

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

## NOTICE PAPER

No. 38

TUESDAY, 15 OCTOBER 2002

*The Senate meets at 2 pm*

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

## BUSINESS OF THE SENATE

### Notice of Motion

*Notice given 25 September 2002*

- 1 **Chair of the Community Affairs References Committee (Senator Hutchins):**  
To move—That—
- (a) the Community Affairs References Committee request the Commonwealth Ombudsman to report to the committee annually, at least for the next 5 years, on the operation of the social security breaches and penalties system; and
  - (b) the committee publish the Ombudsman's report and, if it considers it necessary, seek submissions from interested parties before formulating any proposals it may wish to make for improving the operation of the system.

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## GOVERNMENT BUSINESS

### Orders of the Day

- 1 **Criminal Code Amendment (Espionage and Related Matters) Bill 2002—**  
In committee (*26 September 2002*).
- 2 **States Grants (Primary and Secondary Education Assistance) Amendment Bill (No. 2) 2002—**(*Minister for Justice and Customs, Senator Ellison*)  
Second reading—Adjourned debate (*23 September 2002*).  
(*Bill exempted on 25 September 2002 from the provisions of paragraphs (5) to (7) of standing order 111—see Orders of the Senate—Legislation*)
- 3 **Torres Strait Fisheries Amendment Bill 2002—**(*Senate bill*)—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)  
Second reading—Adjourned debate (*19 June 2002*).
- 4 **Members of Parliament (Life Gold Pass) Bill 2002—**(*Minister for Justice and Customs, Senator Ellison*)  
Second reading—Adjourned debate (*adjourned, Senator Crossin, 24 September 2002*).
- 5 **Petroleum (Submerged Lands) Amendment Bill 2002—**(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)  
Second reading—Adjourned debate (*adjourned, Senator Ludwig, 19 June 2002*).
- 6 **Taxation Laws Amendment (Structured Settlements) Bill 2002—**(*Minister for Health and Ageing, Senator Patterson*)  
Second reading—Adjourned debate (*adjourned, Senator Crossin, 25 September 2002*).
- 7 **Research Agencies Legislation Amendment Bill 2002—**(*Minister for Health and Ageing, Senator Patterson*)

Second reading—Adjourned debate (*adjourned, Senator Buckland, 19 August 2002*).

**8 Family and Community Services Legislation Amendment (Disability Reform) Bill (No. 2) 2002**—(*Minister for Justice and Customs, Senator Ellison*)

Second reading—Adjourned debate (*adjourned, Senator Ludwig, 23 September 2002*).

**9 Space Activities Amendment Bill 2002**—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Minister for Forestry and Conservation (Senator Ian Macdonald), 29 August 2002*).

**10 Plant Breeder's Rights Amendment Bill 2002**—(*Senate bill*)—(*Minister for Health and Ageing, Senator Patterson*)

Second reading—Adjourned debate (*adjourned, Minister for Forestry and Conservation (Senator Ian Macdonald), 29 August 2002*).

**11 Bankruptcy Legislation Amendment Bill 2002**—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Senator Ludwig, 19 June 2002*).

**12 Family Law Legislation Amendment (Superannuation) (Consequential Provisions) Bill 2002**—(*Minister for Health and Ageing, Senator Patterson*)

Second reading—Adjourned debate (*adjourned, Senator Crossin, 25 September 2002*).

**13 Family and Community Services Legislation Amendment (Australians Working Together and other 2001 Budget Measures) Bill 2002**—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Senator Ludwig, 19 June 2002*).

**14 Trade Practices Amendment (Liability for Recreational Services) Bill 2002**—(*Minister for Communications, Information Technology and the Arts, Senator Alston*)

Second reading—Adjourned debate (*adjourned, Senator Buckland, 28 August 2002*).

**15 Superannuation Legislation (Commonwealth Employment) Repeal and Amendment Bill 2002**—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

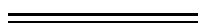
Second reading—Adjourned debate (*adjourned, Senator Ludwig, 19 June 2002*).

**16 Family and Community Services Legislation Amendment (Further Simplification of International Payments) Bill 2002**—(*Minister for Forestry and Conservation, Senator Ian Macdonald*)

Second reading—Adjourned debate (*adjourned, Senator Mackay, 13 March 2002*).

**17 Budget statement and documents 2002-03**

Adjourned debate on the motion of the Minister for Finance and Administration (Senator Minchin)—That the Senate take note of the statement and documents (*adjourned, Special Minister of State (Senator Abetz), 16 May 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 **Superannuation—Select Committee—Report—Superannuation (Government Co-contribution for Low Income Earners) Bill 2002 and Superannuation Legislation Amendment Bill 2002**

Adjourned debate on the motion of Senator Mackay—That the Senate take note of the report (*Senator Mackay, in continuation, 26 September 2002*).

- 2 **Community Affairs References Committee—Report—Participation requirements and penalties in the social security system [Family and Community Services Legislation Amendment (Australians Working Together and other 2001 Budget Measures) Bill 2002 and related issues]**

Adjourned debate on the motion of the Chair of the Community Affairs References Committee (Senator Hutchins)—That the Senate take note of the report (*adjourned, Senator Ludwig, 26 September 2002*).

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

- 1 **Auditor-General—Audit report no. 8 of 2002-03—Business support process audit—The Senate order for department and agency contracts (September 2002)**

Adjourned debate on the motion of Senator Mackay—That the Senate take note of the document (*adjourned, Senator Ludwig, 26 September 2002*).

- 2 **Auditor-General—Australian National Audit Office—Report for 2001-02**  
Consideration (*26 September 2002*).

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**GENERAL BUSINESS**

**Notices of Motion**

*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.

*Notice given 11 March 2002*

**23 Senator McGauran:** To move—That the Senate—

- (a) notes that:
  - (i) it is the 100th anniversary of the execution of Harry 'Breaker' Morant and Peter Handcock, killed by firing squad during the Boer War for following the orders, take no prisoners,
  - (ii) the court case held for Morant and Handcock was a sham, set up by Lord Kitchener, the giver of the orders Morant and Handcock followed,
  - (iii) the injustice to Breaker and Handcock has plagued Australia's conscience since their execution on 27 February 1902,
  - (iv) in 1902 the then Federal Parliamentarian and later first Governor-General of Australia, Issac Issacs, raised the matter of the execution in Parliament stating that this issue was agitating the minds of the people of this country in an almost unprecedented degree, and questioned the validity of the decision,
  - (v) the reason we need to go back 100 years to now right this wrong, is because Breaker Morant is one of the fathers of our ANZAC tradition; a friend of Banjo Patterson and an inspiration for much of his poetry and described as a man of great courage who would never betray a mate; and a man of whom many of the young ANZACs in World War I had heard and on whom they modelled themselves, and
  - (vi) Lord Kitchener was the Commander-in-Chief of the British Military who made the decision to commit troops to Gallipoli and is responsible for that disastrous campaign;
- (b) calls on the Government to petition directly the British Government for a review of the case, with the aim to quash the harsh sentence of death for Harry 'Breaker' Morant and Peter Handcock; and
- (c) take action to include the names of these two Australians on the Roll of Honour at the Australian War Memorial.

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

- (a) notes that the Ministerial Code in the United Kingdom includes a system which deals with acceptance of appointments for ministers after leaving office; and
- (b) calls on the Government to:
  - (i) implement an advisory committee on business appointments, from which a minister would be required to seek advice before accepting

business appointments within 5 years from the date from which he or she ceased to be a minister, and

- (ii) ban any minister from taking an appointment that is directly related to his or her portfolio for 5 years from the date of resignation.

*Notice given 16 May 2002*

78 **Senator Tierney:** To move—That the Senate—

- (a) notes that south-eastern Australia is the most fire prone region in the world;
- (b) commends the support provided by the Howard Government to New South Wales in January 2002, in particular, the provision of aerial fire fighting equipment;
- (c) expresses its concern that the state government is whitewashing the causes of the bushfire catastrophe of Christmas 2001 by just blaming pyromaniacs during the current bushfires inquiry;
- (d) calls on the New South Wales Government to give serious consideration to the evidence of State Forests of NSW, which believes that inadequate back-burning was the primary cause of the devastating fires;
- (e) rejects calls from the Nature Conservation Council to restrict hazard reduction;
- (f) calls on the Carr Government to allow non-government committee members to receive witnesses' submissions without having to first request them;
- (g) encourages the inquiry to reach a conclusion based on evidence and not party politics resulting from pressure from extreme green groups; and
- (h) hopes that the lessons learned from the bushfire inquiry will be shared to other state governments so all Australians can avoid such an unnecessary disaster.

80 **Leader of the Australian Democrats (Senator Bartlett):** To move—

- (1) That there be laid on the table, by the Minister representing the Minister for the Environment and Heritage (Senator Hill), at the end of each quarter after the commencement of this order, copies of all permit applications, permit decisions and permits issued, together with any conditions imposed, made in accordance with regulation 18 of the Great Barrier Reef Marine Park Regulations 1983, made in accordance with the *Great Barrier Reef Marine Park Act 1975*.
- (2) That for the purposes of this order, a quarter means a period of 3 months ending on 31 March, 30 June, 30 September and 31 December.

*Notice given 26 June 2002*

108 **Senator Sherry:** To move—That there be laid on the table, on the next day of sitting, the advice by the Australian Prudential Regulation Authority to the Assistant Treasurer under section 230A of the *Superannuation Industry (Supervision) Act 1993*, in relation to applications for financial assistance for superannuation funds where Commercial Nominees of Australia was trustee.

110 **Senator Stott Despoja:** To move—That the Senate calls upon the Government to rule out Australia's involvement in any pre-emptive military action, or first strike, against Iraq or any other country without evidence that an attack by that country is imminent.

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

- (a) notes that:
- (i) the week beginning 24 June 2002 is Drug Action Week, aimed at generating community awareness about drug and alcohol abuse and the solutions being used to tackle these issues,
  - (ii) each day of Drug Action Week highlights a different theme and the theme on 27 June 2002 is Indigenous issues,
  - (iii) the misuse of alcohol and other drugs has long been linked to the deep levels of emotional and physical harm suffered by Indigenous communities since the colonisation of Australia,
  - (iv) alcohol and tobacco consumption rates continue to remain high in the Indigenous population, against declining rates in the general population, and the increasing use of heroin in urban, regional and rural Indigenous communities is also of particular concern,
  - (v) substance misuse is probably the biggest challenge facing Indigenous communities today, as it affects almost everybody either directly or indirectly and is now the cause as well as the symptom of much grief and loss experienced by Indigenous communities, and
  - (vi) the demand for the services of existing Indigenous-controlled drug and alcohol rehabilitation centres far exceeds the current level of supply;
- (b) acknowledges the essential role of Indigenous community-controlled health services in providing long-term, culturally-appropriate solutions for substance abuse; and
- (c) calls on the Government to:
- (i) fund the national substance misuse strategy, developed by the National Aboriginal Community Controlled Health Organisation, which is designed to build the necessary capacity within the Indigenous health sector so communities can address their health and well-being needs in a holistic and culturally-appropriate manner, and
  - (ii) improve coordination between Commonwealth, state, territory and local governments on these issues and ensure this facilitates greater Indigenous control over the development and implementation of all health programs.

*Notice given 19 August 2002*

120 **Senator Ray:** To move—That the Senate—

- (a) notes:
- (i) the claims in the *Age* newspaper of 15 August 2002 that the McGauran family is financially supporting the Democratic Labour Party of Australia (DLP) in its attempt to retain registration under the provisions of the Electoral Act,
  - (ii) that two of the three Victorian National Party representatives in the Federal Parliament are from the McGauran family and have, on occasions, relied on DLP preferences,
  - (iii) the comments of the DLP Secretary, Mr John Mulholland, when he said, 'It would be in Senator Julian McGauran's interests for the DLP to survive this de-registration moved by the Electoral Commission', and

- (iv) the immense amount of money made by the McGauran family from its poker machine interests in Altona, some of which is apparently going to fund the DLP's legal expenses; and
- (b) calls on Senator McGauran and the Minister for Science (Mr McGauran), to explain their knowledge of their family's involvement in funding the DLP's legal bills.

*Notice given 22 August 2002*

139 **Senator Mackay:** To move—That the Senate—

- (a) congratulates the Australian Capital Territory Legislative Assembly:
  - (i) on becoming the first state or territory legislature to remove abortion from the criminal code, and
  - (ii) for repealing the appalling law which required women seeking abortions to first look at pictures of foetuses;
- (b) notes that this landmark legislation should serve to encourage all remaining states and territories to enact similar legislative changes; and
- (c) notes that the Australian Capital Territory legislation recognises that abortion is a decision for women and is not something that should carry the threat of a jail term.

*Notice given 16 September 2002*

156 **Senator Allison:** To move—That the Senate—

- (a) notes that:
  - (i) the Deaflympic Games will be held in Melbourne in 2005; and
  - (ii) Deaf Sports Recreation Victoria has set up a Games Organising Committee to begin planning and organising this international event which will see the participation of 4 000 deaf athletes and officials from over 90 countries; and
- (b) urges the Prime Minister (Mr Howard) to respond to the correspondence from Deaf Sports Recreation Victoria and to offer support for the Deaflympic Games.

*Notice given 19 September 2002*

175 **Senator Tierney:** To move—That the Senate—

- (a) deplores comments made in the New South Wales Parliament on Tuesday, 17 September 2002, by the State Minister for Education and Training (Mr Watkins), which misrepresented the future direction of universities in Australia and, in particular, the role of rural and regional universities;
- (b) notes that the Minister for Education, Science and Training (Dr Nelson) has put on the record that regional universities will not be disadvantaged by the current reform process;
- (c) further notes that the Federal Minister told all state education ministers, including Mr Watkins, in July 2002 that Australia would not be returning to second tier, teaching-only, higher education institutions; and
- (d) congratulates the Federal Minister for his comprehensive and inclusive review of higher education in Australia.

*Notice given 24 September 2002*



184 **Senator Stott Despoja:** To move—That the Senate—

(a) notes:

- (i) the commitment of the Government and Mr John Loy, Chief Executive Officer (CEO) of Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), to a demonstrated store for radioactive waste by 2005,
- (ii) the commitment of the Government and Mr Loy to a second spent fuel reprocessing pathway for spent fuel from the Lucas Heights reactor,
- (iii) the commitment in the Lucas Heights environmental impact statement (EIS), EIS supplementary report and EIS assessment report to a radioactive waste store by 2005,
- (iv) the ARPANSA site licence assessment regarding a potential operating licence at Lucas Heights that, ‘A license to operate would not be issued by ARPANSA without there being clear and definite means available for the ultimate disposal of radioactive waste and spent nuclear fuel’,
- (v) that the recent comments by Mr Loy on the Australian Broadcasting Corporation’s *PM* program indicating that the ‘new’ deadline for a store is now 2025 and that provision for second country reprocessing is no longer required are in direct contradiction to previous commitments, and
- (vi) that it recently passed a second reading amendment that:
  - (A) noted the view of the CEO of ARPANSA that arrangements for taking the spent fuel and turning it into a reasonable waste form need to be absolutely clear before the new reactor at Lucas Heights commences operation, and there needs to be clear progress on siting a store for the waste that returns to Australia, and
  - (B) expressed its opinion that until all matters relating to safety, storage and transportation of nuclear materials associated with the new reactor at Lucas Heights are resolved, no operating licence related to the new reactor at Lucas Heights should be issued by ARPANSA; and

(b) calls on the CEO of ARPANSA to:

- (i) reaffirm commitments made to the Australian people as part of the EIS process, and
- (ii) act in conformity with the Senate’s second reading amendment.

*Notice given 26 September 2002*

196 **Senator Lundy:** To move—That the Senate congratulates:

- (a) the Australian Sports Commission for initiating the Australian Sports Commission Media Awards, which encourage broad and in-depth coverage of sporting issues in Australia;
- (b) the many journalists and photojournalists who were nominated in the seven categories which comprise the inaugural Australian Sports Commission Media Awards;
- (c) sports journalist, Mr Harry Gordon, who was awarded the Australian Sports Commission’s Lifetime Achievement Award for his services to the media for more than 60 years; and

- (d) all the award winning journalists and photojournalists, including:
  - (i) Best Reporting of an Issue in Australian Sport: Kate McClymont and Anne Davies of the *Sydney Morning Herald*,
  - (ii) Best Sports Journalism from Rural or Regional Media: Brett Kohlhagen of the *Border Mail*, Albury,
  - (iii) Community Sport Media Award: David Pearson and Brian Webb, 'Topsport 104.1 FM' Darwin,
  - (iv) Youth Sport Media Award: Amanda Smith of ABC Radio National's, *The Sports Factor*,
  - (v) Best Journalism on Australian Sports Commission-related Programs: Robert Drane *Inside Sport*, and
  - (vi) Best Sports Photojournalism: Bruce Long of the *Courier Mail*.

197 **Senator Allison:** To move—That the Senate—

- (a) requires advice from the Australian Competition and Consumer Commission (ACCC) on its progress in responding to the Senate order of 27 June 2002 and its expected date of reporting to the Senate; and
- (b) requires the ACCC to investigate and report to the Senate by 22 October 2002 on:
  - (i) the amount of money collected by tobacco retailers from consumers in respect of state and territory tobacco franchise fees relating to the period 1 July 1997 to 5 August 1997 but not forwarded by tobacco retailers or wholesalers to the states and territories or to the Commonwealth ('the windfall'), and the amount of recoverable interest accrued since 5 August 1997,
  - (ii) the appropriate federal legislative response to Justice Kirby's High Court judgment of 6 December 2001 in *Roxborough v Rothmans* viz, 'The "windfall" should remain with the wholesaler to await the legislative measures (if any) for disgorgement to the benefit of users of tobacco, products or otherwise, as the Federal Parliament may enact', and
  - (iii) its recommendations on the possible distribution of the windfall and/or appropriate use of the windfall in anti-smoking measures and litigation against tobacco companies that have engaged in misleading and deceptive conduct or unconscionable behaviour and similar recommendations in respect of the proceeds of any such litigation.

198 **Senator Brown:** To move—That the following bill be introduced: A Bill for an Act relating to the establishment of a fund for the purpose of education about plastic bag damage to the environment, and for related purposes. *Plastic Bag (Minimisation of Usage) Education Fund Bill 2002*.

199 **Senator Brown:** To move—That the following bill be introduced: A Bill for an Act to provide for the assessment and collection of a levy on the use of plastic bags at the retail point of sale. *Plastic Bag Levy (Assessment and Collection) Bill 2002*.

## Orders of the Day relating to Government Documents

- 1 **Australia's Development Cooperation Program—Australian aid: Investing in growth, stability and prosperity—Ministerial statement—Documents**

Adjourned debate on the motion of Senator Nettle—That the Senate take note of the documents (*Senator Nettle, in continuation, 24 September 2002*).

**2 Workplace Relations Act 1996—Report for 2000 and 2001 on agreement making under the Act**

Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Crossin, in continuation, 26 September 2002*).

## Orders of the Day

**1 ABC Amendment (Online and Multichannelling Services) Bill 2001 [2002]—(Senate bill)**

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)**

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)**

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)—(Senators Murray and 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)**

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*)  
 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*).
- 15 **Ministers of State (Post-Retirement Employment Restrictions) Bill 2002**—(*Senate bill*)—(*Senator Stott Despoja*)  
 Second reading—Adjourned debate (*Senator Stott Despoja, in continuation, 13 March 2002*).
- 16 **Lucas Heights reactor—Order for production of documents—Statement by Minister**  
 Adjourned debate on the motion of Senator Carr—That the Senate take note of the statement (*Senator Carr, in continuation, 19 March 2002*).
- 17 **Great Barrier Reef Marine Park (Boundary Extension) Amendment Bill 2002**—(*Senate bill*)—(*Leader of the Australian Democrats, Senator Bartlett*)  
 Second reading—Adjourned debate (*Senator Calvert, in continuation, 16 May 2002*).
- 18 **Genetic Privacy and Non-discrimination Bill 1998 [2002]**—(*Senate bill*)—(*Senator Stott Despoja*)  
 Second reading—Adjourned debate (*Senator Coonan, in continuation, 5 October 2000*)—(*restored pursuant to resolution of 14 May 2002*).
- 19 **Patents Amendment Bill 1996 [2002]**—(*Senate bill*)—(*Senator Stott Despoja*)  
 Second reading—Adjourned debate (27 June 1996)—(*restored pursuant to resolution of 14 May 2002*).
- 20 **Republic (Consultation of the People) Bill 2001 [2002]**—(*Senate bill*)—(*Senator Stott Despoja*)

Second reading—Adjourned debate (*Senator Stott Despoja, in continuation, 26 September 2001*)—(restored pursuant to resolution of 14 May 2002).

**21 Australian Broadcasting Corporation (Scrutiny of Board Appointments) Amendment Bill 2002—(Senate bill)**

Second reading—Adjourned debate (*15 May 2002*).

**22 Workplace Relations Amendment (Paid Maternity Leave) Bill 2002—(Senate bill)—(Senator Stott Despoja)**

Second reading—Adjourned debate (*Senator Stott Despoja, in continuation, 16 May 2002*).

**23 Constitution Alteration (Right to Stand for Parliament—Qualification of Members and Candidates) 1998 (No. 2) [2002]—(Senate bill)—(Senator Brown)**

Second reading—Adjourned debate (*Special Minister of State (Senator Abetz), in continuation, 3 December 1998*)—(restored pursuant to resolution of 16 May 2002).

**24 Parliamentary Commission of Inquiry (Forest Practices) Bill 2002—(Senate bill)—(Senator Brown)**

Second reading—Adjourned debate (*Senator Brown, in continuation, 20 June 2002*).

**25 Family Law Amendment (Joint Residency) Bill 2002—(Senate bill)—(Senator Harris)**

Second reading—Adjourned debate (*Senator Harris, in continuation, 20 June 2002*).

**26 ASEAN Inter-Parliamentary Organisation (AIPO)—Report of the Australian parliamentary delegation to the 22nd AIPO General Assembly, Thailand, 2 to 5 September 2001; Visits and briefings, Bangkok, 6 to 8 September 2001; and Bi-lateral visit to Singapore, 9 to 13 September 2001**

Adjourned debate on the motion of Senator Calvert—That the Senate take note of the document (*Senator Calvert, in continuation, 27 June 2002*).

**27 Family and Community Services—Family tax benefits**

Adjourned debate on the motion of Senator Ludwig—That the Senate—

- (a) condemns the Howard Government's decision to strip, without warning, the tax returns of Australian families who have been overpaid family payments as callous and unfair to parents trying to survive under increasing financial pressures;
- (b) notes that this is not consistent with the statement of the Minister for Family and Community Services (Senator Vanstone) in July 2001 in which she assured families that, 'The Government has also decided that it would be easier for any family who still had an excess payment to have it recovered by adjusting their future payments, rather than taking it from their tax refund. This is because people may have earmarked their refund for use for specific things';
- (c) considers that the Government's 2-year-old family payments system is deeply flawed, given that it delivered average debts of \$850 to 650 000 Australian families in the 2001-02 financial year and continues to punish families who play by the rules; and

- (d) condemns the Howard Government and its contemptible attack on Australian families (*Senator Tierney, in continuation, 22 August 2002*).

**28 Health—Medicare—Bulk billing**

Adjourned debate on the motion of Senator Evans—That the Senate—

- (a) notes that:
- (i) since the election of the Howard Government, the rate of bulk billing by general practitioners (GPs) has dropped from 80.6 per cent to 74.5 per cent, and that the average patient cost to see a GP who does not bulk bill has gone up 41.8 per cent to nearly \$12, and
  - (ii) in every year from the commencement of Medicare in 1984 through to 1996, bulk billing rates for GPs increased, but that, in every year since the election of the Howard Government, bulk billing rates have decreased;
- (b) recognises that the unavailability of bulk billing hurts those Australians who are least able to afford the rising costs of health care and those who are at greatest risk of preventable illness and disease;
- (c) condemns the Howard Government's failure to take responsibility for declining rates of bulk billing; and
- (d) calls on the Minister for Health and Ageing (Senator Patterson) to release publicly the June 2002 quarter bulk billing figures so that the true extent of the problem is made known (*Senator Moore, in continuation, 29 August 2002*).

**29 Australian Radiation Protection and Nuclear Safety (Licence Charges) Amendment Bill 2002—Document**

Adjourned debate on the motion of Senator Ludwig—That the Senate take note of the document (*Senator Ludwig, in continuation, 16 September 2002*).

**30 Kyoto Protocol (Ratification) Bill 2002—(Senate bill)—(Senator Brown)**

Second reading—Adjourned debate (*Senator Brown, in continuation, 19 September 2002*).

**31 Communications—Regional telecommunication services—Inquiry**

Adjourned debate on the motion of Senator Mackay—That the Senate—

- (a) condemns the Howard Government for establishing an inquiry into regional telecommunications services, the Estens inquiry, which is chaired by a member of the National Party and friend of the Deputy Prime Minister, and has a former National Party MP as one of its members;
- (b) condemns the Government's decisions that the inquiry will hold no public hearings and must report within little more than 2 months of its commencement; and
- (c) calls on the Government to address all issues associated with Telstra's performance, including rising prices, deteriorating service standards and inadequate broadband provision (*Senator Tierney in continuation, 19 September 2002*).

