

Members

Senator Crane (*Chair*), Senator Buckland (*Deputy Chair*), Senators Cherry, Ferris, McGauran and O'Brien

Participating members

Senators Abetz, Boswell, Calvert, Carr, Chapman, Coonan, Eggleston, Faulkner, Ferguson, Harradine, Hutchins, Knowles, Lightfoot, Mason, Sandy Macdonald, McKiernan, McLucas, Payne, Tchen, Tierney and Watson

Senator Bartlett for animal welfare issues

Senator Greig for the Fisheries and Transport portfolios

Rural and Regional Affairs and Transport References Committee

Members

Senator Ridgeway (*Chair*), Senator Crane (*Deputy Chair*), Senators Buckland, Ferris, Mackay and O'Brien

Participating members

Senators Carr, Faulkner, Harradine, Hutchins and McKiernan

Senator Bartlett for animal welfare issues

Senator Greig for the Fisheries and Transport portfolios

Scrutiny of Bills—Legislative Scrutiny Standing Committee*Members*

Senator Cooney (*Chair*), Senators Crane, Crossin, Ferris, Mason and Murray

Alert Digest presented

* No. 1 of 2002 (*presented to the President on 21 February 2002, pursuant to standing order 38(7)*)

Report presented

* No. 1 of 2002 (*presented to the President on 21 February 2002, pursuant to standing order 38(7)*)

Selection of Bills—Standing Committee*Members*

The Government Whip (*Chair*), the Opposition Whip, the Australian Democrats Whip, the National Party of Australia Whip and Senators Buckland, Ian Campbell, Crossin and Ferris

Senators' Interests—Standing Committee*Members*

Senators Allison, Brandis, Bolkus, Collins, Denman, Forshaw, Herron and Lightfoot

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*)

Treaties—Joint Standing Committee

(appointed 14 February 2002)

Members

Senators Bartlett, Cooney, Ludwig, Mason, McGauran, Schacht and Tchen

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 14 February 2002 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 3015.