**32 Trade Practices Amendment (Public Liability Insurance) Bill 2002 [No. 2]—(Senate bill)—(Senator Conroy)**

Second reading—Adjourned debate (*Senator Conroy, in continuation, 23 September 2002*).

**33 Corporations Amendment (Improving Corporate Governance) Bill 2002 [No. 2]—(Senate bill)—(Senator Conroy)**

Second reading—Adjourned debate (*Senator Conroy, in continuation, 23 September 2002*).

**34 Trade Practices Amendment (Credit Card Reform) Bill 2002 [No. 2]—(Senate bill)—(Senator Conroy)**

Second reading—Adjourned debate (*Senator Conroy, in continuation, 23 September 2002*).

**35 Superannuation**

Adjourned debate on the motion of Senator Sherry—That the Senate notes the Howard Government's third term failures on superannuation, including:

- (a) the failure to provide for a contributions tax cut for all Australians who pay it, rather than a tax cut only to those earning more than \$90 500 a year;
- (b) the failure to adequately compensate victims of superannuation theft or fraud;
- (c) the failure to accurately assess the administrative burden on small business of the Government's third attempt at superannuation choice and deregulation;
- (d) the failure to support strong consumer protections for superannuation fund members through capping ongoing fees and banning entry and exit fees;
- (e) the failure to provide consumers with a meaningful, comprehensive and comprehensible regime for fee disclosure; and
- (f) the failure to cover unpaid superannuation contributions in the case of corporate collapse as part of a workers' entitlements scheme (*Senator Ferguson, in continuation, 26 September 2002*).

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## BUSINESS FOR FUTURE CONSIDERATION

### Next day of sitting (16 October 2002)

#### Business of the Senate—Notice of Motion

*Notice given 24 September 2002*

- 1 **Senator O'Brien:** To move—That the Civil Aviation Amendment Regulations 2002 (No. 2), as contained in Statutory Rules 2002 No. 167 and made under the *Civil Aviation Act 1988*, be disallowed.

Twelve sitting days remain for resolving.\*\*

- \*\* *Indicates sitting days remaining, including today, within which the motion must be disposed of or the Regulations will be deemed to have been disallowed.*

#### Business of the Senate—Order of the Day

1 **Superannuation—Select Committee**

Report to be presented on the provisions of the Superannuation Legislation Amendment (Choice of Superannuation Funds) Bill 2002. (*Referred pursuant to Selection of Bills Committee report.*)

## Two sitting days after today (17 October 2002)

### Business of the Senate—Notices of Motion

*Notice given 26 August 2002*

- 1 **Senator Harris:** To move—That the Great Barrier Reef Marine Park Amendment Regulations 2002 (No. 1) and the Great Barrier Reef Marine Park Amendment Regulations 2002 (No. 2), as contained in Statutory Rules 2002 Nos 72 and 73, respectively, and made under the *Great Barrier Reef Marine Park Act 1975*, be disallowed.

Three sitting days remain for resolving.\*\*

\*\* *Indicates sitting days remaining, including today, within which the motion must be disposed of or the Regulations will be deemed to have been disallowed.*

- 2 **Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen):** To move—That the Public Employment (Consequential and Transitional) Amendment Regulations 2002 (No. 1), as contained in Statutory Rules 2002 No. 87 and made under the *Public Employment (Consequential and Transitional) Amendment Act 1999*, be disallowed.

Three sitting days remain for resolving.\*\*

\*\* *Indicates sitting days remaining, including today, within which the motion must be disposed of or the Regulations will be deemed to have been disallowed.*

## On 21 October 2002

### Business of the Senate—Order of the Day

#### 1 **Legal and Constitutional References Committee**

Report to be presented on the Migration Legislation Amendment (Further Border Protection Measures) Bill 2002 and related issues.

### Government Business—Order of the Day

#### 1 **Migration Legislation Amendment (Further Border Protection Measures) Bill 2002—(Minister for Justice and Customs, Senator Ellison)**

Second reading—Adjourned debate (24 June 2002).

## On 22 October 2002

### Business of the Senate—Notices of Motion

*Notice given 12 February 2002*

- 1 **Leader of the Australian Democrats (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 *Migration Act 1958* 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.

*Notice given 23 September 2002*

- 2 **Senator Forshaw:** To move—That Standard 9: Employment conditions, in item 9 of Schedule 1 of the Disability Services (Disability Employment and Rehabilitation Program) Standards 2002, made under paragraphs 5A (1)(b) and (c) and subsection 5A (2) of the *Disability Services Act 1986*, be disallowed.

Eleven sitting days remain for resolving.\*\*

\*\* *Indicates sitting days remaining, including today, within which the motion must be disposed of or the standard will be deemed to have been disallowed.*

### Business of the Senate—Orders of the Day

1 **Economics Legislation Committee**

Report to be presented on the New Business Tax System (Consolidation, Value Shifting, Demergers and Other Measures) Bill 2002. (*Referred pursuant to Selection of Bills Committee report.*)

2 **Rural and Regional Affairs and Transport Legislation Committee**

Report to be presented on the provisions of the Egg Industry Service Provision Bill 2002 and the Egg Industry Service Provision (Transitional and Consequential Provisions) Bill 2002. (*Referred pursuant to Selection of Bills Committee report.*)

3 **Economics References Committee**

Report to be presented on public liability and professional indemnity insurance.

4 **Economics Legislation Committee**

Report to be presented on the provisions of the Excise Tariff Amendment Bill (No. 1) 2002 and the Customs Tariff Amendment Bill (No. 2) 2002. (*Referred pursuant to Selection of Bills Committee report.*)

### Government Business—Order of the Day

- 1 **New Business Tax System (Consolidation, Value Shifting, Demergers and Other Measures) Bill 2002**—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Senator Buckland, 16 September 2002*).

### **Five sitting days after today (23 October 2002)**

#### **Business of the Senate—Notice of Motion**

*Notice given 14 October 2002*

- \*1 **Senator Allison:** To move—That section 25.2 of the Disability Discrimination Standards for Accessible Public Transport 2002, made under subsection 31(1) of the *Disability Discrimination Act 1992*, be amended as follows:

At the end of section 25.2, add:

- (3) A person accompanying and/or assisting a person with a disability, who is required by reason of the person's disability to provide assistance, should not be required to pay a fare.

### **On 23 October 2002**

#### **Business of the Senate—Notice of Motion**

*Notice given 21 March 2002*

- 1 **Senator Murray:** To move—

- (1) That the following matters be referred to the Community Affairs References Committee for inquiry and report by the second sitting day of 2003:
- (a) in relation to any government or non-government institutions, and fostering practices, established or licensed under relevant legislation to provide care and/or education for children:
    - (i) whether any unsafe, improper or unlawful care or treatment of children occurred in these institutions or places,
    - (ii) whether any serious breach of any relevant statutory obligation occurred at any time when children were in care or under protection, and
    - (iii) an estimate of the scale of any unsafe, improper or unlawful care or treatment of children in such institutions or places;
  - (b) the extent and impact of the long-term social and economic consequences of child abuse and neglect on individuals, families and Australian society as a whole, and the adequacy of existing remedies and support mechanisms;
  - (c) the nature and cause of major changes to professional practices employed in the administration and delivery of care compared with past practice;
  - (d) whether there is a need for a formal acknowledgement by Australian governments of the human anguish arising from any abuse and neglect suffered by children while in care;
  - (e) in cases where unsafe, improper or unlawful care or treatment of children has occurred, what measures of reparation are required;
  - (f) whether statutory or administrative limitations or barriers adversely affect those who wish to pursue claims against perpetrators of abuse previously involved in the care of children; and

- (g) the need for public, social and legal policy to be reviewed to ensure an effective and responsive framework to deal with child abuse matters in relation to:
- (i) any systemic factors contributing to the occurrences of abuse and/or neglect,
  - (ii) any failure to detect or prevent these occurrences in government and non-government institutions and fostering practices, and
  - (iii) any necessary changes required in current policies, practices and reporting mechanisms.
- (2) In undertaking this reference, the committee is to direct its inquiries primarily to those affected children who were not covered by the 2001 report *Lost Innocents: Righting the Record*, inquiring into child migrants, and the 1997 report, *Bringing them Home*, inquiring into Aboriginal children.

### Business of the Senate—Order of the Day

#### 1 **A Certain Maritime Incident—Select Committee**

Report to be presented.

### On 24 October 2002

### Business of the Senate—Notice of Motion

*Notice given 23 September 2002*

- 1 **Senator Greig:** To move—That the Therapeutic Goods (Charges) Amendment Regulations 2002 (No. 1), as contained in Statutory Rules 2002 No. 144 and made under the *Therapeutic Goods (Charges) Act 1989*, be disallowed.

Eleven sitting days remain for resolving.\*\*

\*\* *Indicates sitting days remaining, including today, within which the motion must be disposed of or the Regulations will be deemed to have been disallowed.*

### Business of the Senate—Orders of the Day

#### 1 **Community Affairs Legislation Committee**

Report to be presented on the provisions of the Research Involving Embryos and Prohibition of Human Cloning Bill 2002. (*Referred pursuant to Selection of Bills Committee report.*)

#### 2 **Rural and Regional Affairs and Transport Legislation Committee**

Report to be presented on the provisions of the Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 1) 2002. (*Referred pursuant to Selection of Bills Committee report.*)

#### 3 **Legal and Constitutional Legislation Committee**

Report to be presented on statutory powers and functions of the Australian Law Reform Commission.

#### 4 **Environment, Communications, Information Technology and the Arts References Committee**

Report to be presented on urban water management.

## Government Business—Order of the Day

- 1 **Prohibition of Human Cloning Bill 2002**—(*Minister for Communications, Information Technology and the Arts, Senator Alston*)

Second reading—Adjourned debate (*adjourned, Senator Buckland, 18 September 2002*).

**On the last sitting day in October 2002 (24 October 2002)**

## Business of the Senate—Order of the Day

- 1 **Employment, Workplace Relations and Education References Committee**

Report to be presented on the education of students with disabilities.

**On 31 October 2002**

## Business of the Senate—Order of the Day

- 1 **Rural and Regional Affairs and Transport Legislation Committee**

Report to be presented on the Australian meat industry and export quotas.

**On 12 November 2002**

## General Business—Notice of Motion

*Notice given 20 March 2002*

- 53 **Senator Greig:** To move—That the following bill be introduced: A Bill for an Act to prohibit certain conduct involving the vilification and incitement to hatred of people on the ground of sexuality, and for related purposes. *Sexuality Anti-Vilification Bill 2002*.

**Nine sitting days after today (13 November 2002)**

## Business of the Senate—Notice of Motion

*Notice given 23 September 2002*

- 1 **Senator Conroy:** To move—That the Telstra Carrier Charges—Price Control Arrangements, Notification and Disallowance Determination No. 1 of 2002, made under subsections 154(1), 155(1) and 157(1) of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*, be disallowed.

Eleven sitting days remain for resolving.\*\*

- \*\* *Indicates sitting days remaining, including today, within which the motion must be disposed of or the Determination will be deemed to have been disallowed.*

**On 13 November 2002**

## Business of the Senate—Notice of Motion

*Notice given 27 June 2002*

1 **Senator Murray:** To move—That the following matters be referred to the Economics References Committee for inquiry and report by 29 May 2003, and that, in its recommendations, the committee take into account a preference to maintain overall budget neutrality within the alcohol taxation sector:

- (1) The efficiency, equity and complexity of the existing structure (and relevant history) of Commonwealth, state and territory alcohol taxation (excluding goods and services tax) and related rebates, subsidies and grants being applied to each category of alcohol product, including:
  - (a) beer (low-, mid- and full-strength beer, in packaged and draught form);
  - (b) ready to drink alcohol products (below 10% alcohol by volume (abv)) currently taxed as ‘other excisable beverages’ under the *Excise Tariff Act 1921*);
  - (c) wine, wine products and cider (currently subject to the wine equalisation tax (WET));
  - (d) spirits (including brandy) and ‘other excisable beverages exceeding 10% abv’; and
  - (e) any other alcohol products.
- (2) Identification of the amount of Commonwealth taxation revenue collected in the 2001-02 financial year (and forecast to be collected over the next 10 years) on each category of alcohol product, including:
  - (a) the quantity of customs duty, excise duty and WET collected;
  - (b) the amounts of rebates, subsidies and grants paid; and
  - (c) the amounts of drawback of customs and excise duty paid on re-exports and exports.
- (3) The effectiveness of the existing alcohol administration arrangements relating to taxation collection, including whether or not the collection should be administered by a single administration agency.
- (4) For the purpose of implementing alcohol taxation policy, the extent to which there is substitution between the various categories of alcoholic beverages, including (but not restricted to) issues such as whether substitution between alcoholic beverages is the same for each category of alcoholic beverage.
- (5) The impact of the existing alcohol taxation arrangements for:
  - (a) the economy, employment, the environment and industry;
  - (b) beverage pricing and cost structures;
  - (c) the patterns of consumption, including the abuse, of the various categories of alcohol product;
  - (d) the health and welfare of regional, rural and remote communities (including the funding of alcohol rehabilitation and education); and
  - (e) the flexibility and sustainability of government revenue.
- (6) An examination of selected international alcohol taxation regimes (and recent overseas tax reviews) in order to identify the best options for alcohol taxation policy, legislation and administration in Australia.

### **On 14 November 2002**

#### Business of the Senate—Orders of the Day

##### 1 Superannuation—Select Committee

Report to be presented on tax arrangements for superannuation and related policy.

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

Report to be presented on the provisions of the Telecommunications Competition Bill 2002. (*Referred upon the introduction of the bill in the House of Representatives pursuant to Selection of Bills Committee report.*)

**On 19 November 2002**

Business of the Senate—Orders of the Day

**1 Employment, Workplace Relations and Education References Committee**

Report to be presented on small business employment.

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

Report to be presented on the provisions of the Renewable Energy (Electricity) Amendment Bill 2002. (*Referred pursuant to Selection of Bills Committee report.*)

**Thirteen sitting days after today (2 December 2002)**

Business of the Senate—Notice of Motion

*Notice given 26 September 2002*

- 1 Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen):** To move—That regulations 65.060 and 65.270 in item [1] of Schedule 1 of the Civil Aviation Amendment Regulations 2002 (No. 2), as contained in Statutory Rules 2002 No. 167 and made under the *Civil Aviation Act 1988*, be disallowed.

Fourteen sitting days remain for resolving.\*\*

\*\* *Indicates sitting days remaining, including today, within which the motion must be disposed of or the regulations will be deemed to have been disallowed.*

**On 2 December 2002**

Business of the Senate—Orders of the Day

**1 Foreign Affairs, Defence and Trade References Committee**

Report to be presented on materiel acquisition and management in Defence.

**2 Foreign Affairs, Defence and Trade References Committee**

Report to be presented on Australia's relationship with Papua New Guinea and other Pacific island countries.

**On 5 December 2002**

Business of the Senate—Order of the Day

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

Report to be presented on environmental performance at the Ranger, Jabiluka, Beverley and Honeymoon uranium operations.

## Committee Reports and Government Responses and Auditor-General's Reports—Notice of Motion

*Notice given 26 June 2002*

- 1 Chair of the Standing Committee of Senators' Interests (Senator Denman):**  
To move—That the following amendments to the resolutions relating to senators' interests and declaration of gifts to the Senate and the Parliament be agreed to:

### **Resolution 1—Registration of senators' interests**

Paragraph (1), omit—

“Within 14 sitting days after the adoption of this resolution by the Senate and 28 days of making and subscribing an oath or affirmation of allegiance as a senator”,

substitute—

“Within:

- (a) 28 days after the first meeting of the Senate after 1 July first occurring after a general election; and
- (b) 28 days after the first meeting of the Senate after a simultaneous dissolution of the Senate and the House of Representatives; and
- (c) 28 days after making and subscribing an oath or affirmation of allegiance as a senator for a Territory or appointed or chosen to fill a vacancy in the Senate”.

### **Resolution 3—Registrable interests**

Paragraph (i), omit “\$5,000”, substitute “\$10,000”.

Paragraphs (k), (l) and (m), omit “\$500” wherever occurring, substitute “\$1,000”; omit “\$200” wherever occurring, substitute “\$500”.

### **Resolution 4—Register and Registrar of Senators' Interests**

Paragraph (3), omit “the commencement of each Parliament”, substitute “receipt of statement of registrable interests in accordance with resolution 1(1)”.

[Consequential on amendment to paragraph 1(1)]

### **Resolution 5—Declaration of interest in debate and other proceedings**

To be omitted.

### **Resolution relating to declaration of gifts to the Senate and the Parliament**

Paragraph (1)(a), omit “practical”, substitute “practicable”.

Sub-paragraph (ba), omit “\$500”, substitute “\$1,000”; omit “\$200” substitute “\$500”.

Sub-paragraph (d), line 2, omit “is to”, substitute “may”.

After sub-paragraph (h), insert—

- “(i) When a senator who is using or displaying a gift ceases to be a senator, the senator may retain the gift:

- (i) if its value does not exceed the stated valuation limits of \$1,000 for a gift received from an official government source, or \$500 from a private person or non-government body; or
  - (ii) if the senator elects to pay the difference between the stated valuation limit and the value of the gift, as obtained from an accredited valuer selected from the list issued by the Committee for Taxation Incentives for the Arts. The Department of the Senate will be responsible for any costs incurred in obtaining the valuation.
- (j) If the senator does not retain the gift in accordance with paragraph (i), the senator must return the gift to the registrar, who shall:
- (i) dispose of it in accordance with instructions from the Committee of Senators' Interests, as set out in paragraph 1(d) of this resolution; or
  - (ii) arrange its donation to a nominated non-profit organisation or charity, at the discretion of the senator who has returned the gift and the Committee of Senators' Interests.
- (k) Any senator subject to paragraph (j) must formally acknowledge relinquishment of the senator's claim to ownership of any surrendered gifts."

### **On 12 December 2002**

#### Business of the Senate—Order of the Day

**1 Finance and Public Administration References Committee**

Report to be presented on recruitment and training in the Australian Public Service.

### **By the last sitting day in 2002**

#### Business of the Senate—Orders of the Day

**1 Rural and Regional Affairs and Transport Legislation Committee**

Report to be presented on the administration of the Civil Aviation Safety Authority.

**2 Rural and Regional Affairs and Transport Legislation Committee**

Report to be presented on the import risk assessment on New Zealand apples.

**3 Rural and Regional Affairs and Transport Legislation Committee**

Report to be presented on the administration of AusSAR in relation to the search for the *Margaret J.*

### **On the first day in the next period of sittings**

#### Government Business—Orders of the Day

**1 Australian Capital Territory Legislation Amendment Bill 2002—(Minister for the Arts and Sport, Senator Kemp)**

Second reading—Adjourned debate (19 September 2002).

**2 Customs Tariff Amendment Bill (No. 2) 2002**

**Excise Tariff Amendment Bill (No. 1) 2002—(Minister for the Arts and Sport, Senator Kemp)**



Second reading—Adjourned debate (19 September 2002).

**3 Egg Industry Service Provision Bill 2002**

**Egg Industry Service Provision (Transitional and Consequential Provisions) Bill 2002**—(*Minister for Justice and Customs, Senator Ellison*)

Second reading—Adjourned debate (23 September 2002).

**4 Broadcasting Legislation Amendment Bill (No. 1) 2002**—(*Senate bill*)—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (25 September 2002).

**5 National Gallery Amendment Bill 2002**—(*Senate bill*)—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (25 September 2002).

**6 Treasury Legislation Amendment Bill (No. 1) 2002**—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (26 September 2002).

**By the fifth sitting day in February 2003**

Business of the Senate—Order of the Day

**1 Employment, Workplace Relations and Education References Committee**

Report to be presented on the refusal of the Government to respond to the order of the Senate of 21 August 2002 for the production of documents relating to financial information concerning higher education institutions.

**On 21 February 2003**

Business of the Senate—Order of the Day

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

Report to be presented on the Australian telecommunications network.

**By March 2003**

Business of the Senate—Order of the Day

**1 Legal and Constitutional References Committee**

Report to be presented on progress towards national reconciliation.

**On the tenth sitting day of 2003**

Business of the Senate—Order of the Day

**1 Legislation Committees**

Reports to be presented on annual reports tabled by 31 October 2002.

**By the last sitting day in March 2003**

Business of the Senate—Order of the Day

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

Report to be presented on the role of libraries as providers of public information in the online environment.

**By the last sitting day in August 2003**

Business of the Senate—Order of the Day

**1 Rural and Regional Affairs and Transport References Committee**

Report to be presented on forestry plantations.

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**BILLS REFERRED TO COMMITTEES**

**Bills currently referred†**

**Migration Legislation Amendment (Further Border Protection Measures) Bill 2002**

Referred to the Legal and Constitutional References Committee (*referred 25 June 2002; reporting date varied 27 August and 25 September 2002; reporting date: 21 October 2002*).

**New Business Tax System (Consolidation, Value Shifting, Demergers and Other Measures) Bill 2002‡**

Referred to the Economics Legislation Committee (*referred 18 September 2002; reporting date: 22 October 2002*).

**Provisions of bills currently referred†**

**Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 1) 2002‡**

Referred to the Rural and Regional Affairs and Transport Legislation Committee (*referred 18 September 2002; reporting date: 24 October 2002*).

**Egg Industry Service Provision Bill 2002‡**

**Egg Industry Service Provision (Transitional and Consequential Provisions) Bill 2002‡**

Referred to the Rural and Regional Affairs and Transport Legislation Committee (*referred 18 September 2002; reporting date: 22 October 2002*).

**Excise Tariff Amendment Bill (No. 1) 2002‡**

**Customs Tariff Amendment Bill (No. 2) 2002‡**

Referred to the Economics Legislation Committee (*referred 18 September 2002; reporting date varied 25 September 2002; reporting date: 22 October 2002*).

**Renewable Energy (Electricity) Amendment Bill 2002‡**

Referred to the Environment, Communications, Information Technology and the Arts Legislation Committee (*referred 25 September 2002; reporting date: 19 November 2002*).

**Research Involving Embryos and Prohibition of Human Cloning Bill 2002‡**

Referred to the Community Affairs Legislation Committee (*referred 21 August 2002; reporting date: 24 October 2002*).

**Superannuation Legislation Amendment (Choice of Superannuation Funds) Bill 2002<sup>‡</sup>**

Referred to the Select Committee on Superannuation (*referred 21 August 2002; reporting date varied 19 September 2002; reporting date: 16 October 2002*).

**Telecommunications Competition Bill 2002<sup>‡</sup>**

Referred to the Environment, Communications, Information Technology and the Arts Legislation Committee (*referred upon the introduction of the bill in the House of Representatives pursuant to the Selection of Bills Committee report no. 9, 25 September 2002; bill introduced 26 September 2002; reporting date: 14 November 2002*).

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

<sup>‡</sup>*Pursuant to adoption of report of Selection of Bills Committee.*

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**BILLS NEGATIVED**

**Government Bills**

**National Health Amendment (Pharmaceutical Benefits—Budget Measures) Bill 2002**

Second reading negatived, 20 June 2002.

**Trade Practices Amendment (Small Business Protection) Bill 2002**

Third reading negatived, 19 August 2002.

**Workplace Relations Amendment (Secret Ballots for Protected Action) Bill 2002**

Third reading negatived, 25 September 2002.

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**QUESTIONS ON NOTICE**

*Questions remaining unanswered*

Question Nos, as shown, from 49 to 631 remain unanswered for 30 or more days (see standing order 74(5)).

*Notice given 12 February 2002*

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.

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.

**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

- 64 Minister representing the Minister for the Environment and Heritage
- 65 Minister representing the Minister for the Environment and Heritage
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- 74 Minister representing the Minister for the Environment and Heritage
- 75 Minister representing the Minister for the Environment and Heritage
- 76 Minister representing the Minister for the Environment and Heritage

*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.

*Notice given 15 March 2002*

- 196 **Senator Allison:** To ask the Minister representing the Minister for Foreign Affairs—Did Mr Ron Walker attend the recent Commonwealth Heads of Government Meeting; if so, in what capacity.

*Notice given 8 April 2002*

- 222 **Senator Faulkner:** To ask the Special Minister of State—With reference to travel undertaken to Melbourne between 1 October 2001 and 18 November 2001, by all staff employed under the *Members of Parliament (Staff) Act 1984*, in each instance can the following details be provided:
- (1) The name of each staff member, and the name of the member or senator for whom that staff member worked.
  - (2) The dates for which travel allowance (TA) was claimed, including whether the claim was for consecutive nights.
  - (3) The rate of TA paid and the total amount of TA paid to each staff member relating to that period.
  - (4) The dates of airline flights taken to and from Melbourne by that staff member during that period.
  - (5) Whether the staff member claimed for commercial or non-commercial accommodation, and the name of hotels stayed at by the staff member (if known).
  - (6) The cost of any Cabcharge and/or other hire car charges, including Comcar.

- (7) The name and position of the person who certified the TA claim form and/or acquittal submitted to the Department of Finance and Administration.

*Notice given 18 April 2002*

**Senator O'Brien:** To ask the Ministers listed below (Question Nos 247-273)—

- (1) What programs and/or grants administered by the department provide assistance to people living in the federal electorate of Kennedy.
- (2) What was the level of funding provided through these programs and/or grants for the 2000-01 and 2001-02 financial years.
- (3) Where specific projects were funded: (a) what was the location of each project; (b) what was the nature of each project; and (c) what was the level of funding for each project.

264 Minister for the Arts and Sport

271 Minister for Revenue and Assistant Treasurer

*Notice given 14 May 2002*

304 **Senator Sherry:** To ask the Minister for Revenue and Assistant Treasurer—

- (1) How many people are expected to benefit from the Government's election promise to allow voluntary contributions to superannuation beyond 70 to age 75 in the first year of its operation and for the 3 years beyond.
- (2) How many people are expected to benefit from the Government's election promise to reduce the tax rate on excessive Eligible Termination Payments in the first year of its operation and for the 3 years beyond.
- (3) (a) How many people are expected to benefit from the Government's election promise to increase the deduction limit for the self-employed in the first year of its operation and for the 3 years beyond; and (b) how many of these people fall into the income ranges of: (i) \$0-\$9,999, (ii) \$10,000-\$19,999, (iii) \$20,000-\$29,999, (iv) \$30,000-\$39,999, (v) \$40,000-\$49,999, (vi) \$50,000-\$59,999, (vii) \$60,000-\$69,999, and (viii) \$70,000 plus.
- (4) (a) How many people are expected to benefit from the Government's election promise to allow splitting of superannuation contributions in the first year of its operation and for the 3 years beyond; and (b) how many of these people fall into the income ranges of: (i) \$0-\$9,999, (ii) \$10,000-\$19,999, (iii) \$20,000-\$29,999, (iv) \$30,000-\$39,999, (v) \$40,000-\$49,999, (vi) \$50,000-\$59,999, (vii) \$60,000-\$69,999, and (viii) \$70,000 plus.
- (5) (a) How many people are expected to benefit from the Government's election promise to reduce the rate of the surcharge contributions tax in the first year of its operation and for the 3 years beyond; and (b) how many of these people fall into the income ranges of: (i) \$80,000-\$89,999, (ii) \$90,000-\$99,999, (iii) \$100,000-\$109,999, (iv) \$110,000-\$149,999, (v) \$150,000-\$249,999, (vi) \$250,000-\$499,999, (vii) \$500,000-\$999,999, and (viii) \$1 million plus.
- (6) (a) How many people (in terms of those who are making the contributions and those who receive them) are expected to benefit from the Government's election promise to allow superannuation contributions for children in the first year of its operation and for the 3 years beyond; and (b) how many of these people fall into the income ranges of: (i) \$0-\$9,999, (ii) \$10,000-\$19,999, (iii) \$20,000-\$29,999, (iv) \$30,000-\$39,999, (v) \$40,000-\$49,999, (vi) \$50,000-\$59,999, (vii) \$60,000-\$69,999, (viii) \$70,000-\$79,999,

(ix) \$80,000-\$89,999, (x) \$90,000-\$99,000, (xi) \$100,000-\$109,999, (xii) \$110,000-\$149,999, (xiii) \$150,000-\$249,000, (xiv) \$250,000-\$499,999, (xv) \$500,000-\$999,999, and (xvi) \$1 million plus.

*Notice given 21 May 2002*

338 **Senator Evans:** To ask the Minister for Defence—With reference to the Defence White Paper (page 122), which includes a graph setting out Defence funding by the five capability groups:

- (1) Can the table of figures used for this graph be provided, that is, the funding for each capability group in each of the 10 years.
- (2) Can the Minister confirm that the funding figures used are minus the capital use charge, that is, appropriation and equity injection funding minus the capital use charge component.
- (3) Can the Minister confirm that funding for the strike capability group appears to remain approximately constant over the 10 years.
- (4) Given the acknowledged increasing cost of flying ageing aircraft, how was it proposed that this capability group could maintain its fleet of aircraft over the 10 year period without any significant increase in funding.

*Notice given 18 June 2002*

380 **Senator Allison:** To ask the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs—With reference to the Maribyrnong detention centre:

- (1) Given the high level of monitoring, the security cameras and the control room, which is manned 24 hours a day and has surveillance over every corridor and every area other than inside the bedrooms and toilets: (a) why is it necessary for 2-hourly headcounts; and (b) how are these headcounts conducted.
- (2) Are records kept of headcounts; if so, can copies of these records be provided for the past 6 months; if not, why not.
- (3) Can a schedule of the medication currently being taken by detainees and the doses of that medication together with medical records be provided.
- (4) Are detainees forced to take sleeping pills or any other medication.
- (5) What arrangements are in place to supervise the taking of medication.
- (6) (a) What records of self harm are kept; and (b) can they be provided for the past year.
- (7) Is it the case that only one blanket and no more than two on request is provided to each detainee.
- (8) Why is it that visitors are not permitted to take blankets into the centre on request.
- (9) Is it the case that heating at the centre was not turned on for 3 weeks after requests had been made.
- (10) (a) Is the heating now fully operational; and (b) for what period of the day and night and in what areas is it turned on.
- (11) Is it the case that none of the bedrooms, toilets and bathrooms have doors.
- (12) Is it the case that detention guidelines call for privacy considerations; if so, how is this provided.

- (13) Is it the case that detention officers who were previously employed as prison officers receive the full 6-week training course.
- (14) What measures and processes are in place to ensure that complaints against officers can be made without any repercussions from, or retribution by, those officers towards the detainees.
- (15) What are the current arrangements with regard to access to the external grassed area, including the size of groups allowed, times of access, number of detention officers present, etc.
- (16) Is the mother of the three children aged 5 years, 3 years and 8 months permitted to accompany her child or children to kindergarten; if not, why not.
- (17) Can the medical report on the detainee diagnosed with tuberculosis be provided.
- (18) Where is that detainee presently.
- (19) Why were detainees in the centre at the same time as this detainee not inoculated against the disease.
- (20) Have the exposed detainees been subsequently tested for the disease; if not, why not.
- (21) Is it the case that cut flowers are not permitted at the centre.
- (22) Is it the case that visitors are not permitted to bring in notebooks and pencils; if so, when was this rule introduced.
- (23) Can a copy of the rules that apply for visitors to Maribyrnong with regard to what may be brought to detainees by visitors be provided.
- (24) What measures are in place to ensure that the rules are not interpreted differently or changed arbitrarily by various officers.
- (25) Given that the department in its submission to the Human Rights and Equal Opportunity Commission indicated that cricket, badminton, treadmill, basketball, billiards, jewellery-making, Egyptian dancing, computing, music classes for children and sewing classes were being provided at the Maribyrnong detention centre, can a schedule be provided showing the times when these facilities are available to detainees.
- (26) What are the rules with regard to birthing mothers.
- (27) What arrangements were in place for the two children of the mother who gave birth most recently.
- (28) Why is it that a burns victim who required skin grafts, was not provided with that medical attention.
- (29) (a) How often are fire drills conducted at the centre; and (b) can records be provided of fire drills so far in 2002 and their duration.
- (30) Can a copy of the so-called log of claims developed by detainees at a recent hunger strike be provided.
- (31) (a) What is the status of each claim; (b) which of these claims have been implemented; and (c) which were not implemented and why.
- (32) Was a representative of the department present at the meeting at which the log of claims was discussed.
- (33) With reference to a booklet produced by the Australasian Correctional Management there is a warning about injuries that can be caused by strap wire: can details be provided of (a) this device; and (b) what that advice is.



- (34) What is the routine or the requirement with regard to informing detainees about the circumstances in which the accommodation charge will be made of them, that is, detainees being told that they will incur a debt and not being given advice that if, for instance, they are granted refugee status there is no debt.
- (35) Can a copy of that advice be provided.
- (36) What revenue was raised by accommodation charges at the Maribyrnong detention centre in the 2000-01 financial year.
- (37) Are there any circumstances in which the accommodation debt is not waived where a detainee is given a residential visa.

*Notice given 19 June 2002*

388 **Senator Harris:** To ask the Minister representing the Treasurer—

- (1) Can the Treasurer confirm whether minutes were kept by the Australian Taxation Office Part IVA Panel of the meeting in which a recommendation was made against the first cooperative investment project considered by the panel in late 1997; if so, can a copy of those minutes be provided.
- (2) How do the loans in the cooperative investment projects differ from those in Lau's case.

*Notice given 26 June 2002*

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

- (1) Since January 2000, how many reports have been lodged with the Civil Aviation Safety Authority (CASA) relating to air contamination in BAE 146 aircraft operated by National Jet Systems.
- (2) In each case: (a) when was the report lodged; (b) who lodged the report; and (c) what action was taken by CASA in response to each report.

405 **Senator Sherry:** To ask the Minister for Revenue and Assistant Treasurer—

- (1) (a) How many applications for assistance under section 229 of the *Superannuation Industry Supervision Act 1993* (the SIS Act) have been received by the Assistant Treasurer or her predecessor in relation to Commercial Nominees of Australia Limited (CNAL); and (b) when were these applications made.
- (2) When did the Assistant Treasurer make a formal request (or requests) for advice from the Australian Prudential Regulation Authority (APRA), under section 230A of the SIS Act, in relation to these applications.
- (3) How many funds did this request (or these requests) apply to.
- (4) In this request (or these requests), did the Minister specify, under section 230A(1), any particular matters that APRA was (or is) to provide advice about or a particular time by which APRA was (or is) to provide the advice.
- (5) When did APRA provide advice to the Assistant Treasurer pursuant to this request (or these requests).
- (6) What was APRA's advice under section 231(2) pursuant to this request (or these requests).
- (7) In relation to the 181 funds for which the Assistant Treasurer has made a section 231 determination, as announced on 14 June 2002: (a) what is the total eligible loss; (b) what is the average eligible loss; and (c) does this

- eligible loss include rectification and/or administration costs charged by Oak Breeze as replacement trustee.
- (8) In relation to the 181 funds for which the Assistant Treasurer has made a section 231 determination, as announced on 14 June 2002, what is the total assistance that will be paid under section 231.
  - (9) In the period from 14 June 2002 to the provision of answers to these questions, will the Assistant Treasurer make any further determinations under section 231; if so: (a) to how many funds do these determinations relate; (b) what is the total eligible loss; (c) what is the average eligible loss; (d) does this eligible loss include rectification and/or administration costs charged by the replacement trustee Oak Breeze; and (e) what is the total assistance that will be paid under section 231.
  - (10) (a) How many applications for assistance in relation to CNAL has the Assistant Treasurer received without making determinations under section 231; (b) when does the Minister expect to made determinations under section 231 in relation to these funds; and (c) what is the estimated total eligible loss for these funds.
  - (11) Has the Assistant Treasurer determined not to provide assistance under section 231 to any funds for which CNAL was trustee.
  - (12) Of the funds for which CNAL was trustee but the replacement trustee is yet to make an application, how many additional applications does the Assistant Treasurer expect to receive, and, of these, what does she expect the total eligible loss will be.
  - (13) What is the total amount of assistance under Part 23 that the Assistant Treasurer expects will be paid.
  - (14) (a) On how many occasions does the Assistant Treasurer expect to impose a levy under the *Superannuation (Financial Assistance Funding) Levy Act 1993*; (b) what will be the total amount of each of these levies; (c) what will be the applicable rate or rates for this levy or levies under section 8 of this Act; and (d) will this rate be different for different classes of fund.
  - (15) When does the Assistant Treasurer intend to impose this levy or levies.
  - (16) What steps did APRA take to ensure that rectification costs and administration fees charged by Oak Breeze, the replacement trustee of the 475 small funds for which CNAL was trustee, were kept to a minimum; in particular, what commitments in relation to costs did APRA seek from Oak Breeze before it was appointed as the replacement trustee.
  - (17) Does APRA believe Oak Breeze is satisfying its disclosure obligations under the SIS Act and/or the Corporations Act to members of the small funds; in particular: (a) what are (or were) the start and finish dates for Oak Breeze's most recent reporting period and has Oak Breeze provided (or does it intend to provide) statements and annual reports to fund members within 6 months of the conclusion of that period; (b) did Oak Breeze provide details of how fees would be charged to fund members upon its appointment as trustee; (c) has Oak Breeze established a complaints procedure; (d) has Oak Breeze provided relevant and timely information to fund members when they have requested it to do so; and (e) if APRA is not satisfied that Oak Breeze has met its obligations, what enforcement action has it taken in relation to any or all of these issues.
  - (18) With reference to the answer to a question placed on notice during additional estimates, in which APRA said that it chose PricewaterhouseCoopers (PWC) (the parent of Oak Breeze) as the

replacement trustee of the three larger CNAL funds after seeking expressions of interest from PWC as well as KPMG, Ferrier Hodgson and Sims Lockwood: (a) were expressions of interest sought from these same parties before APRA appointed Oak Breeze as replacement trustee of the small funds; and (b) did any of these parties, other than PWC, express an interest in the appointment; if so, were their costs, or likely costs, any different to those of Oak Breeze.

- (19) What opportunity, if any, was there for other parties to express an interest in being appointed as replacement trustee of the small funds.
- (20) Given that, in the answer referred to above, APRA said that it 'adhered to its policy for the appointment of replacement trustees' in appointing Oak Breeze: (a) in light of the significant fees charged by Oak Breeze and the difficulties it initially experienced in its administration functions, has APRA seen fit to revise its policy for the appointment of replacement trustees; and (b) has APRA, for example, considered the possibility of establishing a pool of appropriately resourced entities that would be ready to be appointed as replacement trustees, at minimal cost, in future cases.
- (21) In its report into CNAL the Select Committee on Superannuation and Financial Services, noted with concern that neither APRA nor the Australian Securities and Investment Commission (ASIC) had regulatory control over the so-called Enhanced Cash Management Trust (ECMT), the vehicle responsible for the losses incurred by CNAL funds and neither APRA nor ASIC were able to quantify the number of investment vehicles, like ECMT, that fall outside the current regulatory framework. In response to a question on this matter that was placed on notice during additional estimates, APRA stated that it 'does regulate these trusts' and has 'no records as to either their number or prevalence': (a) does APRA believe it is a cause for concern that investment vehicles, like ECMT, that receive superannuation monies, are not regulated by either itself or by ASIC; (b) does APRA agree that it is important for a prudential regulator to understand the extent of problems or loopholes in the regulator regime in order that it might recommend legislative changes to address any such deficiencies; and (c) should APRA therefore be concerned that APRA does not know how many investment vehicles like ECMT fall outside its regulatory jurisdiction.
- (22) (a) In light of the example of the TED Engineering superannuation fund raised during budget estimates, what regulatory sanctions are at APRA's disposal for dealing with non-arms length transactions and other breaches of trust that occurred before the commencement of the SIS Act; (b) if another case were to emerge in which a fund had suffered a loss as a result of a non-arms' length transaction or other breach of trust that occurred before the commencement of the SIS Act, how would APRA respond; and (c) how would this response differ if the trustee had breached the relevant provisions of the SIS Act following its commencement in 1994.
- (23) If APRA were presented with similar circumstances, and found it was unable to take effective remedial action under commonwealth legislation, would it take action against the trustee in the appropriate common law jurisdiction.
- (24) (a) What proportion of regulated superannuation funds does APRA believe are in breach of the equal representation rules contained in the SIS Act; and (b) what strategies does APRA have in place to ensure that the equal representation rules are adhered to.

- (25) With reference to the draft report of 4 March 2002 of the Superannuation Working Group, which noted concerns about the grandfathering provisions that allow the in-house investment cap of 5 per cent (in section 82 and 83 of the SIS Act) to be exceeded: (a) can APRA provide an average proportion for in-house assets in superannuation funds; (b) can APRA provide any details of recent enforcement actions in respect of breaches of the in-house assets rule; (c) what is the maximum proportion of in-house assets that funds have held while still complying with the SIS Act; (d) does APRA believe that the grandfathering provisions in sections 71A to 71E need reform; and (e) does APRA believe that the 5 per cent cap in sections 82 and 83 is too high.
- (26) Given that the working group does not deal with investments in derivatives by superannuation funds in its draft report: (a) should this be interpreted as a sign that APRA is unconcerned about derivatives trading by super funds; (b) what proportion of superannuation funds are involved in derivatives trading; (c) what is the average 'derivative charge ratio', that funds are required to calculate and report to members if it exceeds 5 per cent, for superannuation funds; and (d) can APRA provide details of any recent problems it has encountered, and any enforcement action it has undertaken, in respect of derivatives.

*Notice given 27 June 2002*

408 **Senator Crossin:** To ask the Minister for Finance and Administration—

- (1) What is the amount of revenue generated from the sale of Commonwealth heritage properties over the past 3 years.
- (2) What is the Government's current position with respect to the disposal of heritage property.
- (3) Is it a fact that decisions about the disposal of heritage properties are made on an agency by agency basis; if so, how does the Government ensure that heritage values are not compromised under these arrangements.
- (4) Does the Government have any plans to establish a whole of government policy which balances considerations of financial return to the Government with environmental or heritage values to the community.
- (5) Does the department have any system for identifying heritage-listed properties when it is planning to dispose of property.
- (6) Did the department notify the Australian Heritage Commission (AHC) in relation to the proposed sale of two properties listed on the Register of the National Estate at Myilly Point in Darwin; if so, on what date did this notification occur.
- (7) Did the department seek advice about the proposed sale; if so, what advice was given.
- (8) In the case of a tendering or expression of interest process, does the department involve the AHC in selecting the successful bid when disposing of a property listed on the Register of the National Estate; if not: (a) how does the department use the advice of the AHC in relation to disposal of these properties; and (b) is there any system for weighing heritage considerations against the financial gain to be made.
- (9) Why is the disposal of the Myilly Point properties being done by an 'expressions of interest' process while the heritage-listed property in

Hartley Street Alice Springs was granted in freehold title to the National Trust in 1998.

- 409 **Senator Brown:** To ask the Minister for Finance and Administration—
- (1) What is the value of frequent flyer points owing for official travel, but lost as a result of the demise of Ansett, by: (a) members of parliament; (b) government employees; and (c) the Commonwealth judiciary.
  - (2) If no precise figures are available (for privacy or other reasons) in each case, what are the government estimates of the losses.

*Notice given 2 July 2002*

- 411 **Senator Evans:** To ask the Minister for Defence—With reference to all forms of end product report by the Defence Signals Directorate (DSD reports) which summarise raw intelligence product:
- (1) Which ministers received any of the DSD reports that were found by the Inspector-General to be in breach of the Rules on Sigint and Australian Persons.
  - (2) On what precise dates did this occur.
  - (3) Which minister's offices, that is personal staff members or departmental liaison officers, received the DSD reports that were in breach of the Rules on Sigint and Australian Persons.
  - (4) On what precise dates did this occur.
  - (5) Did any departments receive any of the DSD reports that were in breach of the Rules on Sigint and Australian Persons; if so, which ones and on what dates.
  - (6) For both (1) and (3), were all four DSD reports that the Inspector-General found breached the rules received by any minister or minister's office; if not, how many of the four reports were received by each of the ministers and/or minister's office.
  - (7) Of those reports that were made in breach of the rules and were received by a minister and/or minister's office, did they include either of the two reports containing intelligence information on communications by an Australian lawyer with a foreign client.

(In this question, the phrase 'DSD reports' refers to all forms of end product by the DSD which summarise raw intelligence product. Such reports are variously referred to in the summary of the Inspector-General for Security and Intelligence's *MV Tampa* investigation as 'reports summarising the results of collection activity', 'end product reports' and 'situation updates'.)

*Notice given 10 July 2002*

- 421 **Senator Evans:** To ask the Minister for Defence—With reference to question 26 from the 2000-01 additional estimates hearings of the Foreign Affairs, Defence and Trade Legislation Committee (*Additional Information Received—Additional Estimates 2000-01, Defence Portfolio, Volume 1, May 2001, pp 55-57*): Can an updated response be provided to this question, that is, a table showing the projects subject to delays or cost overruns to date.
- 422 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—Further to question on notice no. 355:

- (1) Did the Manager, Workplace Relations in the Civil Aviation Safety Authority (CASA) write to Phillips Fox on 9 May 2002 seeking legal advice about a disciplinary process in relation to a CASA officer employed in CASA's Sydney Airline Office.
- (2) Did Phillips Fox respond to that letter on 20 May 2002; if so, did that letter advise that the author was concerned that one officer only was being singled out under CASA's disciplinary policy in relation to an incident or series of incidents that occurred on or following 13 July 2001.
- (3) In that letter, did the author advise that if charges were to be laid against this officer then the conduct of others involved in the incident, or incidents, may also warrant the laying of charges.
- (4) In that letter, did the author advise CASA that, in his view, an external authority would conclude that CASA had used its discipline policy unfairly in not properly considering or indeed charging any other officer.
- (5) In that letter, did the author advise that if charges proposed against this CASA officer were in fact made out they would not warrant his dismissal from CASA and that, in the view of the author, the Australian Industrial Relations Commission would uphold such a dismissal as unfair.
- (6) In that letter, did the author advise that external scrutiny would not look favourably upon the timeframe in which the matter had been handled by CASA setting aside the merits and process that had been followed.
- (7) In that letter, did the author express concern that the officer, who was the subject of the advice, had been suspended since 24 October 2001 but that no charges were laid against him.
- (8) In that letter, did the author advise CASA that the outcome of the matter may be unfavourable comment by a tribunal or increased compensation for the officer if his employment was terminated.
- (9) In that letter, did the author advise that he would not lay charges against the officer in relation to alleged negligence or carelessness in the discharge of his duties.
- (10) Did the author also advise that in relation to alleged improper conduct he considered the officer's actions inappropriate but trivial.
- (11) Did the author of the letter advise CASA that he considered there were grounds for charges in relation to allegations by the officer about another officer and the officer's alleged failure to act with honesty in relation to an investigation of the incident of 13 July 2001 and subsequent events.
- (12) Did the author of the letter further advise that if these charges were found to be warranted they would still not justify the summary dismissal of this officer.
- (13) Did the author of the letter advise that lesser sanctions, such as admonition or a reduction in salary, would be more appropriate.
- (14) (a) Who received the advice from Phillips Fox other than the Manager, Workplace Relations; and (b) in each case: (i) when was that advice provided, and (ii) what action followed consideration of that advice by each person who received a copy of the advice other than the Manager Workplace Relations.
- (15) Has the board of CASA, or any committee of the board, considered this matter generally and the external legal advice from Phillips Fox dated 20 May in particular; if so: (a) on how many occasions has the board, or any of its committees, considered this matter, or this legal advice; (b) when

was the matter considered; and (c) on each occasion, what action did the board or the committee recommend and require.

**Senator O'Brien:** To ask the Ministers listed below (Question Nos 423-449)—

- (1) What programs and/or grants administered by the department provide assistance to people living in the federal electorate of Wide Bay.
- (2) What was the level of funding provided through these programs and/or grants for the 1999-2000, 2000-01 and 2001-02 financial years.
- (3) Where specific projects were funded: (a) what was the location of each project; (b) what was the nature of each project; and (c) what was the level of funding for each project.

428 Minister for Communications, Information Technology and the Arts

433 Minister representing the Minister for Agriculture, Fisheries and Forestry

439 Minister for Forestry and Conservation

440 Minister for the Arts and Sport

*Notice given 11 July 2002*

450 **Senator Harris:** To ask the Minister for Revenue and Assistant Treasurer—

- (1) Is it a fact that loans to investors in the Active Cattle project were found by the Federal Court never to have been made.
- (2) Is the Australian Taxation Office (ATO) now a shareholder in Active Cattle on the basis that tax has nevertheless been levied on the loan amounts as income in the hands of the project manager, and could not be paid.
- (3) Is the ATO still the largest creditor of the Australian Tea Tree Oil Research Institute, even though the Federal Court found in the *Phai See* case that the Australian Research and Development Board had wrongly decided that the institute did not qualify as a research institute, and hence it was actually entitled to tax exempt status.

451 **Senator Harris:** To ask the Minister for Revenue and Assistant Treasurer—

- (1) Is it the case that it was possible up until 30 June 2002 to invest in an existing infrastructure bond, relinquished by another investor, through the Commonwealth Bank of Australia (CBA) or Westpac.
- (2) Did that investment, by offering a large loan, potentially allow an upfront tax deduction such that the cash amount contributed was exceeded by the tax refund and hence would confer a tax benefit.
- (3) Was that loan non-recourse, and for a term of as little as one year.
- (4) Did the loan which could be taken out actually include an amount to be paid tax free to the investor as interest on the loan at the end of 12 months.
- (5) Is it the case that the Economics References Committee inquiry into mass-marketed tax effective schemes was told by First Assistant Commissioner, Mr Peter Smith, that some of these infrastructure borrowings could fall under Part IVA of the Income Tax Assessment Act.
- (6) Has any action been taken by the Australian Taxation Office to investigate whether Part IVA applies to the infrastructure bonds offered in 2002 to investors by the CBA and Westpac.

*Notice given 18 July 2002*

461 **Senator Knowles:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the government response to the Rural and Regional Affairs and Transport References Committee report on Air Safety and Cabin Air Quality in the BAe 146 Aircraft:

- (1) Why does the Civil Aviation Safety Authority (CASA) consider that an Australian Airworthiness Directive (AD) which ‘requires all operators to undertake inspections of oil contamination at intervals not to exceed 500 flights’ is adequate, when that many flights could constitute around 125 days (at a rate of 4 flights per day) before any check is made.
- (2) (a) How are the ‘inspections of oil contamination’ undertaken and by whom; and (b) what empirical method is used for determining the presence of oil in the entire cabin air system.
- (3) Given that there is considerable evidence of poor cabin air quality in Australia, why is it considered that Australia will have ‘a more timely and effective response into cabin air quality’ if we wait for more international studies to determine the approach to be taken.
- (4) Why would it be ‘premature to develop unique Australian cabin air quality standards at this stage’.
- (5) Given that Australia has been at the leading edge of many aviation discoveries such as the black box, microwave landing system, slide rafts, doppler navigation, distance measuring equipment and T-VASIS (visual landing slope guidance), why can Australia not set the pace and determine corrective action that needs to be taken to eliminate the problem.
- (6) The Government may have been ‘satisfied that the aircraft met the design standards applicable *at the time* of the introduction of the aircraft into Australian service,’ however, given how much evidence is available about toxic fumes entering the cabins of BAe 146s: (a) why is the Government relying on out-of-date information to certify the airworthiness of the planes; and (b) who in the Government is satisfied today.
- (7) Given that many crew and passengers are still getting sick: (a) how does the Government consider that ‘the modifications subsequently introduced by the aircraft manufacturer and incorporated by the airlines,’ are adequate to resolve the problem sufficiently to be able to ensure the complete safety of crew and passengers; (b) what percentage of these modifications, have been completed by National Jet Systems; and (c) how do these modifications completely fix the problem.
- (8) Why has Australia agreed to a further delay in remedying a fault that is causing illness among crew and passengers by establishing a ‘Reference Group’.
- (9) (a) Why has the Government asked CASA to establish ‘a “Reference Group” ... that could monitor the appropriateness of these reporting arrangements in light of overseas developments’; (b) why is another inquiry being established to provide the same information that has been provided by all other Australian and overseas inquiries; and (c) when is this reference group due to report and to whom.
- (10) (a) Who comprises the reference group; (b) will the group be quite independent; and (c) what are its terms of reference.
- (11) With reference to the statement that, ‘air conditioning packs are subject to regular overhaul, the engine seals are replaced at frequent intervals and the air conditioning ducts are thoroughly cleaned or replaced at each servicing’: (a) how many thousand hours is ‘regular’; (b) how frequent is ‘frequent’;



- (c) what is an example of ‘each servicing’; and (d) can it be guaranteed that the thorough cleaning and/or replacement have been carried out.
- (12) (a) Why does ‘the Authority ... not propose to introduce additional maintenance requirements for the BAe 146 aircraft’; and (b) why does the Government consider ‘that maintenance procedures currently performed on the BAe 146 aircraft are appropriate,’ when there is much medical evidence of sickness among crew and passengers.
- (13) With reference to the statement that, ‘changes to the BAe 146 Aircraft Flight Manuals ... provide for improved procedures for the isolation of any source of fumes into the aircraft,’ and that, ‘This process allows faulty components, such as leaky engine seals, to be isolated and the problem corrected at an appropriate time and location’: (a) how can contaminated air be ‘isolated’ when the air ducting has already been contaminated; and (b) what is considered an ‘appropriate time and location’ for the problem to be corrected.
- (14) Considering that crew members are too afraid of losing their jobs if they speak out about cabin air contamination, why is it that ‘a specific reporting mechanism for cabin air complaints is not considered necessary at this time,’ even though, ‘there are already several types of incident reporting systems in place’.
- (15) If the current structures are adequate, why have the problems not been rectified.
- (16) Given that Australia appears to be at the international forefront of the BAe 146 air contamination problem with the Senate committee report and the report of Professor Chris Winder, why do we have to wait for third parties to catch up and report to us.
- (17) Given that the average flight for a BAe 146 amongst the world fleet is 55 minutes, and that Australian BAe 146 aircraft average flight times are over double this and, that apart from the crew, passengers receive twice the world average oil contamination exposure, why can we not be world leaders in fixing this problem.
- (18) Why has the Government asserted that there is ‘no causal link between contamination and health effects [that] could be substantiated using available data,’ when a number of aviation experts and doctors have provided much learned information on the subject.
- (19) How can such a statement be made when all traditional research on toxicity of the oil components on humans is based on conditions at ground level and not at an 8000 foot cabin altitude or after the oil has been burnt or modified through a jet engine.
- (20) Why is the Government relying on the reference group to ‘consider whether a specific reporting mechanism needs to be introduced based on research currently under way,’ instead of all the research that has repeatedly confirmed the problem.
- (21) As CASA maintains that ‘Australian operators have already completed air circulation modifications that are designed to improve the cabin air environment of the BAe 146,’ and ‘that National Jet Systems has also completed modifications to its aircraft’: (a) does this mean that all National Jet Systems’ planes have had *all* the modifications; if so, when was each plane modified; (b) have any aircraft had *all* the modifications; and (c) has there been any reported cabin air contamination in any of those planes since modification.

- (22) With reference to the comments about testing conducted on aircraft VH-NJY: Is this the same aircraft that had both its wings so badly corroded that it had to be returned to the factory in England to be repaired; if so: (a) has this aircraft had any adverse reports made about it since its return to Australia; and (b) what were those reports.
- (23) With reference to Airworthiness Directive AD/BAe 146/86, issued by CASA, which requires that, whenever oil contamination of the cabin air system is confirmed, a copy of the associated report be forwarded to CASA addressed to the Section Head, Systems: (a) how many such reports have been received since 3 April 2001 and on which aircraft; and (b) have there been multiple reports on the same aircraft.
- (24) Given that contaminated air, once in the cabin air ducting system, cannot be 'isolated', what useful purpose does the AD requirement of '[e]ither before further flight, **or** within 10 flying hours **provided** the source of the contamination is identified and isolated from the cabin air environment before further flight, using either flight operations procedures to maintenance procedures' serve.
- (25) (a) Is Mobil 291 still toxic; (b) what specifically is the difference in composition of the new and old oils; (c) how many of the ingredients are listed on the National Occupational Health and Safety Commission (NOHSC) Designated List of Hazardous Substances; and (d) is Mobil in full compliance with the regulations.
- (26) Is the Government satisfied that Mobil 291 is safe when humans are exposed to it and its by-products.
- (27) Why does the Government believe 'it is not necessary to develop new codes covering fuel substances used by these aircraft,' when crew and passengers continue to get sick from cabin air contamination.
- (28) Why does the Government believe 'it is not necessary to develop new codes covering fuel substances used by these aircraft,' when the oil and its by-products have toxic properties.
- (29) How is the Government sure that operators of all BAe 146 aircraft in Australia use Mobil 291 oil.
- (30) (a) Does the Minister accept that the government's response to the toxicity of the oil is questionable; (b) does the Minister accept that the fact that 'several of the ingredients used in ... Mobil jet Oil II are already listed on the National Occupational Health and Safety Commission (NOHSC) Designated List of Hazardous Substances' and that this 'is generally reflected in the regulatory framework of all Australian occupational health and safety jurisdictions' is an insufficient response; (c) is the Minister aware that there are two NOHSC standards used to classify hazardous substances, the list and the approved criteria; (d) does the Minister accept that even a simple application of both standards to the known ingredients in Mobil jet Oil II (as suggested by NOHSC in its own guidance material) show that this product is a hazardous substance; and (e) if this is all that needs to be done, is the Government prepared to do this.
- (31) Why did CASA not issue the manufacturer's Service Information Leaflet in full as an AD regarding the cabin environment as a matter of occupational health and safety regardless of whether it would or could 'establish a precedent where the Authority is involved with mandating various aspects of customer comfort, such as number of toilets, colour scheme, quality of food etc'.

- (32) Given that there is evidence to suggest that flight crews have been seriously affected by contaminated cabin air on the aircraft, particularly during take-off and landing: (a) why is the Government supporting CASA's view not to mandate introduction of the modifications for all BAe 146; and (b) does the Government agree that such sickness among flight crew does in fact create 'an unacceptable risk to safety'.
- (33) (a) Does the Minister accept that aviation safety is something that someone outside this important industry would understand to cover all aspects of safety, including the health and safety of its workers, however, this does not seem to be how industry insiders see it—to them aviation safety is about making sure airplanes keep flying; (b) is the Minister aware of claims that Mr Toller, CASA's Director of Safety, arguably the highest aviation safety professional in Australia, thinks occupational health and safety is not CASA's business; (c) why is this so; and (d) given that section 28BE of the Civil Aviation Act (duty to exercise care and diligence) states that the holder of an Air Operators Certificate (AOC) must at all times take all reasonable steps to ensure that every activity covered by the AOC and everything done in connection with such an activity is done with a reasonable degree of care and diligence: If CASA will not look after the health and safety of workers in the industry, who is assigned to do so.
- (34) Why does the Government consider committee recommendation 3 as unnecessary, given that the work allegedly carried out on all BAe 146 aircraft has allowed contaminated air to continue to flow into the cabins of some aircraft.
- (35) What has been the outcome of the advice of the Minister for Employment and Workplace Relations to his state and territory counterparts on the Workplace Relations Ministers' Council on the Senate committee's recommendation for future workers compensation and other insurance cases.
- (36) (a) Why does the Government agree with the assertion made by the National Health and Medical Research Council 'that the issue of aircraft cabin air does not meet the criteria against which urgent requests are assessed,' when part of the criteria is that 'there must be a medium/high risk of threat to public health ... [and] the population at risk'; and (b) why does an excess of 2 million passengers per year not constitute a potential public health risk.
- (37) (a) Why does the Government agree with the UK Committee that 'triorthocresyl phosphate and volatile organic compounds ... have been found in such low levels that concerns about significant health risk are not substantiated,' when Australian experts in their fields conclude otherwise; (b) were the aircraft on which these tests were completed suffering from oil contamination at the time; and (c) were the tests carried out by an independent party that was free to choose how and which aircraft were to be examined.
- (38) Given that changes to air-conditioning filters fitted 'by Ansett were designed to remove the presence of odours in the cabin air environment,' but 'National Jet Systems currently do not have filters fitted to their fleet': (a) as National Jet Systems operated more BAe 146 aircraft than Ansett, why did they not incorporate carbon filters; and (b) why is it that Ansett complied with all the manufacturer's recommendations but National Jet Systems did not.

- (39) Even though the new filters may remove odours, how do they remove toxic gases from air entering the cabin.
- (40) What useful purpose does 'improving the galley air extraction and increasing the airflow in the aisle and vestibule areas', as done by National Jet Systems, serve if the air entering the cabin is contaminated.
- (41) (a) How did the galley modification correct the air contamination problem; and (b) is that modification still installed on all the aircraft or has it been removed.

462 **Senator Knowles:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the *Air Transport Safety Bureau Report 200103696* which cites two instances of cabin air contamination of the same aircraft, VH-NJA, on consecutive days and in both instances, the crew donned oxygen masks after being affected by contaminated air, and the cabin crew and passengers were affected by contaminated air:

- (1) Why was the plane not immediately turned around when fumes were first detected.
- (2) How are crew members who are wearing oxygen masks capable of identifying the source of the contamination.
- (3) Is it not considered an emergency situation in which the aircraft should be landed as soon as possible; if not, what would happen if all crew members were seriously affected at the same time and unable to continue their duties.
- (4) (a) How many flights were there between the two reported incidents; (b) why are the two incidents on the same report form; and (c) are they not two separate incidents.
- (5) Given the documented illness of crew and passengers on the first flight: (a) why was there found to be no sign of oil contamination when initially inspected by the ground engineers; and (b) what was different between the engineering check after the first flight found 'no signs of oil contamination or oil leaks,' and the next inspection, which 'revealed oil contamination in the number 3 engine'.
- (6) Given that, on 6 September 1999, the Australian Transport Safety Bureau issued recommendation R19990052 to the Civil Aviation Safety Authority (CASA) that stated in part, 'These deficiencies should be examined by the regulatory authority as part of its responsibilities for initial certification and continued airworthiness of the BAe 146 aircraft': Why then has CASA responded (more than 6 months later) that 'CASA is satisfied that the BAe 146 aircraft in service in Australia are safe for public transport'.

*Notice given 22 July 2002*

**Senator Faulkner:** To ask the Ministers listed below (Question Nos 464-481)—

- (1) How many mobile phones has the department, or any agency within the portfolio, provided to the following: (a) a minister (please include the name of the minister or ministers); (b) staff of a minister employed under the Members of Parliament (Staff) (MoP(S) Act); (c) a departmental liaison officer in a minister's office; (d) a parliamentary secretary (please include the name of the parliamentary secretary or secretaries); (e) the staff of a parliamentary secretary employed under the MoP(S) Act; and (f) a departmental liaison officer in the office of a parliamentary secretary.
- (2) What was the total cost of the provision of mobile phones to the above-named persons during the 2000-01 and 2001-02 financial years.

- 464 Minister representing the Prime Minister
- 465 Minister representing the Minister for Transport and Regional Services
- 466 Minister representing the Treasurer
- 467 Minister representing the Minister for Trade
- 468 Minister for Defence
- 469 Minister for Communications, Information Technology and the Arts
- 470 Minister representing the Minister for Foreign Affairs
- 471 Minister representing the Minister for Employment and Workplace Relations
- 472 Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs
- 473 Minister representing the Minister for the Environment and Heritage
- 474 Minister representing the Attorney-General
- 475 Minister for Finance and Administration
- 476 Minister representing the Minister for Agriculture, Fisheries and Forestry
- 477 Minister for Family and Community Services
- 478 Minister representing the Minister for Education, Science and Training
- 479 Minister for Health and Ageing
- 480 Minister representing the Minister for Industry, Tourism and Resources
- 481 Minister representing the Minister for Veterans' Affairs

*Notice given 29 July 2002*

- 495 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—
- (1) What was the total number of cattle that died during the July 2002 voyage of MV *Becrux*.
  - (2) When did the Minister or his office first become aware of livestock deaths aboard the MV *Becrux*.
  - (3) What was the number of cattle deaths advised to the Minister or his office in that advice.
  - (4) (a) Who provided that information to the Minister or his office; and (b) how was the information communicated.
  - (5) When did the Minister or his office become aware that the number of cattle that had perished on the July voyage of the MV *Becrux* was considerably higher than the initial reports of losses.
  - (6) What was the number of cattle deaths advised to the Minister or his office in that advice.
  - (7) (a) Who provided that information to the Minister or his office; and (b) how was the information communicated.
  - (8) When did the Minister first become aware that the number of cattle that had perished on the July voyage of the MV *Becrux* was in the order of 900.
  - (9) What was the exact number of cattle deaths advised to the Minister or his office in that advice.
  - (10) (a) Who provided that information to the Minister or his office; and (b) how was the information communicated.

- (11) Has the Minister called for an investigation into these livestock deaths aboard the MV *Becruix*, to be conducted by the Australian Maritime Safety Authority, the Australian Quarantine and Inspection Service and Livecorp.
- (12) When is the investigation due to report to the Minister.
- (13) When will the report be made available to: (a) the Royal Society for the Prevention of Cruelty to Animals; and (b) the public.

*Notice given 30 July 2002*

500 **Senator Brown:** To ask the Minister for Forestry and Conservation—

- (1) Is the Minister aware that, according to the latest Tasmanian Forest Practices Board report, 11.8 per cent (9,040 hectares) of the Regional Forests Agreement area's *Eucalyptus regnans* remaining in 1996 was logged by 2001.
- (2) Does the Minister recognise that, at this logging rate, 100 per cent will be lost by 2044 and that logging is not sustainable.
- (3) Will the Government move immediately to reduce this rate to a sustainable level.
- (4) What, in the Minister's estimate, is the sustainable rate of *Eucalyptus regnans* logging in Tasmania for: (a) sawmills; (b) veneer; and (c) woodchip purposes.

*Notice given 6 August 2002*

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

- (1) Did the Civil Aviation Safety Authority (CASA) 2001-02 to 2003-04 Corporate Plan commit the authority to implementing a performance management system and undertaking a CASA-wide survey; if so: (a) when did the CASA Board endorse the plan; (b) when was it provided to the Minister; and (c) when did the Minister endorse the plan.
- (2) (a) Has the design work for the development of the performance management system and the CASA-wide staff survey commenced; (b) was the work the subject of a tender process; (c) what was the cost of the development of the management system and the survey; and (d) who was the successful tenderer.
- (3) (a) When did that work commence, in line with the terms of the corporate plan and the board decision; and (b) if the work has not been completed, when will it be completed.
- (4) If the work on the management system and the survey has been completed: (a) when was that work completed; (b) when was it considered by CASA management; and (c) when was it considered by the board.
- (5) If the design and implementation of the management system and survey has not been carried out in accordance with the board-endorsed corporate plan: (a) why has the work not been carried out; (b) who made the decision not to proceed with the development of the management plan and survey; and (c) when was the board advised of the decision not to proceed with the work.
- (6) Did the board endorse the decision not to proceed with the management system and survey; if so: (a) when did the board take that decision; and

(b) what was the basis for the board's decision not to proceed with the work.

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

- (1) Did the Civil Aviation Safety Authority (CASA) 2000-01 to 2002-03 Corporate Plan commit CASA to undertaking a workplace culture survey by March 2001.
- (2) (a) When was the corporate plan endorsed by the CASA Board; (b) when was the plan provided to the Minister; and (c) when was the plan endorsed by the Minister.
- (3) (a) Who undertook the design work for the survey; (b) was the work the subject of a tender process; (c) what was the cost of the design of the survey; and (d) who was the successful tenderer.
- (4) (a) When did that work commence, in line with the terms of the corporate plan and the board decision; and (b) when was the design of the survey completed.
- (5) (a) When was the survey scheduled to commence and when did it actually commence; (b) was the actual survey the subject of a tender process; (c) what was the cost of the survey; and (d) who was the successful tenderer.
- (6) (a) When was the survey completed; (b) when was it considered by CASA management; and (c) when was it considered by the board.
- (7) If the design and implementation of the survey was not carried out in accordance with the board-endorsed corporate plan: (a) why was the work not carried out; (b) who made the decision not to proceed with the survey; and (c) when was the board advised of the decision not to proceed with the survey.
- (8) Did the board endorse the decision not to proceed with the survey; if so: (a) when did the board take that decision; and (b) what was the basis for the board's decision not to proceed with the work.

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

- (1) Did the Civil Aviation Safety Authority (CASA) 1999 Corporate Plan commit CASA to the design and implementation of a staff attitude and work culture survey; if so: (a) when did the CASA Board endorse that commitment; (b) when was the corporate plan provided to the Minister; and (c) when did the Minister endorse the plan.
- (2) (a) Who undertook the design work for the survey; (b) was the work the subject of a tender process; (c) what was the cost of the design of the survey; and (d) who was the successful tenderer.
- (3) (a) When did that work commence, in line with the terms of the corporate plan and the board decision; and (b) when was the design of the survey completed.
- (4) (a) When was the survey scheduled to commence and when did it actually commence; (b) was the actual survey the subject of a tender process; (c) what was the cost of the survey; and (d) who was the successful tenderer.
- (5) (a) When was the survey completed; (b) when was it considered by CASA management; and (c) when was it considered by the board.

- (6) If the design and implementation of the above survey was not carried out in accordance with the board-endorsed corporate plan: (a) why was the work not carried out; (b) who made the decision not to proceed with the survey; and (c) when was the board advised of the decision not to proceed with the survey.
- (7) Did the board endorse the decision not to proceed with the survey; if so: (a) when did the board take that decision; and (b) what was the basis for the board's decision not to proceed with the work.

518 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the Civil Aviation Safety Authority (CASA) officer who was suspended from CASA on 24 October 2001:

- (1) (a) At what time did a phone hook-up take place on the afternoon of 30 May 2002 to seek to resolve the issue of his alleged inappropriate behaviour; and (b) when did the phone hook-up end.
- (2) (a) Who were the CASA officers who participated directly in that phone hook-up; and (b) were there any other persons not directly employed by CASA involved in that phone hook-up.
- (3) If there were persons other than CASA officers involved in the phone hook-up: (a) who were those persons; and (b) what was the basis for their involvement.
- (4) Were there any CASA officers or other persons who were present during the phone hook-up but did not participate in the proceedings; if so: (a) who were these other officers or persons; and (b) why were they present during the phone hook-up.

519 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the Civil Aviation Safety Authority (CASA) officer who was suspended from CASA on 24 October 2001:

- (1) Was a scheduled phone hook-up with that officer scheduled, for 30 May 2002, cancelled; if so: (a) when was the scheduled phone hook-up cancelled; (b) who made the decision to cancel the phone hook-up; and (c) why was the hook-up cancelled.
- (2) (a) When was the suspended officer advised that the phone hook-up was cancelled; and (b) how was that advice communicated.
- (3) (a) In addition to the suspended officer, who else was advised that the scheduled phone hook-up was cancelled; and (b) in each case: (i) how was this information communicated, and (ii) when was it communicated.
- (4) What records of the provision of that advice are held by CASA.
- (5) (a) Who holds those records; and (b) in what form are those records held.
- (6) If those records are held in hardcopy files, what is the reference number for each relevant file.
- (7) If those records are held in electronic form, what is the reference number for each relevant electronic file.

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

- (1) When was the Civil Aviation Safety Authority (CASA) officer, who was suspended from the CASA on 24 October 2001, first advised that a phone hook-up was to take place on the afternoon of 30 May 2002 to seek to resolve the issue of his alleged inappropriate behaviour.



- (2) (a) Who advised the officer of the proposed phone hook-up; and (b) how was the officer notified.
- (3) What records of that advice are held by CASA.
- (4) (a) Who holds those records; and (b) in what form are those records held.
- (5) If those records are held in hardcopy files, what is the reference number for each relevant file.
- (6) If those records are held in electronic form, what is the reference number for each relevant electronic file.

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

- (1) In addition to the Civil Aviation Safety Authority (CASA) officer who was suspended from CASA on 24 October 2001, what other CASA officers, or other persons, were advised that a phone hook-up was to take place on the afternoon of 30 May 2002 to seek to resolve the issue of his alleged inappropriate behaviour.
- (2) (a) Who advised these other CASA officers or other persons of the proposed phone hook-up; and (b) in each case: (i) when were they notified, and (ii) how were they notified.
- (3) What records of the provision of that advice are held by CASA.
- (4) (a) Who holds those records; and (b) in what form are those records held.
- (5) If those records are held in hardcopy files, what is the reference number for each relevant file.
- (6) If those records are held in electronic form, what is the reference number for each relevant electronic file.

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

- (1) In addition to the Civil Aviation Safety Authority (CASA) officer who was suspended from CASA on 24 October 2001, what other CASA officers, or other persons, have received advice or information of any other communications relating to his suspension since 30 May 2002.
- (2) (a) Who provided that advice or information or in any way communicated with these other CASA officers, or other persons, with regard to any matters relating to the suspension of the officer; and (b) in relation to each CASA officer, or other person, when did those communications take place.
- (3) What records of the provision of that advice are held by CASA.
- (4) (a) Who holds those records; and (b) in what form are those records held.
- (5) If those records are held in hardcopy files, what is the reference number for each relevant file.
- (6) If those records are held in electronic form, what is the reference number for each relevant electronic file.

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

- (1) On how many occasions has the Civil Aviation Safety Authority (CASA) officer who was suspended from CASA on 24 October 2001 been provided with advice or contacted on matters relating to his suspension, since the afternoon of 30 May 2002.

- (2) On each occasion: (a) who contacted the officer; (b) in what manner was the contact made; and (c) when was the contact made with the suspended officer.
- (3) What records of that advice, or contact, are held by CASA.
- (4) (a) Who holds those records; and (b) in what form are those records held.
- (5) If those records are held in hardcopy files, what is the reference number for each relevant file.
- (6) If those records are held in electronic form, what is the reference number for each relevant electronic file.

*Notice given 15 August 2002*

**Senator O'Brien:** To ask the Ministers listed below (Question Nos 535-536)—What action, if any, has the Minister or the department taken to protect or increase Australian wheat sales to Iraq in the 2002-03 financial year.

535 Minister representing the Minister for Foreign Affairs

536 Minister representing the Minister for Agriculture, Fisheries and Forestry

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

- (1) How many Australian primary producers currently hold deposits under the Farm Management Deposit (FMD) scheme.
- (2) What is the total value of FMD holdings.
- (3) Producers belonging to which industries are the biggest users of the FMD scheme.
- (4) (a) What percentage of total deposits are held by producers from the grain industry; and (b) what is the value of these deposits.
- (5) (a) What percentage of total deposits are held by producers from the horticultural industry; and (b) what is the value of these deposits.
- (6) (a) What percentage of total deposits are held by producers from the livestock industry; and (b) what is the value of these deposits.
- (7) What number of primary producers currently hold FMDs per state and territory.
- (8) What was the value of FMD holdings per state and territory for the quarters ending: (a) June 2001; (b) September 2001; (c) December 2001; (d) March 2002; and (e) June 2002.
- (9) What was the value of FMD withdrawals per state and territory for the quarters ending: (a) June 2001; (b) September 2001; (c) December 2001; (d) March 2002; and (e) June 2002.
- (10) Since the inception of the FMD scheme, what is the value of holdings withdrawn within 12 months of deposit.
- (11) What is the smallest FMD held by an individual producer.
- (12) What is the largest FMD held by an individual producer.

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

- (1) With reference to the Minister's public statement following his receipt of the report, *The Australian Apple Industry Squeeze*, in August 2001, does the Minister recall encouraging members of the apple industry to make greater use of the Agriculture – Advancing Australia (AAA)-FarmBis Program,

AAA-Farm Innovation Program and AusIndustry's Technology Diffusion Program; if so, did the Minister's encouragement extend beyond issuing a media statement on 7 August 2001 and what form did that encouragement take.

- (2) How many members of the apple industry received, or will receive, assistance under the AAA-FarmBis program in the following financial years: (a) 1997-98; (b) 1998-99; (c) 1999-2000; (d) 2001-02; and (e) 2002-03.
- (3) Did applications for the fourth and final funding round of the AAA-Farm Innovation Program close on 31 October 2001.
- (4) (a) How many applications were received from members of the apple industry in this round; and (b) how many apple businesses, if any, received funding.
- (5) Can the Minister advise whether the Technology Diffusion Program he encouraged apple industry members to use, still exists; if it does, how many members of the apple industry are in receipt of its assistance.
- (6) If the program does not exist, can the Minister advise: (a) when the program ceased to exist; and (b) whether any members of the apple industry gained assistance from this program between his statement on 7 August 2001 and its abolition.
- (7) Can the Minister advise if the report, *The Australian Apple Industry Squeeze*, is published on the department's Internet site; if so, at what Internet address is the report publicly available; if not, was the report previously published on the department's Internet site; if this was the case, for what period was the report available and who decided to remove it from the site.
- (8) Did the Minister take any action in response to the report other than referring it to the Minister for Justice and Customs.

553 **Senator O'Brien:** To ask the Minister representing the Treasurer—

- (1) What was the total cost of the drought investment allowance.
- (2) What was the cost, by state and territory, of the drought investment allowance in the following financial years: (a) 1995-96; (b) 1996-97; (c) 1997-98; (d) 1998-99; (e) 1999-2000; and (f) 2000-01.
- (3) How many primary producers and lessors of property to primary producers have gained a benefit under the drought investment allowance.
- (4) How many primary producers or lessors of property to primary producers, by state and territory, gained a benefit in the following financial years: (a) 1995-96; (b) 1996-97; (c) 1997-98; (d) 1998-99; (e) 1999-2000; and (f) 2000-01.
- (5) What are the details of any programs that provide taxation benefits for the purchase of drought mitigation property by primary producers and lessors of property to primary producers after 1 July 2000.

*Notice given 19 August 2002*

558 **Senator Harris:** To ask the Minister representing the Minister for the Environment and Heritage—Can copies of the following documents be provided:

- (a) Mission Beach Local Marine Advisory Committee (LMAC) minutes for the years 1999, 2000, 2001 and 2002;

- (b) the list of invitees to LMAC, and Great Barrier Reef Marine Park Authority (GBRMPA) meetings and social functions for the years 1999, 2000, 2001 and 2002;
- (c) GBRMPA Board agenda and minutes from July 2001 to date;
- (d) recommendations and papers from the LMAC and the GBRMPA relating to the proposed Mission Beach trawl closure;
- (e) the formal consultation process undertaken in relation to the proposed Mission Beach trawl closure; and
- (f) all correspondence, faxes, e-mails and ministerial briefing papers between the LMAC, the GBRMPA and the Minister and his staff relating to the proposed Mission Beach trawl closure.

560 **Senator Sherry:** To ask the Minister for Revenue and Assistant Treasurer—With reference to the Minister's announcement on 2 July 2002 relating to financial assistance to the Australian Independent Superannuation Fund (AISF):

- (1) When was the application for assistance under Part 229 of the *Superannuation Industry (Supervision) Act 1993* lodged with the Assistant Treasurer or her predecessor, the Minister for Financial Services and Regulation.
- (2) When did the theft, as outlined in the Assistant Treasurer's media release, occur.
- (3) For the purpose of granting financial assistance under section 231 of the Act, what did the Assistant Treasurer determine the total 'eligible loss' suffered by the AISF to be.
- (4) (a) What was the name of the trustee director imprisoned for theft; and (b) when did this conviction occur.
- (5) Was the AISF a 'public offer superannuation fund' as defined by section 18 of the Act.
- (6) Did Broadway Fiduciary receive any payment as trustee of the AISF.
- (7) Was Broadway Fiduciary an 'approved trustee' under Part 2 of the Act; if so, did Broadway Fiduciary meet the capital requirement under section 26 of the Act; if Broadway Fiduciary did not meet this requirement, when did the Australian Prudential Regulation Authority (APRA) become aware that this was the case.
- (8) Did Broadway Fiduciary meet the equal representation requirements under Part 9 of the Act; if not, when did APRA first become aware of this.
- (9) (a) Under what circumstances did the 160 members of the AISF who suffered losses as a result of theft become members of the fund; (b) did members chose to make rollovers or personal contributions to the AISF; (c) did members chose the AISF as the destination for employer contributions or did their employers make contributions to the AISF under an award, industrial agreement or contract; and (d) who, if anyone, were the employer sponsors of AISF.
- (10) When did APRA first become aware that the AISF had suffered a loss as a result of theft.
- (11) (a) Did APRA remove Broadway Fiduciary as trustee of the AISF under section 133 of the Act; and (b) did APRA appoint Denara as 'acting trustee' under section 134 of the Act; if so: (i) what process did APRA use to select the replacement trustee, and (ii) what conditions, if any, did APRA impose

on the acting trustee under section 135 of the Act; if not, under what circumstances was Broadway Fiduciary replaced as trustee.

- (12) Is Denara receiving any payment as acting trustee of the AISF; if so, was any of this payment included in the eligible loss for the purpose of financial assistance under Part 23 of the Act.

561 **Senator Sherry:** To ask the Minister for Revenue and Assistant Treasurer—With reference to superannuation funds for which Commercial Nominees of Australia Pty Limited (CNAL) was trustee:

- (1) What are the current assets of the following superannuation funds: (a) the Australian Workforce Eligible Rollover Fund (AWERF); (b) the Network Superannuation Fund; and (c) the Midas Super Fund.
- (2) What are the losses estimated to have occurred in these funds prior to the replacement of CNAL as trustee in December 2000: (a) as a result of exposure to the Enhanced Cash Management Trust (ECMT); and (b) as a result of exposure to the Enhanced Equity Fund (EEF).
- (3) (a) How many members did each of these funds have; and (b) how many members of these funds are estimated to have been affected by these losses.
- (4) What was the: (a) minimum; (b) maximum; and (c) average, loss incurred by these members.
- (5) With reference to the Australian Prudential Regulation Authority's (APRA) submission 225 to the then Senate Select Committee on Superannuation and Financial Services dated 13 July 2001, which indicates that losses incurred through the ECMT and EEF affected many but not all of the members of the AWERF: Why was this the case.
- (6) (a) What losses have occurred in each of the three funds since the replacement of CNAL as trustee; (b) how many members of these funds are estimated to have been affected by these losses; and (c) what is the: (i) minimum, (ii) maximum, and (iii) average, loss incurred by these members.
- (7) On what basis have Oak Breeze, as replacement trustee of the AWERF, and ACT Super Management, as replacement trustee of the Network Superannuation Fund and the Midas Super Fund, debited fees against member accounts; (b) what is the total value of the fees charged by the trustees of each fund; and (c) what is the: (i) minimum, (ii) maximum, and (iii) average, fee incurred by members of these funds thus far.
- (8) Have Oak Breeze and ACT Super Management fulfilled their reporting obligations, under the *Superannuation Industry (Supervision) Act 1993* and Regulations, to members of the respective funds; if not, has any action been taken to ensure they comply with these requirements.
- (9) Have APRA, Oak Breeze, ACT Super Management or any other parties undertaken an investigation of whether 'fraudulent conduct or theft', within the meaning of Part 23 of the Act, has occurred in relation to any of these funds and their investments in the EEF and the ECMT.
- (10) Have Oak Breeze or ACT Super Management made, or indicated that they intend to make, an application for financial assistance under section 229 of the Act in relation to any of these three superannuation funds; if not, why not.

562 **Senator Sherry:** To ask the Minister for Revenue and Assistant Treasurer—With reference to the Freedom of Choice Monthly Income Pool (MIP):

- (1) With reference to correspondence to Senator Sherry, dated 9 August 2002, in which the Australian Prudential Regulation Authority (APRA) stated that MIP funds were not invested in the Commercial Nominees of Australia Pty Limited (CNAL) Enhanced Cash Management Trust but in the Enhanced Income Trust (EIT): (a) was CNAL at any stage the trustee of the EIT; if so, when did CNAL cease to be the trustee of the EIT; (b) was this a result of being replaced as trustee by APRA or the Australian Securities and Investments Commission; and (c) who is the replacement trustee of the EIT.
- (2) (a) What steps have APRA, Perpetual or Australian Unity Funds Management taken to ascertain whether 'fraudulent conduct or theft', within the meaning of Part 23 of the *Superannuation Industry (Supervision) Act 1993*, occurred in relation to investments by the MIP in the EIT; and (b) have APRA, for example, appointed an inspector to the MIP and/or the EIT.

563 **Senator Evans:** To ask the Minister for Defence—

- (1) Can a summary of the activities undertaken by the Fremantle Class Patrol Boat (FCPB) fleet be provided for each of the 2000-01 and 2001-02 financial years, including the following information: (a) how many days each of the FCPBs and/or the fleet as a whole spent on seagoing days; (b) of those seagoing days, how many days were spent on activities tasked by Coastwatch; (c) with reference to seagoing days of the FCPBs not spent on civil surveillance patrols, specify (as a proportion of the fleet) what activities they were engaged in and for how many days (eg. in the 2001-02 financial year, 20 per cent of the seagoing days of the total fleet, not including days tasked by Coastwatch, might have been spent doing military training exercises); (d) of the days any or all of the FCPBs were not at sea, what use was made of them (eg. work-up or evaluation periods, port visits, maintenance and leave periods, etc); and (e) with reference to their use on non-seagoing days, can a breakdown be provided of how many days the FCPBs (or a proportion of the fleet) spent in each different use.
- (2) (a) In what Australian Defence Force exercises did the FCPBs participate in each of the 2000-01 and 2001-02 financial years; and (b) can the following information be provided: (i) how many boats, or what proportion of the fleet, participated in these exercises, (ii) the number of days they did so, and (iii) which of these days were international, joint or single service exercises.  
(Note: The question does not seek information that would prejudice operational security, ie. information regarding where particular FCPBs have been used or when, but on use patterns of the fleet. The tender documents for the replacement patrol boats included a summary of the activities of three individual FCPBs over a year.)
- (3) What are the costs associated with the following aspects of the FCPBs: (a) initial value (ie. purchase price paid for each FCPB); (b) average annual maintenance casts for each boat in each of the 2000-01 and 2001-02 financial years (include any automatic payments made to contractor for ongoing maintenance, as well as additional costs for any irregular or extra repairs that have been needed); (c) average daily running costs (on a seagoing day); and (d) average daily crew costs (ie. a breakdown of salary, on-costs, training etc.)
- (4) What is the patrol range of an FCPB.

- (5) Please describe what sea state the FCPB fleet: (a) usually operates in; and (b) is capable of operating in, and what this means in layman's terms.
- (6) Can the Minister confirm that the FCPBs are not capable of operating in all parts of the Australian Exclusive Economic Zone (FEZ).
- (7) Please describe in general terms where the parts referred to in (5) are (eg. Torres Strait, Heard and Macdonald Islands, the Australian Antarctic Territory etc).
- (8) When were the last three occasions (or the month) in which any of the FCPBs conducted civil surveillance patrol south of Geraldton.
- (9) Has Defence reached any agreement with Coastwatch on P3-C Orion use that includes documented criteria for their use.
- (10) How many flying hours were provided to Coastwatch by Royal Australian Air Force in each of the 2000-01 and 2001-02 financial years.
- (11) Were all of these hours provided by Orions; if not, please specify what other aircraft have contributed.
- (12) How many hours does an average civil surveillance patrol by an Orion take.
- (13) What is the total full cost per hour of using an Orion for civil surveillance.
- (14) What is the southern-most point the Orions operate to in civil surveillance patrols. (ie. the most southern latitude that they fly to.)
- (15) Has Defence given any consideration to entering into formal arrangements with Coastwatch on training, certification or exchange of staff involved in air activities; if not, why not; if so: (a) have any arrangements been agreed to in principle, or made; and (b) can details be provided of the progress made to this point.
- (16) For how many hours in total did the Orion fleet collectively fly in the 2000-01 and 2001-02 Financial years.

564 **Senator Evans:** To ask the Minister for Justice and Customs—

- (1) In relation to the activity of the fleet of Bay Class Vessels (BCVs), for each of the 2000-01 and 2001-02 financial years: (a) how many seagoing days were achieved; (b) how many days maintenance were required to keep the fleet operational; and (c) what was the target for seagoing days for the fleet.
- (2) Can information be provided of the costs associated with the following aspects of the BCVs: (a) initial value (ie. purchase price paid for each BCV); (b) average annual maintenance costs since introduction (include any automatic payments made to contractor for ongoing maintenance, as well as additional costs for any irregular or extra repairs that have been needed); (c) daily running costs (on a seagoing day); and (d) daily crew costs (ie. a breakdown of salary, on-costs, training etc.)
- (3) Please describe what sea state the BCV fleet: (a) usually operates in; and (b) is capable of operating in, and what this description means in practical terms.
- (4) Can the Minister confirm that the BCVs are not capable of operating in all parts of the Australian Exclusive Economic Zone (EEZ), and describe in general terms where these parts are (eg. Torres Strait, Heard and Macdonald Islands, the Australian Antarctic Territory etc.).
- (5) Other than the BCVs, does Customs loan any assets to Coastwatch, or have assets that are tasked by Coastwatch (eg. outboards or smaller vessels).

- (6) In relation to Coastwatch, can the following information be provided for each of the 1999-2000, 2000-01 and 2001-02 financial years: (a) the number of vessels intercepted; and (b) the number of vessels apprehended (including an indications of the illegal activity suspected).
- (7) In each of the 1999-2000, 2000-01 and 2001-02 financial years how many times was a suspected illegal vessel sighted by aerial surveillance in circumstances in which there were not the resources available to intercept the vessel.
- (8) (a) How many flying hours in total did Coastwatch undertake (ie. task) in each of the 2000-01 and 2001-02 financial years; and (b) of these, in each financial year, how many were provided by Defence.
- (9) Do any of the civil aircraft used by Coastwatch have: (a) radar equipment; and (b) any specialist patrolling or surveillance capability; if the answer to (b) is yes, describe briefly what this capability is, if the answer to either (a) or (b) is yes, how does the capability differ from that of P3-C Orions.
- (10) Can a list be provided of: (a) the contractors, if any, that provided seagoing vessels to Coastwatch in each of the 2000-01 and 2001-02 financial years; (b) how many hours each was contracted to supply; and (c) how much Customs paid under the contract.
- (11) In relation to Coastwatch's relationship with relevant state and territory agencies, what formal arrangements are in place to ensure the timely communication of information.
- (12) What is Surveillance Australia's annual average for staff turnover for each of the financial years since 1995-96, to the end of the 2001-02 financial year.
- (13) When was the last revised performance measurement system for contractors used by Coastwatch implemented.

565 **Senator Evans:** To ask the Minister for Forestry and Conservation—

- (1) What are the terms on which the Australian Fisheries Management Authority charters the *Southern Supporter*, including the following details: (a) how many patrols the vessel is contracted to operate annually; (b) how lengthy the patrols are (ie. number of seagoing days); (c) the value of the contract (ie. what the Commonwealth pays for this service); (d) whether there are any performance measures for provision of the service (eg. number of suspected illegal vessels apprehended etc.); and (e) whether there are any penalties if the *Southern Supporter* cannot, for any reason, patrol for as many seagoing days as it is supposed to.
- (2) What was the total number of seagoing days of the *Southern Supporter* for each of the 2000-01 and 2001-02 financial years.
- (3) Can the following details be provided in relation to the *Southern Supporter* for each of the 2000-01 and 2001-02 financial years: (a) the number of vessels intercepted; (b) how many were suspected of illegally fishing in Australian waters; (c) how many vessels were boarded or searched; (d) how many were apprehended; and (e) how many had their fishing equipment and catch seized.
- (4) Can a physical description of the *Southern Supporter*, including the capabilities and the following details, be provided: (a) the length of the vessel; (b) crew size; (c) how many people beyond the crew can be accommodated and carried; (d) ability of the crew to board another vessel; (e) whether the vessel carries any inflatable boats or dinghies for the



propose of rescue or apprehension operations; (f) whether the vessel can carry a helicopter; if so, whether it usually does on patrols; and (g) patrol range of the vessel.

- (5) Is the vessel capable of operating across the entire Southern Ocean; if not, what are its geographic limits.
- (6) Are there any plans to continue the funding of the *Southern Supporter* beyond 2003; if not, are there plans to hire or lease other vessels for patrolling the Southern Ocean and the Australian Antarctic Territory.
- (7) Has there been any evaluation done of the contract for the *Southern Supporter*; if so, what were the results.

*Notice given 20 August 2002*

569 **Senator Ludwig:** To ask the Minister representing the Treasurer—With reference to Part X Bankruptcy Agreements lodged in each of the 2000-01 and 2001-02 financial years:

- (1) How many barristers and lawyers applied for, and were successful in obtaining, Part X agreements in each Australian state and territory.
- (2) How much tax revenue to the Australian Taxation Office was forgone through part payments resulting from Part X agreements filed by barristers and lawyers in each Australian state and territory.
- (3) What was the total amount of tax revenue lost to the Australian Taxation Office through part payments resulting from Part X agreements in each Australian state and territory.
- (4) How many Part X creditors' meetings did officers of the department attend in each Australian state and territory.

*Notice given 23 August 2002*

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

- (1) What sum has the department spent on consultants in each of the following financial years: (a) 1999-2000; (b) 2000-01; (c) 2001-02; and (d) 2002-03.
- (2) For each consultancy: (a) what was the name of the consultant employed; (b) what was the cost; (c) what was the purpose; (d) what was the period during which the consultant was engaged; (e) what role did the Minister and/or his office have in the engagement of the consultant; and (f) was the consultancy subject to a tender process; if not, why not; if so, was it an open tender or a select tender.

*Notice given 26 August 2002*

578 **Senator Sherry:** To ask the Minister representing the Minister for Employment and Workplace Relations—With reference to the Building and Construction Industry Interim Taskforce announced by the Government on 20 August 2002:

- (1) Will the taskforce have a written charter or mission; if so, what will it be.
- (2) Apart from law enforcement, will the taskforce be concerned with productivity and general industrial relations issues.
- (3) How is the success or performance of the taskforce to be measured (eg. the number of prosecutions, improved performance and productivity in the industry, etc).

- (4) Will the taskforce consult with industry (eg. employers, unions, etc).
- (5) What is the estimated cost of the interim taskforce in each of the following financial years: (a) 2002-03; and (b) 2003-04.
- (6) How much of this cost will be met by: (a) the department; (b) current departmental appropriations; and (c) additional appropriations.
- (7) How much of this cost will be met by the following departments and agencies:
  - (a) the Attorney-General's Department;
  - (b) the Australian Federal Police;
  - (c) the Australian Taxation Office;
  - (d) the Australian Competition and Consumer Commission;
  - (e) the National Occupational Health and Safety Commission;
  - (f) the Office of the Employment Advocate; and
  - (g) any other Commonwealth or state department or agency.
- (8) Will any funds budgeted for the Royal Commission into the Building and Construction Industry be re-allocated to meet the cost of the interim taskforce.
- (9) If funds and resources are to be diverted within relevant departments and agencies to meet the operational and establishment requirements of the taskforce, from which areas in each of the departments and agencies will funds and resources be diverted.
- (10) (a) How many full-time staff will the taskforce employ; and (b) how many part-time staff will the taskforce employ.
- (11) (a) Which departments and agencies will make staff available to the interim taskforce; and (b) how many staff from each department and agency will be seconded to the taskforce.
- (12) (a) How many staff who have worked for the Royal Commission into the Building and Construction Industry will work for the interim taskforce; and (b) what proportion of the taskforce's staff does this represent.
- (13) (a) Which Commonwealth laws will the interim taskforce be responsible for enforcing; and (b) which laws are excluded from the brief of the interim taskforce.
- (14) (a) Will the taskforce seek the cooperation of state and territory departments and agencies; if so, which ones; and (b) how will the taskforce deal with issues that arise under state or territory law (eg. occupational health and safety).

*Notice given 27 August 2002*

584 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—

- (1) Is there a performance indicator for the payment of doctors' fees for services provided to veterans in the memorandum of understanding between the department and the Health Insurance Commission; if so, what is the timeframe in which the Health Insurance Commission is required to pay.
- (2) How has the Health Insurance Commission performed against this indicator on a monthly basis over the past 2 years.

- (3) What is the average time for payment of fees for medical services provided, by category of health care service, on a monthly basis over the past 12 months.
- (4) Can a copy of the memorandum of understanding between the department and the Health Insurance Commission be provided.
- (5) (a) What was the total amount paid to the Health Insurance Commission by the department annually for each of the past 3 years; and (b) how many individual claims for payment for a service were made by doctors in each of those years, by Medicare item number.
- (6) When is the memorandum of understanding with the Health Insurance Commission due for revision or renewal.
- (7) Will the services presently provided by the Health Insurance Commission be put out to tender on expiry of the existing contract; if so, when will that occur.
- (8) What is the estimated cost per transaction for administration (ie. rate per claim and payment) of the new Orange Card.

*Notice given 28 August 2002*

589 **Senator Evans:** To ask the Minister for Defence—With reference to the High Frequency Modernisation Project (noted on page 82 of the Portfolio Budget Statement):

- (1) When was approval granted for this project.
- (2) Can a description of all the major phases of the project be provided.
- (3) (a) What was the original timeline for the completion of the project, including the dates for all major phases in the project; and (b) when was it due to be completed.
- (4) What was the original budget for this project.
- (5) (a) What is the current schedule for the completion of this project, including the dates for all major phases in the project; and (b) when is the project now due to be completed.
- (6) If there have been any delays associated with this project in relation to any of the phases, indicate the length of the delay and the reason for the delay.
- (7) If there have been any delays associated with this project, has the department sought compensation for the delays or imposed penalties on the supplier.
- (8) What is the current budget for this project.
- (9) If the cost has increased from the original budget, what are the reasons for the cost increase.
- (10) In relation to all contracts signed for this project, can the following information be provided: (a) when the contracts were signed; (b) the amount each contract is worth; (c) the nature of the activity covered by that contract; and (d) whether they have liquidated damages clauses.
- (11) Given the scale of the project, why is it not listed on the Defence Materiel Organisation's website like a number of other projects.

590 **Senator Evans:** To ask the Minister for Defence—With reference to AGM-142 weaponry:

- (1) When were stocks of this weapon first purchased by the Australian Defence Force (ADF).

- (2) What version of the AGM-142 was purchased by the ADF.
- (3) What was the total cost of the purchase and, if possible, can a unit cost also be provided.
- (4) What is the latest estimate on the total cost of modifying the F-111 fleet to enable these aircraft to deploy the AGM-142.
- (5) What is the latest estimate on when those modifications will be completed.
- (6) Has a decision been taken not to proceed with the modifications to the F-111s.
- (7) Have any steps been taken to sell Australia's stock of AGM-142s; if so, is it now planned to sell off Australia's entire stock of these weapons.

*Notice given 30 August 2002*

**Senator Sherry:** To ask the Ministers listed below (Question Nos 603-619)—

- (1) For each department within the Minister's portfolio, how is superannuation calculated (ie. is the superannuation entitlement calculated on base salary and other income payments, such as overtime allowance or performance bonuses, or on base salary alone).
- (2) If the department calculates superannuation on a broader basis, by incorporating all income payments in the calculation of superannuation entitlements, but allows employees to opt out of this arrangement so as to reduce the base upon which superannuation is calculated, what proportion of employees do this.

605 Minister representing the Treasurer

606 Minister representing the Minister for Trade

609 Minister representing the Minister for Foreign Affairs

613 Minister representing the Attorney-General

614 Minister for Finance and Administration

*Notice given 4 September 2002*

620 **Senator McLucas:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) How many sheep died en route to the Middle East on each of the following ships that departed Australia in July 2002: (a) the *Cormo Express*; (b) the *Corriedale Express*; (c) the *Al Shuwaikh*; and (d) the *Al Messilah*.
- (2) For each vessel: (a) what percentage of sheep died; and (b) from which geographic location or region were these sheep sourced.
- (3) (a) When did these vessels depart Australia; and (b) from which Australian port did they sail.
- (4) For each vessel, what was the final destination of the sheep onboard.
- (5) (a) When did these vessels arrive in the Middle East; and (b) at which ports did the surviving sheep disembark.
- (6) For each vessel, how many sheep survived the journey.
- (7) At what location, or locations, were the dead sheep thrown overboard.
- (8) How many crew were on board each vessel.
- (9) For each vessel, how many crew members were concerned with animal welfare and management issues during the journey.

- (10) (a) When was the department first advised of reportable sheep deaths onboard the vessels *Cormo Express*, *Corriedale Express*, *Al Shuwaikh* and *Al Messilah*; (b) who provided that advice; and (c) what form did that advice take.
- (11) (a) When was the Minister first advised of reportable sheep deaths onboard the vessels *Cormo Express*, *Corriedale Express*, *Al Shuwaikh* and *Al Messilah*; (b) who provided that advice; and (c) what form did that advice take.
- (12) Has the number of dead sheep been adjusted subsequent to the receipt of original advice in this matter by the Minister and the department; if so: (a) when was advice of the number of dead sheep adjusted; and (b) what was the source of the new information.
- (13) Did the vessels *Cormo Express*, *Corriedale Express*, *Al Shuwaikh* and *Al Messilah* sail under an Australian flag; if not, under the flag, or flags, of which country, or countries, did each sail.
- (14) Which companies own and/or operate each of these ships.
- (15) What percentage of equity in these companies is Australian-owned.
- (16) Which livestock export companies were contracted to transport these sheep.
- (17) What percentage of equity in these companies is Australian-owned.
- (18) Have these companies been involved in any incident in the past 10 financial years, where mortality rates of Australian-sourced animals during live export have exceeded the acceptable level established by applicable Commonwealth or state laws and/or industry codes of practice; if so: (a) when did these incidents occur; (b) what type and breed of animals perished; and (c) in what numbers.
- (19) From which geographic locations were the deceased animals sourced for each voyage by these companies in the past 10 financial years where the maximum acceptable mortality rate, as established by applicable Commonwealth or state laws and/or industry codes of practice, was exceeded.
- (20) (a) What investigations occurred in respect to these incidents; and (b) what adverse findings, if any, were made in respect to these companies.
- (21) Has the Minister agreed to undertake any investigation into the reportable sheep deaths on the vessels *Cormo Express*, *Corriedale Express*, *Al Shuwaikh* and *Al Messilah*, that departed Australia in July 2002; if so: (a) which agency or agencies will conduct the investigation; (b) when will the investigation be concluded; and (c) will the results of the investigation be released to the public.
- (22) Has the Minister undertaken any interim measures to protect the welfare of future live sheep exports on these vessels; if so: (a) what measures have been introduced; (b) when did these measures become effective; and (c) are these measures specific to these vessels or do they apply to all live sheep exports.
- (23) How many sheep have died in transit as part of Australia's live sheep export trade, in each year for the past 10 financial years.
- (24) What changes have been made to Commonwealth or state laws and/or industry codes of practice over the past 10 financial years to reduce mortality rates onboard live sheep carriers.

- (25) Has the department, or any other agency, undertaken an assessment of the effectiveness of these changes in reducing sheep mortality rates.
- (26) Does the sheep mortality rate on ships bound for the Middle East increase during the period May to October; if so, is this increased mortality rate related to climate.

*Notice given 6 September 2002*

621 **Senator McLucas:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the Sustainable Regions Program (SRP):

- (1) (a) Who are the members of the committees for each of the eight sustainable regions; and (b) when were they appointed.
- (2) What criteria were used to select the committee members.
- (3) What selection process was undertaken in choosing these committee members.
- (4) What skills, attributes and experience does each individual committee member bring to these positions.
- (5) What rules apply to the operations of each committee, including: (a) how projects are identified; (b) how projects are chosen for funding; (c) how projects are announced; (d) how projects are monitored; (e) how projects are evaluated; (f) how the success of a project will be measured; (g) the protocols that apply to committee meetings; (h) how many members of each committee must be in attendance at meetings involving funding allocation decisions; and (i) the protocols in place for the replacement of committee members.
- (6) For each of the eight regions, when will selection of projects for funding in the 2002-03 financial year be undertaken.
- (7) When will projects for the 2002-03 financial year be announced.
- (8) Can a copy of the standard contract for these projects be provided.
- (9) What organisations are eligible to apply for SRP funding.

*Notice given 9 September 2002*

622 **Senator McLucas:** To ask the Minister representing the Minister for Education, Science and Training—With reference to Table 1, page 7, of the discussion paper on university finances, *Setting Firm Foundations*, which lists the distribution of Higher Education Contribution Scheme (HECS) debts—Can the following information be provided, in the same format as Table 1: The distribution of HECS debts and the average HECS debt of: (a) all HECS debtors who have not made any repayments and who first incurred a HECS debt in or prior to 1999; (b) graduates who have not made any repayments and who first incurred a HECS debt in or prior to 1999; (c) all HECS debtors who have not made any repayments; (d) graduates who have not made any repayments; (e) all HECS debtors who first incurred a HECS debt between 1997 and 1999 and who have not made any repayments; and (f) graduates who first incurred a HECS debt between 1997 and 1999 and who have not made any repayments.

623 **Senator Evans:** To ask the Minister for Defence—With reference to the Air 87 Project:

- (1) To date, what is the price growth that has occurred in relation to this project as a result of the annual indexation of prices.

- (2) To date, what is the total increase in cost related to foreign exchange movements.
- (3) To date, what is the total value of price variation payments made under this contract (if possible indicate separately the value of foreign exchange related variations and price growth variations).
- (4) What currency was specified in the contract.
- (5) If the contract is in a currency other than the Australian dollar: (a) what was the original value of the contract in that currency when the contract was signed; and (b) what was the exchange rate for the relevant currency on the date the contract was signed.
- (6) If the contract is in Australian dollars: (a) what provisions does it include in relation to foreign currency movements; and (b) is the value of the contract tied to a particular foreign currency; if so, which currency.
- (7) In assessing the value of each of the four tenders (Eurocopter, Bell, Boeing and Augusta), were the same foreign currency and exchange rates used to determine their Australian dollar equivalent; if not, what currencies and exchange rates were used.
- (8) In terms of the Eurocopter bid, what was the effect of any exchange rate movements on the value of the contract between when the tenders were evaluated and the date the contract was signed.
- (9) Given the announcement on 21 December 2001 of a \$1.3 billion contract for the production of the helicopter, what is the current value of that contract.
- (10) Given that the 2002-03 Budget papers indicate the total value of the project is \$1 858 million, what are the other elements that make up the cost of the project (eg. in service support), including the value for each element.
- (11) In relation to the data link system to be used on the Aussie Tiger: will it use the Link 11 or Link 16 system; if not: (a) what system is being used and why; and (b) will the alternative be fully compatible with the Link 11 and Link 16 systems.

624 **Senator Evans:** To ask the Minister for Defence—With reference to the Air 5077 Project:

- (1) To date, what is the price growth that has occurred in relation to this project as a result of the annual indexation of prices.
- (2) To date, what is the total increase in cost related to foreign exchange movements.
- (3) To date, what is the total value of price variation payments made under this contract (if possible indicate separately the value of foreign exchange related variations and price growth variations).
- (4) What currency was specified in the contract.
- (5) If the contract is in a currency other than the Australian dollar: (a) what was the original value of the contract in that currency when the contract was signed; and (b) what was the exchange rate for the relevant currency on the date the contract was signed.
- (6) If the contract is in Australian dollars: (a) what provisions does it include in relation to foreign currency movements; and (b) is the value of the contract tied to a particular foreign currency; if so, which currency.

626 **Senator Allison:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) What is the definition of vehicles that qualify for subsidy under the Bass Strait Passenger Vehicle Equalisation Scheme.
- (2) Has the Commonwealth been a party to the development of the definition of 'vehicle' or 'accompanying vehicle' by the *Spirit of Tasmania*.
- (3) What is the standard off-peak subsidy per standard motor car that is transported across Bass Strait.
- (4) What is the standard off-peak subsidy per standard motor cycle that is transported across Bass Strait.
- (5) What is the standard off-peak subsidy for a push bike that is transported across Bass Strait whilst parked on the vehicle deck.
- (6) Are motor cycles required to be dismantled in any way, packed in a carton or carried on a baggage trolley, to qualify for the subsidy.
- (7) Is a push bike defined as a vehicle under Australian road laws.
- (8) How many push bikes can be transported across Bass Strait in the space taken up by one car on the vehicle deck.

*Notice given 12 September 2002*

627 **Senator Greig:** To ask the Minister for Health and Ageing—

- (1) (a) Is the Minister aware of a Dutch report regarding a man who developed Creutzfeldt-Jakob disease (CJD) 38 years after receiving human-derived growth hormone (hGH); and (b) given that the 47-year-old Dutch man, who died from iatrogenic CJD 38 years after treatment, was given only one low dose of hGH as part of a diagnostic procedure rather than being given full treatment: does the Minister intend any further action warning Australians who were given low doses of hGH.
- (2) With reference to the fact that, when this patient was 9 years old, a nitrogen retention test with 6 IU hGH was performed to exclude growth hormone deficiency: Does the department know which batches or batch numbers were used during these 'diagnostic' tests.
- (3) (a) Is the Minister aware that the authors of the journal paper (*J Neurol Neurosurg Psychiatry* 2002;72:792-793) reporting on this case concluded: 'This case indicates that still more patients with iatrogenic CJD can be expected in the coming years. Another implication of our study is that CJD can develop even after a single low dose of human growth hormone'; and (b) given this, to what extent was the diagnostic use of hGH considered.
- (4) With reference to the statement in the journal paper that, 'If low doses presented a risk I would have thought that other cases would have come to light before now': Given that this deceased patient is believed to be the first treated with 'diagnostic hGH': (a) is the department expecting other cases of iatrogenic CJD in the coming years; (b) what advice has the Minister been given on this matter; (c) what action does the department intend to take to deal with the increase in CJD cases; (d) will all 'unofficial' patients who were treated with 'diagnostic infusions' of hGH during GH stimulation tests be notified of this new risk; and (e) what, if any, action does the Government intend for people who are expected to suffer iatrogenic CJD through the diagnostic test who are now confirmed 'at risk'.
- (5) Were all children treated in clinical trials registered with the department at the time of their treatment with hGH.



- (6) How many low dose 'one-off infusion' recipients of hGH, as part of a diagnostic procedure, were involved.
- (7) What is the Government doing to track the missing 5 per cent of the hGH recipients.

*Notice given 13 September 2002*

628 **Senator McLucas:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) How many applications for exceptional circumstances (EC) declarations have been lodged since 1996.
- (2) How many applications have resulted in EC declarations.
- (3) With respect to EC declarations, can the following information be provided: (a) the source of the applications (state government or peak body); (b) the geographic regions or industries concerned; (c) the dates on which the applications were lodged; and (d) the dates on which the declarations were made.
- (4) Were any EC declarations made concerning geographic regions contained wholly or partly within the electorates of Gwydir or Wide Bay.
- (5) With respect to unsuccessful applications, can the following information be provided: (a) the source of the applications (state government or peak body); (b) the geographic regions or industries concerned; (c) the dates on which the applications were lodged; and (d) the dates on which the decisions to refuse the declarations were made.
- (6) Of the unsuccessful applications, were any made concerning geographic regions contained wholly or partly within the electorates of Gwydir or Wide Bay.
- (7) With respect to all unsuccessful applications, has the Government provided other special assistance, including ex gratia income support, to the regions or industries identified in the applications.
- (8) Was any such special assistance given to geographic regions contained wholly or partly within the electorates of Gwydir or Wide Bay.
- (9) Have there been any occasions since 1996 in which the Government has not accepted the recommendation of the Rural Adjustment Scheme Advisory Council (RASAC) or the National Rural Advisory Council (NRAC) in respect to EC applications; if so, can details of these occasions and the applications concerned be provided.
- (10) Have there been any occasions since 1996 in which EC applications have not been subject to an independent assessment by the RASAC or NRAC; if so, can details of these occasions and the applications concerned be provided.
- (11) In the case of each EC declaration: (a) what was the income threshold used; (b) did all applications meet the income threshold criterion; if not, can details be provided where applications for an EC declaration were made despite the income threshold not being met; and (c) for each of these applications: (i) what was the income level identified in the application, and (ii) what was the applicable income threshold.

629 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—With reference to the answer to question on notice no. 463:

- (1) What is the department's estimate, based on surveying its state offices, of the proportion of reimbursements made to veterans and widows because of the refusal of doctors to accept the Gold Card.
- (2) Has the department sought to reissue Medicare cards; if so, in how many cases.
- (3) (a) In how many cases has the department reimbursed veterans the Commonwealth Medical Benefits Schedule payment, plus any co-payment, regardless of the reason for the reimbursement; and (b) what were the reasons in each case.
- (4) (a) On how many occasions in 2002 has the Repatriation Commission formally considered the need to approve 'exceptional circumstances' as set out in paragraph 3.5.1 of the Treatment Principles; and (b) what specific 'exceptional circumstances' have been approved.
- (5) On a monthly basis, what is the value of reimbursements made since 1 July 2001.

630 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—With reference to the answer to question on notice no. 459 (Senate *Hansard*, 29 August 2002, p. 3787):

- (1) What provision was made in the department's forward estimates for increases to the Commonwealth Medical Benefits Schedule.
- (2) What contingency plans have been put in place in the event that doctors cease to be bound by their agreement and refuse to accept the Gold Card.
- (3) Can the Minister confirm that an inter-departmental committee chaired by the Department of the Prime Minister and Cabinet has been established to progress the Government's consideration of the matter; if so: (a) what is the membership of that committee; and (b) when will it report.
- (4) Has consideration been given to an extension of the agreement with the Australian Medical Association (AMA) pending settlement of this issue.
- (5) Is the Minister aware of the results of a survey conducted by the AMA that, of 1 409 doctors surveyed, 41 per cent have responded that they will no longer accept the Gold Card if fees are not increased.
- (6) (a) How many veterans and widows have contacted the department, by telephone or in writing, in the past 3 months on this matter; and (b) of those, how many have been seeking assistance with finding another doctor.
- (7) In the event that alternative doctors are found, will travel costs be reimbursed.
- (8) How many: (a) local medical officers (LMOs); and (b) hospitals, do not accept the Gold Card for treatment outside normal surgery hours.
- (9) In the event that veterans are treated by after-hours clinics that do not accept the Gold Card, is reimbursement made of the full fee charged.
- (10) In the event that prescriptions are issued by LMOs or others, what provision exists for reimbursement where the script is for a non-approved drug.

631 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—During each of the past 5 years: (a) what grants have been made under each of the department's grants programs, by postcode; (b) what was the value of each grant; and (c) what was the purpose of each grant.

- 632 **Senator Greig:** To ask the Minister for Health and Ageing—With reference to the Inter-departmental Committee review of the Pharmaceutical Benefits Scheme (PBS):
- (1) What are the terms of reference for the committee's review of the PBS.
  - (2) Which stakeholders were invited to participate in the review.
  - (3) How did the committee decide which stakeholders to invite to participate.
  - (4) If stakeholders have prepared submissions, how will these be used by the committee.
  - (5) How can other stakeholders (ie. those not specifically invited by the committee) participate in the review.
  - (6) When will the report of the review be given to the Minister.
- 633 **Senator Sherry:** To ask the Minister representing the Minister for Employment and Workplace Relations—
- (1) (a) Which Working Women's Centres received Commonwealth funding in each financial year from 1995-96 to 2001-02; and (b) for each financial year, how much did each centre receive.
  - (2) (a) Which centres will receive Commonwealth funding in the 2002-03 financial year; and (b) how much will each receive.
  - (3) What are the criteria by which applications for funding are assessed.
  - (4) In relation to the 2002-03 financial year, have any applications for funding been refused in whole or in part; if so: (a) which ones; and (b) for what reasons.
- 634 **Senator Ludwig:** To ask the Minister representing the Attorney-General—
- (1) What are the names of the community legal centres (CLCs) operating in Queensland.
  - (2) What are the names of the CLCs that have been closed in Queensland since 1999.
  - (3) What funding did each of the CLCs in Queensland receive for the financial years: (a) 2000-01; and (b) 2001-02.
  - (4) With the closures of these CLCs, have monies been redirected into 'hotline' services in Queensland or have they been retrieved by the Commonwealth.
- 635 **Senator Ludwig:** To ask the Minister representing the Attorney-General—
- (1) How do Regional Law Hotlines operate.
  - (2) Is the hotline a referral service only or is legal advice provided.
  - (3) What are the hours of operation for each of the Regional Law Hotlines in Queensland.
  - (4) Do solicitors directly handle the calls taken through the Regional Law Hotlines in Queensland.
  - (5) How many solicitors are employed to answer questions on the Regional Law Hotline in Queensland.
  - (6) How is advice, if any, dispensed to the callers.
  - (7) What funding does each Regional Law Hotline provider in Queensland receive.
- 636 **Senator Ludwig:** To ask the Minister representing the Attorney-General—With reference to Commonwealth funding of legal aid to the states:

- (1) What is the process used by the Commonwealth Government to determine the level of funding by state to fund legal aid agencies.
- (2) What is the number of matters referred by the Regional Law Hotline to legal aid agencies since it became operational in 2001.
- (3) How many applications for legal aid have been rejected in Queensland in the past 2 financial years, by type of matter dealt with (eg. Family Court matter, criminal matter, etc).

*Notice given 17 September 2002*

- 637 **Senator Faulkner:** To ask the Minister representing the Minister for Employment and Workplace Relations—Can the following details be provided for the years 1990 to 2001: (a) the number of industrial disputes in the Hunter region as compared to the national average; (b) the number of industrial disputes in the Hunter region compared to other similar regions in Australia; (c) the days of industry stoppage due to industrial action in the Hunter region as compared to the national average; and (d) the number of days of industry stoppage due to industrial action compared to other similar regions in Australia.
- 638 **Senator Nettle:** To ask the Minister representing the Treasurer—
- (1) Is the Motomed, a therapeutic exerciser, subject to the goods and services tax (GST).
  - (2) Has the Australian Taxation Office made a ruling that the Motomed is not GST-exempt.
  - (3) Does the Treasurer acknowledge that the Motomed is a medically-prescribed movement therapy product specifically designed to treat profound physical disabilities and is entirely unsuited for use by able-bodied persons; if not, why not.
  - (4) Will the Government take steps to amend taxation legislation to make this device GST-exempt; if so, will the Government make this amendment retrospective and provide GST refunds to the people who have already purchased this appliance.
- 639 **Senator Nettle:** To ask the Minister representing the Minister for Trade—
- (1) With reference to projects in the mining, minerals and energy sectors (including those projects defined as ‘multisector’ or crosscutting) funded by AusAID during the calendar years 1998 to 2002, and relating to countries and/or projects in the Asia-Pacific region:
    - (a) Can the following details be provided for each project: (i) the project name, (ii) the country, (iii) the date, (iv) the partner/beneficiary, (v) the project implementing agency, (vi) the funds allocated (in Australian Dollars), and (vii) the current status; and
    - (b) can the following details be provided for the aggregate of all projects (in Australian Dollars): (i) total expenditure from all sources, (ii) total funding contributed by AusAID, and (iii) the percentage this funding represents of the total Australian aid budget expenditure for the period.

(Can these details be provided in Excel format, corresponding to data that was formerly published in the ‘Blue Book’, which contained project title, brief project description, region, country, DAC sub-sector code and amount spent).

- (2) What was the total Australian aid and aid-related expenditure relating to countries and/or projects in the Asia-Pacific region during the calendar years 1998 to 2002.
- 640 **Senator Nettle:** To ask the Minister representing the Minister for Trade—With reference to AusAID proportional funding for fossil fuels and renewable energy sector projects in countries in the Asia-Pacific region:
- (1) What was the expenditure, in Australian dollars, provided by AusAID during the calendar years 1998 to 2002, in relation to projects in the fossil fuels sector (ie. projects relating to coal, including ‘clean coal’, and co-generation and emission reduction projects, gas and oil), including those projects defined as ‘multisector’ or crosscutting, expressed as a percentage of the total Australian aid budget expenditure.
  - (2) What was the expenditure, in Australian dollars, provided by AusAID during the calendar years 1998 to 2002, in relation to projects in the renewable energy sector (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as ‘multisector’ or crosscutting, expressed as a percentage of the total Australian aid budget expenditure.
- 641 **Senator Nettle:** To ask the Minister representing the Minister for Trade—With reference to non-government funded fossil fuel sector projects in countries in the Asia-Pacific region:
- (1) What was the total expenditure in Australian dollars provided by the Asia Pacific Economic Cooperation during the calendar years 1998 to 2002, in relation to projects in the fossil fuels sector (ie. projects relating to coal, including ‘clean coal’, and co-generation and emission reduction projects, gas and oil), including those projects defined as ‘multisector’ or crosscutting.
  - (2) What was the total expenditure, in Australian dollars, provided by the Asian Development Bank during the calendar years 1998 to 2002, in relation to projects in the fossil fuels sector (ie. projects relating to coal, including ‘clean coal’, and co-generation and emission reduction projects, gas and oil), including those projects defined as ‘multisector’ or crosscutting.
  - (3) What was the total expenditure, in Australian dollars, provided by Australian businesses and industry during the calendar years 1998 to 2002, in relation to projects in the fossil fuels sector (ie. projects relating to coal, including ‘clean coal’, and co-generation and emission reduction projects, gas and oil), including those projects defined as ‘multisector’ or crosscutting.
- 642 **Senator Nettle:** To ask the Minister representing the Minister for Trade—With reference to Australian Government funding for fossil fuel sector projects in countries in the Asia-Pacific region:
- (1) What was the total expenditure, in Australian dollars, provided by AusAID during the calendar years 1998 to 2002, in relation to projects in the fossil fuels sector (ie. projects relating to coal, including ‘clean coal’, and co-generation and emission reduction projects, gas and oil), including those projects defined as ‘multisector’ or crosscutting.
  - (2) What was the total expenditure, in Australian dollars, provided by the Department of Foreign Affairs and Trade during the calendar years 1998 to 2002, in relation to projects in the fossil fuels sector (ie. projects relating to

coal, including 'clean coal', and co-generation and emission reduction projects, gas and oil), including those projects defined as 'multisector' or crosscutting.

- (3) What was the total expenditure, in Australian dollars, provided by the Department of Industry, Tourism and Resources during the calendar years 1998 to 2002, in relation to projects in the fossil fuels sector (ie. projects relating to coal, including 'clean coal', and co-generation and emission reduction projects, gas and oil), including those projects defined as 'multisector' or crosscutting.
- (4) What was the total expenditure, in Australian dollars, provided by Austrade during the calendar years 1998 to 2002, in relation to projects in the fossil fuels sector (ie. projects relating to coal, including 'clean coal', and co-generation and emission reduction projects, gas and oil), including those projects defined as 'multisector' or crosscutting.
- (5) What was the total expenditure, in Australian dollars, provided by any Australian Government agency other than AusAID, the Department of Foreign Affairs and Trade, the Department of Industry, Tourism and Resources and Austrade, during the calendar years 1998 to 2002, in relation to projects in the fossil fuels sector (ie. projects relating to coal, including 'clean coal', and co-generation and emission reduction projects, gas and oil), including those projects defined as 'multisector' or crosscutting.
- (6) What was the total expenditure, in Australian dollars, provided by the Export Finance and Insurance Corporation during the calendar years 1998 to 2002, in relation to projects in the fossil fuels sector (ie. projects relating to coal, including 'clean coal', and co-generation and emission reduction projects, gas and oil), including those projects defined as 'multisector' or crosscutting.

643 **Senator Nettle:** To ask the Minister representing the Minister for Trade—

With reference to Australian Government funding for renewable energy sector projects, can the following information be provided in relation to countries or projects in the Asia-Pacific region:

- (1) What was the total expenditure, in Australian dollars, provided by AusAID during the calendar years 1998 to 2002, in relation to projects in the renewable energy sector (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as 'multisector' or crosscutting.
- (2) What was the total expenditure, in Australian dollars, provided by the Department of Foreign Affairs and Trade during the calendar years 1998 to 2002, in relation to projects in the renewable energy sector (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy; and biomass energy), including those projects defined as 'multisector' or crosscutting.
- (3) What was the total expenditure, in Australian dollars, provided by the Department of Industry, Tourism and Resources during the calendar years 1998 to 2002, in relation to projects in the renewable energy sector (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal or wave energy, and biomass energy), including those projects defined as 'multisector' or crosscutting.
- (4) What was the total expenditure, in Australian dollars, provided by Austrade during the calendar years 1998 to 2002, in relation to projects in the

renewable energy sector (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as ‘multisector’ or crosscutting.

- (5) What was the total expenditure, in Australian dollars, provided by any Australian Government agency other than AusAID, the Department of Foreign Affairs and Trade, the Department of Industry, Tourism and Resources, or Austrade during the calendar years 1998 to 2002, in relation to projects in the renewable energy sector (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as ‘multisector’ or crosscutting.
- (6) What was the total expenditure, in Australian dollars, provided by the Export Finance and Insurance Corporation during the calendar years 1998 to 2002, in relation to projects in the renewable energy sector (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as ‘multisector’ or crosscutting.

644 **Senator Nettle:** To ask the Minister representing the Minister for Trade—With reference to non-government funding for renewable energy sector projects, can the following information be provided in relation to countries or projects in the Asia-Pacific region:

- (1) What was the total expenditure, in Australian dollars, provided by the Asia Pacific Economic Cooperation during the calendar years 1998 to 2002, in relation to projects in the renewable energy sector (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as ‘multisector’ or crosscutting.
- (2) What was the total expenditure, in Australian dollars, provided by the Asian Development Bank during the calendar years 1998 to 2002, in relation to projects in the renewable energy sector (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as ‘multisector’ or crosscutting.
- (3) What was the total expenditure, in Australian dollars, provided by Australian businesses and industry during the calendar years 1998 to 2002, in relation to projects in the renewable energy sector (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as ‘multisector’ or crosscutting.

645 **Senator Nettle:** To ask the Minister representing the Minister for Trade—With reference to Australian fossil fuels sector exports, can the following information be provided in relation to exports to countries in the Asia-Pacific region:

- (1) What percentage of Australia’s total exports during the calendar years 1998 to 2002, related to the fossil fuels sector (ie. exports relating to coal, including ‘clean coal’, and co-generation and emission reduction projects, gas and oil), including those projects defined as ‘multisector’ or crosscutting.
- (2) What percentage of Australia’s energy exports during the calendar years 1998 to 2002, related to the fossil fuels sector (ie. exports relating to coal, including ‘clean coal’, and co-generation and emission reduction projects,

gas and oil), including those projects defined as 'multisector' or crosscutting.

646 **Senator Nettle:** To ask the Minister representing the Minister for Trade—With reference to Australian renewable energy sector exports, can the following information be provided in relation to exports to countries in the Asia-Pacific region:

- (1) What percentage of Australia's total exports during the calendar years 1998 to 2002, related to the renewable energy sector (ie. exports relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as 'multisector' or crosscutting.
- (2) What percentage of Australia's energy exports during the calendar years 1998 to 2002, related to the renewable energy sector (ie. exports relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as 'multisector' or crosscutting.

647 **Senator Nettle:** To ask the Minister representing the Minister for Trade—With reference to Australian Government fossil fuel research and development funding, can the following information be provided in relation to exports to countries in the Asia-Pacific region:

- (1) What was the total expenditure in Australian dollars provided by the Department of Foreign Affairs and Trade during the calendar years 1998 to 2002, in relation to the research and development of fossil fuel energy sources (ie. projects relating to coal, including 'clean coal', and co-generation and emission reduction projects, gas and oil), including those projects defined as 'multisector' or crosscutting.
- (2) What was the total expenditure in Australian dollars provided by the Department of Industry, Tourism and Resources during the calendar years 1998 to 2002, in relation to the research and development of fossil fuel energy sources (ie. projects relating to coal, including 'clean coal', and co-generation and emission reduction projects, gas and oil), including those projects defined as 'multisector' or crosscutting.
- (3) What was the total expenditure in Australian dollars provided by Austrade during the calendar years 1998 to 2002, in relation to the research and development of fossil fuel energy sources (ie. projects relating to coal, including 'clean coal', and co-generation and emission reduction projects, gas and oil), including those projects defined as 'multisector' or crosscutting.
- (4) What was the total expenditure in Australian dollars provided by any Australian government agency other than the Department of Foreign Affairs and Trade, the Department of Industry, Tourism and Resources or Austrade during the calendar years 1998 to 2002, in relation to the research and development of fossil fuel energy sources (ie. projects relating to coal, including 'clean coal', and co-generation and emission reduction projects, gas and oil), including those projects defined as 'multisector' or crosscutting.
- (5) What was the total expenditure in Australian dollars provided by the Export Finance and Insurance Corporation, during the calendar years 1998 to 2002, in relation to the research and development of fossil fuel energy sources (ie. projects relating to coal, including 'clean coal', and co-generation and



emission reduction projects, gas and oil), including those projects defined as 'multisector' or crosscutting.

648 **Senator Nettle:** To ask the Minister representing the Minister for Trade—With reference to non-government funding for fossil fuel research and development funding, can the following information be provided in relation to countries or projects in the Asia-Pacific region:

- (1) What was the total expenditure in Australian dollars provided by the Asia Pacific Economic Cooperation during the calendar years 1998 to 2002, in relation to the research and development of fossil fuel energy sources (ie. projects relating to coal, including 'clean coal', and co-generation and emission reduction projects, gas and oil), including those projects defined as 'multisector' or crosscutting.
- (2) What was the total expenditure in Australian dollars provided by the Asian Development Bank during the calendar years 1998 to 2002, in relation to the research and development of fossil fuel energy sources (ie. projects relating to coal, including 'clean coal', and co-generation and emission reduction projects, gas and oil), including those projects defined as 'multisector' or crosscutting.
- (3) What was the total expenditure in Australian dollars provided by Australian businesses and industry during the calendar years 1998 to 2002, in relation to the research and development of fossil fuel energy sources (ie. projects relating to coal, including 'clean coal', and co-generation and emission reduction projects, gas and oil), including those projects defined as 'multisector' or crosscutting.

649 **Senator Nettle:** To ask the Minister representing the Minister for Trade—With reference to the Australian Government renewable energy research and development fund, can the following information be provided in relation to exports to countries in the Asia-Pacific region:

- (1) What was the total expenditure in Australian dollars provided by the Department of Foreign Affairs and Trade during the calendar years 1998 to 2002, in relation to the research and development of renewable energy sources (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as 'multisector' or crosscutting.
- (2) What was the total expenditure in Australian dollars provided by the Department of Industry, Tourism and Resources, during the calendar years 1998 to 2002, in relation to the research and development of renewable energy sources (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as 'multisector' or crosscutting.
- (3) What was the total expenditure in Australian dollars provided by Austrade during the calendar years 1998 to 2002, in relation to the research and development of renewable energy sources (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as 'multisector' or crosscutting.
- (4) What was the total expenditure in Australian dollars provided by any government agency other than the Department of Foreign Affairs and Trade, the Department of Industry, Tourism and Resources or Austrade

during the calendar years 1998 to 2002, in relation to the research and development of renewable energy sources (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as 'multisector' or crosscutting.

- (5) What was the total expenditure in Australian dollars provided by the Export Finance and Insurance Corporation during the calendar years 1998 to 2002, in relation to the research and development of renewable energy sources (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as 'multisector' or crosscutting.

650 **Senator Nettle:** To ask the Minister representing the Minister for Trade—

- (1) In relation to the 14 middle managers from Thai Government departments brought to Australia in June 2000 under a joint AusAID-Thai Government tour of coal-fired power stations in the Hunter Valley: Does the Government: (a) deny the purpose of this trip was to promote Australian coal and coal technology development, in particular Australian 'clean coal'; and (b) have any plans for similar promotional activities for the renewable energy industry.
- (2) What promotional activities does the Government have for renewable energy trade promotion in Asia in the 2002-03 financial year.
- (3) Given that the Renewable Energy Action Agenda produced by the Department of Industry, Science and Resources states that, 'there is a wide range of Commonwealth Government Programs that jointly will provide around \$387 million in funding to the [renewables] industry': How much funding, in Australian dollars: (a) does the Commonwealth provide the coal industry annually; and (b) has the Government provided the coal industry with in total over the past 5 years (for the period 1998 to 2002).
- (4) Given that the agenda further states, 'the industry's most significant impediments are the relatively high cost of renewable energy products and energy market access barriers': How does the Government plan to combat these impediments.

651 **Senator Nettle:** To ask the Minister representing the Minister for Trade—With reference to non-government research and development funding of renewables, can the following information be provided in relation to exports to countries in the Asia-Pacific region:

- (1) What was the total expenditure in Australian dollars provided by the Asia Pacific Economic Cooperation during the calendar years 1998 to 2002, in relation to research and development of renewable energy sources (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as 'multisector' or crosscutting.
- (2) What was the total expenditure in Australian dollars provided by the Asian Development Bank during the calendar years 1998 to 2002, in relation to research and development of renewable energy sources (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as 'multisector' or crosscutting.
- (3) What was the total expenditure in Australian dollars provided by Australian businesses and industry during the calendar years 1998 to 2002, in relation

to research and development of renewable energy sources (ie. projects relating to solar energy, wind energy, micro-hydroelectric energy schemes, geothermal energy, tidal/wave energy and biomass energy), including those projects defined as 'multisector' or crosscutting.

652 **Senator Nettle:** To ask the Minister representing the Minister for Trade—With reference to the Australian Government policy on fossil fuels and renewable energy:

- (1) On what timeframe, in years, are the Government's energy policies based.
- (2) In order for Australia's renewable energy sector to capture a larger share of the international energy market, does the Government acknowledge that a more active approach needs to be taken in the phasing-out of fossil fuels.
- (3) What is the Government's position on the use of gas as a 'transition fuel' from fossil fuel energy production to a renewable energy alternative.
- (4) In the light of the need for transition to renewable energy, what is the Government doing to actively assist countries in the Asia-Pacific region to phase out the use of fossil fuels in energy production.
- (5) With reference to the answer to question on notice no. 186 (Senate *Hansard*, 14 May 2002, p. 1495) in which the Minister for Industry, Tourism and Resources stated that, 'Malaysia, Thailand and the Philippines are considered to be important emerging markets for coal. The government's strategy is to support improvements in the Australian industry's international competitiveness through economic and industry reforms in Australia, to address trade and other barriers that may restrict access to these markets, provide factual material, and to address technical and environmental issues by facilitating bilateral and other exchanges with these countries': (a) where does the Government see the largest potential export market for Australian renewable energy emerging; and (b) what strategies are being adopted by the Australian Government to ensure the Australian renewable energy industry is able to capitalise on this emerging market.
- (6) Given that in the answer to question on notice no. 186 the Minister also stated, 'the department does not provide specific funding for coal trade promotion activities': in what way are documents such as 'the sixth edition of Australia's Export Coal Industry', produced by the Department of Industry, Science and Resources, not a promotional activity.

*Notice given 18 September 2002*

654 **Senator Marshall:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the two Australian citizens, Mr David Hicks and Mr Mamdouh Habib, who are currently detained and imprisoned by the United States of America in Camp Delta in Cuba:

- (1) What is the current legal status of Mr Hicks and Mr Habib.
- (2) What access do Mr Hicks and Mr Habib have to legal counsel of their choice.
- (3) What access to and communication with their family members have Mr Hicks and Mr Habib had.
- (4) Is there any indication that Mr Hicks and/or Mr Habib will be charged with any offence in any jurisdiction; if so, what are those charges.
- (5) (a) What access do Mr Hicks and Mr Habib have to Australian consular staff; and (b) can the details of that access be provided.

- (6) Is the Australian Government making any representations on behalf of Mr Hicks and/or Mr Habib to secure their release from custody.
- (7) What is the current health situation of Mr Hicks and Mr Habib.
- (8) Under what conditions are Mr Hicks and Mr Habib being imprisoned.
- (9) Does the Government believe that Mr Hicks and Mr Habib's imprisonment is legal and that Australia has met its legal responsibilities and complied with all international conventions, treaties and agreements.

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

- (1) Does the Minister agree with the *Macquarie Dictionary's* definition of the word 'ombudsman', meaning, 'An official appointment by parliament, or some other legislative body, as a city council, to investigate complaints by citizens against the government or its agencies'.
- (2) Do Telstra, Optus and other independent telecommunication carriers or suppliers nominate the Ombudsman to the Telecommunications Industry Ombudsman Limited (TIO Ltd), a company which independently hears telecommunication subscribers complaints.
- (3) (a) Is the TIO Ltd, a privately-owned company, fully funded by various independent carriers, including at least 60 per cent funding from Telstra; and (b) do the carriers' employees have the power to hire and fire the TIO Ltd Ombudsman or his staff.
- (4) If the answer to any part of (3) is yes, does the Minister consider that the credibility of the Ombudsman could be perceived as being tarnished.
- (5) Can the Minister, who is responsible under administrative law for the conduct of Telstra, guarantee that all of the TIO Ltd's determinations have been independent determinations; if so, can the Minister guarantee that they will remain just and fully independent determinations if privatisation of Telstra proceeds.
- (6) With reference to ministerial decisions and judgements on the TIO Ltd Ombudsman's determinations, is the Minister certain that justice has been done in all cases.
- (7) What action will the Minister take to have any unjust TIO Ltd determinations rescinded, if proof could be provided of injustice.
- (8) Is it a fact that in-house Telco witnesses or outsourced TIO Ltd experts or independent professional witnesses are not required to submit sworn evidence during TIO Ltd independent investigations; if so, could this not also affect the correctness or truthfulness of evidence and further cast doubts on the TIO Ltd Ombudsman's credibility and ability to make any independent and just determination, and prevent him from being able to make lawful or just findings of fact.
- (9) Is the Minister aware of any cases where Telco witnesses, by not having to give sworn evidence to the TIO Ltd, could tamper with, ignore, destroy or alter evidence without fear of recrimination to ensure a factually incorrect, unjust and improper TIO Ltd determination or, by concealing systemic faults, conceal potential liabilities from the shareholders.
- (10) Under administrative law, is the Minister's office ultimately responsible for the production and presentation of freedom of information (FOI) documents on request, which may or may not be detrimental or prejudicial to Telstra Corporation Limited.

- (11) If a TIO Ltd company employee was named or held out to subscribers as an independent 'ombudsman', could it not be perceived that he is not an ombudsman under the true meaning of the term.
- (12) Is it a fact that, on 1 July 1995, Telecom Protective Services instructed Registrar Brockie at Telecom's premises in Brisbane to destroy 46 boxes of investigation files (FOI Folio number A68767); if so, can the Minister advise whether these destroyed investigation files belonged to Ms Sandra Wolf, Mr Kenneth Ivory or his Solar-Mesh related identities, or to any other 'Casualties of Telstra' complainants based in Queensland, such as Mrs Ann Garmes of the Tivoli Theatre and Restaurant.
- (13) If these 46 boxes of Telecom/Telstra investigation files were destroyed on 1 July 1995 while TIO Ltd, Austel and or Senate Estimates Committee investigations were on foot, what is the Minister doing to have Telstra held accountable before any further privatisation of Telstra proceeds.

*Notice given 19 September 2002*

- 656 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—
- (1) What boards, councils, committees and advisory bodies fall within the ministerial responsibilities of the Minister.
  - (2) For each body referred to in (1): (a) who are the members; (b) when were they appointed; (c) when does their term expire; (d) what fees, allowances and other benefits are enjoyed by the members; and (e) have these fees, allowances and other benefits varied since 2000; if so: (i) what was the reason for each variation, and (ii) what was the quantum of each variation.
- 657 **Senator Evans:** To ask the Minister for Health and Ageing—
- (1) What is the cost to the budget over the forward estimates period for the additional Pharmaceutical Benefits Scheme listing of Glivec for early stage chronic myeloid leukemia announced on 10 September 2002.
  - (2) Was the listing of Glivec for early stage chronic myeloid leukemia approved by Cabinet; if so, when.
- 658 **Senator Evans:** To ask the Minister for Health and Ageing—
- (1) What is the breakdown, by postcode, of the percentage of unREFERRED attendances bulk billed for the 12 months ending: (a) 30 June 2000; (b) 30 June 2001; and (c) 30 June 2002 (period of processing).
  - (2) What is the breakdown, by postcode, of the number of unREFERRED attendances bulk billed for the 12 months ending: (a) 30 June 2000; (b) 30 June 2001; and (c) 30 June 2002 (period of processing).
- 659 **Senator Evans:** To ask the Minister for Health and Ageing—On what dates were Medicare figures publicly released for each of the quarters since March 1996.
- 660 **Senator Nettle:** To ask the Minister for Health and Ageing—With reference to the \$5 million grant from the National Health and Medical Research Council (NHMRC) to Monash University to establish a national primate breeding and research facility in Churchill, Victoria:
- (1) What species will be bred in this new facility.
  - (2) How many animals will be housed at this facility.
  - (3) Will any of these animals be sent to other research facilities; if so: (a) can the NHMRC provide a list of the other research facilities that these animals

will be sent to; and (b) how will the welfare of these animals be monitored if they leave the breeding facility for other research facilities across Australia.

- (4) Will independent animal welfare bodies be given regular access to the breeding facility; if not, why not.
- (5) Has an animal ethics committee been chosen for this new facility; if so: (a) can the NHMRC provide a list of the persons on this committee, along with their qualifications and positions; (b) will there be formal reviews of the decisions made by the committee for this facility; if not, why not; if so: (i) how often will these reviews take place, and (ii) what will they entail; and (c) is there a grievance system in place for any member who is unhappy with a decision made by the committee.

661 **Senator Murray:** To ask the Special Minister of State—Can the following details be provided for each parliamentary political party for each of the following financial years: (a) 1998-99; (b) 1999-2000; and (c) 2000-01:

- (1) The total number of non-electorate staff provided by the Commonwealth to parliamentary representatives of the party.
- (2) The aggregate amount spent on airfares and travel allowance by the Commonwealth on the non-electorate staff of the party.

*Notice given 23 September 2002*

662 **Senator Evans:** To ask the Minister for Defence—Can a copy of the presentation given at the Defence Industry Conference in Canberra on 26 June 2002, concerning the Naval Shipbuilding and Repair Sector Plan, be provided.

663 **Senator Evans:** To ask the Minister for Defence—(a) Can a list of all capital equipment acquisition projects that currently involve the posting of personnel overseas be provided; and (b) for each project can the following details be provided: (i) the name of the project, (ii) the budget for the project, (iii) the number of personnel currently posted overseas, (iv) the maximum number of the personnel posted overseas, (v) the date personnel were first posted overseas, (vi) the role of the personnel posted overseas, and (vii) the total cost to date for the posting of the personnel overseas.

664 **Senator Evans:** To ask the Minister for Defence—With reference to the answer to question on notice no. 2889 (House of Representatives *Hansard*, 22 June 1998, p. 5112):

- (1) What is the: (a) peacetime establishment; and (b) current staffing strength, of each unit in the Australian Army.
- (2) What is the: (a) peacetime establishment; and (b) current staffing strength, of each unit in the Royal Australian Air Force.
- (3) What is the: (a) peacetime establishment; and (b) current staffing strength, of each unit in the Royal Australian Navy.

665 **Senator Evans:** To ask the Minister for Defence—With reference to the answer to question on notice no. 2889 (House of Representatives *Hansard*, 22 June 1998, p. 5112):

- (1) Given the Government's claim that, as a result of the reform program, the proportion of 'combat-related positions' in the Australian Defence Force (ADF) will increase to approximately 65 per cent, what is the definition of 'combat-related positions', for the purposes of this claim.

- (2) Can the following information be provided as at each of the following dates: (a) 30 June 1996; (b) 30 June 1998; (c) 30 June 2000; and (d) 30 June 2002: (i) the number of personnel in combat-related positions, as defined, and (ii) the total number of personnel in the ADF.

666 **Senator Harris:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) (a) For each month of the years ending 31 December 2000 and 31 December 2002 and of the period 1 January to 30 June 2002, and as a total for each year and for the period 1 January to 30 June 2002: how many vehicles with four wheels were issued import approvals under the Low Volume Scheme; and (b) can these details be broken down by vehicle category.
- (2) (a) For each month of the years ending 31 December 2000 and 31 December 2002 and of the period 1 January to 30 June 2002, and as a total for each year and for the period 1 January to 30 June 2002: how many compliance plates were issued import approvals under the Low Volume Scheme; and (b) can these details be broken down by vehicle category.
- (3) For the years ending 31 December 2000 and 31 December 2001 and for the period 1 January to 30 June 2002, what was the average age of Low Volume Scheme vehicles at the date of importation, and what was the percentage of each year of the total number.

667 **Senator Evans:** To ask the Minister for Health and Ageing—

- (1) Was the inclusion of meningococcal C vaccine on the national vaccination program recommended by the Australian Technical Advisory Group on Immunisation prior to the announcement of the Government on 20 August 2002.
- (2) (a) At the time the Government made the announcement relating to meningococcal C vaccine, what other vaccines had the advisory group either formally recommended or otherwise indicated for inclusion in the national vaccination program; and (b) which priorities had the advisory group assigned to each of those vaccines.
- (3) What is the annual cost of each of the vaccines recommended or considered by the advisory group for inclusion in the national vaccination program.

668 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—

- (1) How many White Card holders are: (a) Australian veterans; (b) Commonwealth and allied ex-servicemen; and (c) serving Australian Defence Force (ADF) personnel.
- (2) What sums have been reimbursed by: (a) the Government of the United Kingdom; and (b) other governments, for White Card health services in each of the past 3 years.
- (3) For ADF personnel with White Cards, what arrangements are in place between the Department of Veterans' Affairs and the Department of Defence for the payment of medical costs resulting from overseas service covered by the *Veterans' Entitlements Act 1986*.

669 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—

- (1) By state, how many nursing homes or hostels owned or operated by ex-service organisations have been served notice by the Department of Health and Ageing that the facilities inspected are substandard.
  - (2) How many licences have been: (a) suspended; and (b) restored.
  - (3) What grants have been paid to ex-service organisations in each of the past 3 years for the upgrading of facilities.
- 670 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—How many Commonwealth and allied veterans, by country, in receipt of a service pension have returned to their countries of origin and continued to receive payment.
- 671 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—
- (1) For each of the past 3 years, on how many occasions have veterans been refused admission to each of the former repatriation hospitals.
  - (2) For each hospital, how many complaints about service have been received in each year since its sale or transfer.
- 672 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—
- (1) What advice is provided to Gold Card holders about the availability of after-hours services in their locality.
  - (2) How many local medical officers (LMOs) provide an after-hours or home visit service to Gold Card holders.
  - (3) What obligation is there for LMOs to provide an after-hours service to Gold Card holders.
  - (4) What arrangements, if any, exist with after-hours clinics for the acceptance of Gold Cards.
  - (5) For each month in 2002, to date, how many Gold Card holders, by state, have received treatment from public hospitals.
- 673 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—
- (1) Does the department prepare: (a) advice letters for the Minister's signature to government members and senators advising them of grants made under all grants programs; and (b) draft media releases on the same subject for use by government members and senators
  - (2) Is similar advice prepared for any non-government member or senator.
  - (3) How many such letters have been prepared in each of the past 3 years.
- 674 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—
- (1) With reference to the answer to question on notice no. 569, part (1) (House of Representatives *Hansard*, 20 August 2002, p. 5291): What are the same details for each electorate in all other states.
  - (2) In all states, which government and non-government members and senators have been advised of such visits, and on how many occasions, in each of the past 3 years.
- 675 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—



- (1) Did the Office of Australian War Graves, in its evidence to the Foreign Affairs, Defence and Trade Legislation Committee on 22 February 2002, claim that the tight time frame for the completion of the war memorial in London was the reason for not openly tendering for the selection of a fountain designer.
- (2) Is the failure of that selected designer the reason for the delay in the construction of the project by 12 months.
- (3) Will tenders be called for a replacement designer; if so: (a) what are the tender specifications; (b) have tenders been called; (c) when do tenders close; and (d) when will the likely replacement be selected.
- (4) With reference to the Minister's press release of 20 August 2002, which states that tenders will be called for design and construction: Is this intended to be one contract.
- (5) In addition to the now cancelled contract with Mr Woodward: (a) what other contracts for design were entered into; (b) with whom; and (c) at what cost.
- (6) Have other contracts been terminated; if so: (a) under what conditions; and (b) at what cost to the budget.
- (7) Is there any legal action in train or pending; if so: (a) from which parties; and (b) on what grounds.
- (8) What provision will be made in the design to recognise other joint war efforts between Australian and British servicemen, including the Boer War and south-east Asia.
- (9) Will any recognition be made of the hundreds of thousands of Australian horses sent, never to return.

676 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—

- (1) What was the actual amount: (a) estimated; and (b) saved, for each savings proposal in each of the past 5 budgets.
- (2) In instances where savings were not achieved as estimated: (a) what supplementary funding was provided to cover the shortfall; and (b) by what means.

677 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—With reference to the answer to question on notice no. 463 (*Senate Hansard*, 16 September 2002, p. 4182):

- (1) Can updated figures on the number of reimbursements be provided.
- (2) Can the following information be provided for the past month: (a) the reasons for reimbursement; and (b) the number of reimbursements for each of those reasons.
- (3) For those reimbursements in the past month relating to Gold Cards being refused: (a) how many doctors; and (b) how many veterans, were involved in those reimbursements.
- (4) Can a summary be provided of the electorates in which those veterans receiving reimbursements live.

678 **Senator Webber:** To ask the Minister representing the Treasurer—

- (1) When will legislation be introduced that will allow for workers to be paid their entitlements ahead of banks and other creditors.

- (2) Will that legislation apply to any current liquidations.
- (3) In the case of Computerised Holdings Pty Ltd, did the liquidator identify the cause of liquidation as being insolvent trading; if so, why did the Australian Securities and Investment Commission not prosecute.
- (5) What are the criteria being used for making claims against the liquidator in the case of Computerised Holdings.
- (6) Is it intended that legal advice be sought on any distribution of assets ahead of the payment of workers' entitlements.

679 **Senator Webber:** To ask the Minister for Revenue and Assistant Treasurer—

- (1) What is the anticipated cost of the decision to allow a corporate group to transfer losses and be taxed as a single entity.
- (2) Is there any truth to the claim by some mining executives that this new arrangement will allow them to unlock \$11 billion in losses and enjoy a tax holiday for 20 years.
- (3) Is it true that, under these new arrangements, businesses will be able to revalue all assets to 'market value' without having to pay capital gains tax on the revaluations.
- (4) Is it true that for depreciation purposes the new 'market value' can be used as an expense over the estimated useful life of the asset.

*Notice given 24 September 2002*

680 **Senator Ludwig:** To ask the Minister representing the Attorney-General—With reference to the Bankruptcy Reform Consultative Forum:

- (1) When were the members of the forum appointed.
- (2) Who was in charge of the selection process.
- (3) What level of skill does each member of the forum bring to the decision-making process.
- (4) By what criteria were these members selected.
- (5) When does the forum meet.
- (6) Where does the forum meet.
- (7) (a) What amount has been allocated for expenses, travel and meeting fees for forum members; and (b) how is this broken down.
- (8) From which department does the funding originate.
- (9) Can minutes of the meetings be provided.
- (10) How are consumers adequately represented in this forum.
- (11) How does the forum process work.
- (12) (a) When does the forum report on any findings; and (b) how can the public access those findings.
- (13) Has the forum released any reports recently; if so: (a) when; and (b) can copies be provided.

681 **Senator Sherry:** To ask the Minister representing the Prime Minister—For each month of the past 2 full calendar years, what are the figures for staff absent on stress leave in the Department of the Prime Minister and Cabinet.

682 **Senator Sherry:** To ask the Minister representing the Treasurer—For each month of the past 2 full calendar years, what are the figures for staff absent on stress leave in the Department of the Treasury.

- 683 **Senator Sherry:** To ask the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs—For each month of the past 2 full calendar years, what are the figures for staff absent on stress leave in the Department of Immigration and Multicultural and Indigenous Affairs.
- 684 **Senator Brown:** To ask the Minister representing the Minister for Trade—With reference to part (5) of the answer to question on notice no. 414 (Senate *Hansard*, 19 August 2002, p. 3218): Can the following details be provided in relation to the facilities in Indonesia and the Philippines involving the defence industry: (a) company name; (b) date of facility; (c) type of facility; (d) name of project; and (e) host country.
- 685 **Senator Brown:** To ask the Minister representing the Minister for Trade—
- (1) Of the countries that are currently indebted to Australia, what countries have debts generated by the Export Finance and Insurance Corporation (EFIC) (ie. including debt generated since the inception of the EFIC and all developing countries, not just those in the Highly Indebted Poor Country Scheme).
  - (2) For each country, what are the dollar amounts of those debts.
  - (3) For each country, what is the percentage of EFIC-generated debt as a percentage of its total debt.
  - (4) (a) What is the percentage of EFIC-generated debt of the total debt owed to Australia; and (b) what specific facilities does this debt correspond to, including: (i) company name, (ii) date of facility, (iii) type of facility, (iv) name of project, and (v) host country.
  - (5) (a) What is the: (i) sum total, and (ii) percentage, of Australia's bilateral debt generated from the EFIC related to the use of sovereign guarantees; and (b) what specific facilities does this debt correspond to, including: (i) company name, (ii) date of facility, (iii) type of facility, (iv) name of project, and (v) host country.
- 686 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to West Papua being refused observer status at the 2002 South Pacific Forum: Was there any correspondence relating to this matter between the Australian Government and the new Prime Minister of Papua New Guinea, Mr Michael Somare; if so, did Mr Somare support or oppose the refusal.
- 687 **Senator O'Brien:** To ask the Minister representing the Treasurer—
- (1) Does the Australian Competition and Consumer Commission (ACCC) investigate instances of profiteering in relation to grains, fodder and other livestock animal feeds; if so, how many instances of profiteering in relation to grains, fodder and other livestock animal feeds have been investigated in each of the past 10 financial years.
  - (2) How many prosecutions have been obtained in each of the past 10 financial years for profiteering from grains, fodder or other foodstuffs used as livestock feed.
  - (3) How many convictions have been obtained in each of the past 10 financial years for profiteering from grains, fodder or other foodstuffs used as livestock feed.
  - (4) What are the current penalties for profiteering from grains, fodder or other foodstuffs used as livestock feed.
  - (5) Have these penalties changed within the past 10 years; if so, can details of these changes be provided.

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

- (1) (a) How many scholarships will be administered by the Australian Quarantine and Inspection Service for each of the financial years 2002-03 to 2007-08; and (b) for each of these financial years, how many will be scholarships for veterinary science students.
- (2) What criteria will be used to select students to receive these scholarships.
- (3) (a) What is the value of the scholarships available to students under the proposed scholarship program; and (b) what method of payment options will be available.
- (4) To which academic years, of the veterinary science course, will the scholarship apply.
- (5) (a) What meetings have been held with stakeholders to date in order to develop this particular scholarship program; (b) when were these meetings held; and (c) what was discussed at each meeting.
- (6) What records exist of these meetings.
- (7) Which stakeholders remain to be fully consulted.
- (8) (a) What meetings have been scheduled with stakeholders not already consulted in the development of this particular scholarship program; and (b) when are these meetings scheduled to occur.
- (9) What priority has been given to the development of this particular scholarship program within the department or agency.
- (10) How many departmental or agency staff (in FTE, ie. Full Time Equivalent, terms) are engaged in developing this scholarship program.
- (11) What is the seniority of each of the staff developing this program.

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

- (1) Does the Australian Quarantine and Inspection Service (AQIS) currently issue certificates to Australian exporters in relation to the genetically modified (GM) content of their exports; if so, with which international trade standards does the current practice comply.
- (2) How many such certificates has AQIS issued in the past 5 financial years.
- (3) Can details be provided of the procedural framework currently used by AQIS to certify to overseas markets that produce is free of contamination from GM material.
- (4) Is AQIS currently developing a code of practice that will be able to meet international standards in relation to GM content in exports and provide a level of security that can be certified by AQIS for export purposes.
- (5) With which agencies is AQIS negotiating in developing this code of practice.
- (6) When will the code of practice be released for industry and/or public comment.
- (7) What period of time will be available for the industry and/or public to comment on the code of practice.
- (8) When is the code of practice scheduled for completion and final approval.
- (9) With which international trading standards or regulations will the code of practice comply.

*Notice given 25 September 2002*

- 690 **Senator Ludwig:** To ask the Minister for Family and Community Services—
- (1) On what statutory basis does a person retain liability for a Centrelink debt after a period of bankruptcy.
  - (2) On what statutory basis does a person lose liability for a Centrelink debt after a period of bankruptcy.
- 691 **Senator Ludwig:** To ask the Minister representing the Attorney-General—On what statutory basis does a person lose his or her liability after a period of bankruptcy.
- 692 **Senator Bishop:** To ask the Minister for Defence—
- (1) (a) In which peacekeeping missions have Australian military forces participated since the end of World War II, either: (i) under the auspices of the United Nations, (ii) under multilateral arrangements, and (iii) under bilateral arrangements; (b) what was the period involved; and (c) how many personnel were engaged on each mission.
  - (2) Which missions were covered by: (a) Schedule 2; and (b) Schedule 3, of the *Veterans' Entitlements Act 1986*.
  - (3) For each mission covered by the Act, how many claims for disability compensation have been accepted at: (a) the general rate; and (b) the special rate.
  - (4) For each mission, how many lives were lost.
  - (5) (a) Which missions remain current; and (b) how many personnel are engaged.
  - (6) (a) How many missions involving Australian Defence Force service overseas have there been in the same period involving the delivery of humanitarian assistance; and (b) in each case, how many personnel participated.
  - (7) Service in which peacekeeping missions is eligible for the recently-announced certificates of appreciation to be issued to peacekeepers under the Saluting Their Service Program.
- 693 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—
- (1) With reference to the answer to a question asked at an estimates hearing of the Foreign Affairs, Defence and Trade Legislation Committee on 4 June 2002, concerning the monopoly of hospital services to veterans in the Perth metropolitan area: Did the President of the Repatriation Commission express the view that the contract with Ramsay Health Care did 'not provide a sole provider status to Ramsay health care'; if so, what consideration has the commission given to the extension of tier-one hospitals to additional providers in the Perth and Brisbane metropolitan areas.
  - (2) Are Perth and Brisbane the only cities in which exclusive coverage of veterans by tier-one health care hospitals has been effectively given to former repatriation hospitals.
  - (3) Have discussions with Ramsay Health Care included any suggestion that other tier-one hospitals be contracted; if so, what was its reaction.

- (4) What discussion has the commission or the department had with the ex-service community in Perth and Brisbane to ascertain their views on the extension of tier-one hospitals in those cities.
- 694 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—
- (1) What is the cost and duration of the trial of the Smart Card being conducted on the New South Wales central coast.
  - (2) What information will the card contain.
  - (3) How is the project being funded.
  - (4) When will an evaluation of the project be published.
  - (5) (a) Who is the contractor engaged; and (b) what tender process was employed.
  - (6) Is it planned that, if successful, such a facility will be included on the Gold Card.
  - (7) Is permission being sought from veterans to participate in the trial.
- 695 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—
- (1) Has an interim report been provided to the department on the evaluation of the Home Care Program; if so, can a copy be provided.
  - (2) Does the report show that 80 per cent of services are for gardening and domestic assistance; if so, what is the estimated saving for the veterans' health care budget.
- 696 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—
- (1) Are general practitioners (GP) in rural areas being paid at 110 per cent of the Comprehensive Medical Billing Services for services provided to Gold Card holders; if so: (a) by what authority has this concession been granted; (b) how many GPs are entitled to this concession; and (c) what is the justification for this concession, given that other GPs are limited to 100 per cent.
  - (2) With reference to the answer to question on notice no. 682 (House of Representative *Hansard*, 23 September 2002, p. 6806): Of the 77 specialists who have advised that they will no longer accept the Gold Card, what is the distribution by: (a) specialty; and (b) postcode.
  - (3) How many: (a) dentists; and (b) periodontists, have informed the department that they will no longer accept the Gold Card.
  - (4) Have any allied health providers advised the department that they will no longer accept the Gold Card.
- 697 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—
- (1) Is a review being conducted of the tier-one hospital arrangements; if so: (a) by whom; (b) at what cost; (c) in what time frame; and (d) what are the terms of reference.
  - (2) Has a steering committee been appointed; if so, is the ex-service community represented.
  - (3) Will it include an independent cost-benefit study of private versus public hospital treatment costs.

698 **Senator Nettle:** To ask the Minister representing the Minister for the Environment and Heritage—Has Harris-Daishowa (Australia) Pty Ltd, or any private or public agency on its behalf, prepared a study into the establishment of a pulpmill in the Eden-Monaro region of New South Wales; if so: (a) who conducted the study; (b) what were its principal findings; (c) when was it undertaken; and (d) is it a public document.

*Notice given 26 September 2002*

699 **Senator George Campbell:** To ask the Minister representing the Minister for Industry, Tourism and Resources—

- (1) Has the Minister, or any of his advisers or departmental officers, met with representatives of Rocklea Spinning Mills Pty Ltd or their agents or advisers to discuss relocating its operations from Moe to Brisbane; if so: (a) when did these meetings take place; (b) where did these meetings take place; (c) who was involved in these meetings; and (d) was a record of these meetings kept; if so, can copies of the records kept be provided.
- (2) Was an offer of federal government funding made to the company to relocate the jobs from Moe to Brisbane; if so: (a) how much funding was offered; (b) on what basis would it be provided; and (c) which programs would the funding come from.
- (3) Was the Member for Moreton (Mr Hardgrave) or his staff involved in any of the meetings; if so: (a) why; and (b) at which meetings was he or his representative present.
- (4) (a) How much funding has Rocklea Spinning Mills Pty Ltd received from the various industry-related programs of the Commonwealth Government since 1996; and (b) for what purpose was this funding provided.

700 **Senator Crossin:** To ask the Minister for Family and Community Services—

- (1) How many children are currently on the national waiting list for the child care Special Needs Subsidy Scheme.
- (2) Where do these children live, by state and territory, and by local government area.
- (3) (a) How long are children going to wait on this waiting list; and (b) is the length of time on the waiting list different in each state and territory.
- (4) What is the range of special needs or disabilities these children have (can the information be broken down by category).
- (5) (a) What are the details of the application process; and (b) what information is provided to parents and services regarding the new waiting list scheme.

701 **Senator Brown:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the partial answer to question on notice no. 573 (Senate *Hansard*, 23 September 2002, p. 4529): Why is a \$6 charge to remain in the peak season.

702 **Senator Lees:** To ask the Minister for Health and Ageing—

- (1) What was the percentage increase in Commonwealth spending on the Pharmaceutical Benefits Scheme (PBS) for each month from January to July 2002.
- (2) What was the total percentage increase for the period January to July 2002.
- (3) What new drugs have been listed on the PBS in the 12 months from September 2001.

- (4) What is the estimated cost to the PBS of the new drugs listed in the 12 months from September 2001.
- (5) What is the estimated cost of each of these newly-listed drugs.
- (6) What drugs approved by the Therapeutic Goods Administration (TGA) in the past 12 months have not been listed on the PBS.
- (7) Given that the diabetes drug *Avandia* has been approved by the TGA but has not been listed on the PBS, what impediments are preventing the listing of this particular drug.
- (8) Why have the rheumatoid arthritis drugs *Enbrel* and *Remicade*, which have been approved by the TGA, not been listed.
- (9) For each of the past five years (1997 to 2001 inclusive) can the following details be provided: (a) the average number of drugs listed on the PBS each year; and (b) the average number of submissions made to the Pharmaceutical Benefits Advisory Committee.
- (10) What is the estimated annual cost to the PBS of the drugs approved by the TGA but still awaiting listing.

703 **Senator Greig:** To ask the Minister representing the Minister for Education, Science and Training—

- (1) Have enrolments into the Conservation of Cultural Materials and Cultural Heritage Management programs, offered at the University of Canberra, been cancelled for 2003.
- (2) What is the reason for ceasing enrolments into these courses.
- (3) Is it true that this program of study is unique in Australia.
- (4) What other programs exist in south-east Asia and the Pacific that could train conservators in our cultural heritage.
- (5) Is lack of government funding the reason these courses are being threatened.
- (6) Does the Government believe that a scientifically-trained profession is important in the preservation of Australia's cultural heritage; if so, where will such professionals now be trained.
- (7) How many countries have had students trained at this University of Canberra course.
- (8) (a) Which government initiated the funding for this course; (b) in what year was it initiated; and (c) was it a result of the Pigott Report.
- (9) How many students have graduated from these programs since its inception.
- (10) If universities are to be encouraged to diversify and not replicate programs (as discussed in the *Crossroads* issues paper by the Minister for Education, Science and Training), why is the University of Canberra suspending a unique program.

*Notice given 27 September 2002*

704 **Senator Sherry:** To ask the Minister for Revenue and Assistant Treasurer—

- (1) Since his appointment on 3 October 2001 to the Superannuation Complaints Tribunal, in how many review hearings has Mr Michael Baume participated.
- (2) Since 3 October 2001, in how many review hearings have each of the other members of the SCT participated.



- (3) Of the review hearings in which Mr Baume participated: (a) how many determinations were in favour of complainants; and (b) how many determinations upheld the trustees' decisions.
- (4) (a) What is the average proportion of review determinations in favour of complainants; and (b) what is the average proportion of determinations that uphold the trustees' decisions.
- (5) On what basis is the remuneration of members of the tribunal determined.
- (6) What is the total remuneration Mr Baume has received since his appointment to the tribunal.
- (7) What is the total remuneration received by other members of the tribunal in the same period.
- (8) What is the term of Mr Baume's appointment.
- (9) Is Mr Baume listed as a tribunal member on its website; if not, why not.
- (10) With reference to Mr Baume's qualifications for the tribunal, as outlined in part (9) of the answer to question on notice no. 1 (Senate *Hansard*, 17 June 2002, p. 1869): (a) how do these qualifications differ from those of other members of the tribunal; and (b) based on the review hearings in which Mr Baume has participated so far, what have his qualifications added to the tribunal.

*Notice given 30 September 2002*

705 **Senator Sherry:** To ask the Minister for Revenue and Assistant Treasurer—With reference to the resolution of the Senate relating to government responses to committee reports (*Standing Orders*, February 2002, p. 129) and undertakings by successive governments to present a response to committee reports within 3 months of tabling: When will the Government respond to each of the following reports tabled in the 39th Parliament, on the dates indicated, by the Senate Select Committee on Superannuation and Financial Services:

- (1) The opportunities and constraints for Australia to become a centre for the provision of Global Financial Services (22 March 2001).
- (2) A 'reasonable and secure' retirement? The benefit design of Commonwealth public sector and defence force unfunded superannuation funds and schemes (5 April 2001).
- (3) Prudential supervision and consumer protection for superannuation, banking and financial services—First report (20 August 2001).
- (4) Prudential supervision and consumer protection for superannuation, banking and financial services—Second report—Some case studies (30 August 2001).
- (5) Prudential supervision and consumer protection for superannuation, banking and financial services—Third report—Auditing of superannuation funds (24 September 2001).
- (6) Early access to superannuation benefits (31 January 2002).

706 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—When the Australian Ambassador to Indonesia, Mr Richard Smith, visited the Mt Muro mining lease area in Indonesia in May 2001, then held by Australian company, Aurora Gold:

- (1) Did Mr Smith meet with any local community representatives other than Indonesian Government officials; if so, who; if not, why not.

- (2) Was Mr Smith aware before his visit of the controversy throughout the 1990s amongst the local community over the impact of the Mt Muro mining operations on local villages, communal lands and water supply.
- (3) Was Mr Smith aware of allegations by local villagers of human rights abuses by Indonesian security forces dating back as far as the early 1990s; if not, why not; if so, did Mr Smith consider there was a reasonable possibility that the result of urging Indonesian security forces to remove 'illegal' miners may result in deaths or injuries.

707 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the death of two people considered 'illegal miners' at the Mt Muro Mine in Kalimantan, Indonesia, in May 2001:

- (1) Was the written briefing on the incident provided by the President of Aurora Gold to the Australian Ambassador to Indonesia, Mr Richard Smith, on 5 March 2002, the result of a request from the ambassador; if so, when was the briefing requested.
- (2) When was the ambassador first aware of the report on the two killings at the mine site in the *Jakarta Post* of 12 June 2001.
- (3) Does the ambassador accept in retrospect that urging the Indonesian security forces to deal with the small scale miners within the Aurora Gold lease area was inappropriate; if not, why not.
- (4) Does the ambassador consider that the failure of Aurora Gold to notify him of the incident soon after it occurred as unacceptable.
- (5) Has the Indonesian police force provided details to the ambassador of the incident subsequent to his request on 27 February 2002; if so, what was the explanation of Indonesian police for the deaths.
- (6) Has the ambassador met with Indonesian government officials urging investigations and prosecutions of those involved in the deaths and injuries; if not, why not.

708 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the shooting injury on 27 August 2001 to a teenage boy considered an 'illegal miner' at the Mt Muro Mine in Kalimantan, Indonesia, in May 2001:

- (1) When did the Australian Ambassador to Indonesia, Mr Richard Smith, first become aware of media reports about this incident.
- (2) Why did the ambassador not make any requests of Aurora Gold between August 2001 and February 2002 for details of what had occurred.
- (3) Why did the ambassador not make any requests of Indonesian Government officials between August 2001 and February 2002 for details of what had occurred .
- (4) Will the Minister table a copy of the written briefing, dated 5 March 2002, provided by Aurora Gold to the ambassador.
- (5) Did representatives of Aurora Gold meet with the ambassador to discuss its written briefing of 5 March 2002; if so, what concerns, if any, did the ambassador convey to the Aurora Gold representatives.
- (6) What explanation did representatives of Aurora Gold provide for the failure to notify the ambassador of the deaths and injuries that occurred at the mine site subsequent to Indonesian security forces moving to remove small-scale miners from the Aurora Gold lease area.

- 709 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—Has Austrade or any section of the department provided assistance to Aurora Gold, directly or indirectly, with the Mt Muro mine in Indonesia; if so, what assistance, beyond the meetings detailed in answer to question on notice no. 123 (Senate *Hansard*, 15 May 2002, p. 1650), has been provided since 1 January 1998.
- 710 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the Mt Muro Mine in Kalimantan, Indonesia :
- (1) When Aurora Gold representatives met with the then Ambassador to Indonesia in November 1999, what were the concerns they raised about 'illegal' mining.
  - (2) What assistance did they request from the ambassador or other embassy officials.
  - (3) What actions did the ambassador or other embassy officials agree to undertake to assist Aurora Gold with its concerns.
- 711 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the meeting between representatives of Aurora Gold and representatives of the Indonesian Government on 2 March 2002:
- (1) How many embassy officials attended the meeting.
  - (2) Why did they decide to attend.
  - (3) In the course of the meeting, did they make any representations; if so, what were the views they expressed.
- 712 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the shooting of 'illegal' miners at the Mt Muro Mine in Kalimantan, Indonesia, following representations made by the Australian Ambassador to Indonesia, Mr Richard Smith, to Indonesian government officials, including security forces:
- (1) Is it the view of the department that it would make similar representations in similar circumstances on behalf of Australian companies to government officials and security forces in the future.
  - (2) Is there anything departmental officers would do differently if requested by Australian companies to make similar representations in the future.
- 713 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the shooting of an 'illegal' miner at the Mt Muro Mine in Kalimantan, Indonesia, on 19 January 2002:
- (1) When did the Australian Ambassador to Indonesia, Mr Richard Smith, first become aware of the shooting incident.
  - (2) What action did he take subsequent to being informed of the incident.
  - (3) Did the ambassador request a briefing from Aurora Gold representatives subsequent to this incident.
  - (4) What explanation did Aurora Gold representatives give for the failure to inform the ambassador promptly of the incident.
  - (5) At the meeting on 30 January 2002, did representatives of Aurora Gold request ongoing assistance from the ambassador in making representations to Indonesian government officials about small-scale miners within the Aurora Gold lease area; if so, what undertakings, if any, did the ambassador give.

- (6) Did Aurora Gold provide the ambassador with a written briefing at the meeting of 30 January 2002; if so, can a copy be provided.
- 714 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the quarterly meetings between the Australian Ambassador to Indonesia, Mr Richard Smith, and representatives of Australian-owned mining operations in Indonesia:
- (1) When did these meetings first commence.
  - (2) What is the purpose of these meetings.
  - (3) Are these meetings convened by the ambassador or by embassy officials.
- 715 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the quarterly meetings between the Australian Ambassador to Indonesia, Mr Richard Smith, and representatives of Australian owned mining operations in Indonesia held in each of the following years: (a) 1999; (b) 2000; (c) 2001; and (d) 2002:
- (1) When were the meetings held.
  - (2) What issues were raised with the ambassador at each of the meetings.
  - (3) (a) Which companies attended each of these meetings; and (b) who represented the individual companies.
  - (4) What actions did the ambassador agree to undertake, if any, from each of these meetings.
- 716 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the concerns of Australian-based and/or -owned mining companies with the ban on open-cut mining in protected forests in Indonesia: Have Australian mining companies made representations to the Australian Ambassador to Indonesia, Mr Richard Smith, about their concerns on the restrictions on mining in protected areas; if so: (a) which companies made representations; (b) when were these representations made; (c) what did the companies request from the ambassador or embassy officials; and (d) what action was taken on these requests.
- 717 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the concerns of Australian-based and/or -owned mining companies with the ban on open-cut mining in protected forests in Indonesia: Has the Australian Ambassador to Indonesia, Mr Richard Smith, or have embassy officials, made representations to Indonesian government officials supporting changes to the law in order to allow mining to proceed in protected forests; if so: (a) when did these meetings occur; (b) who were the meetings with; (c) did the ambassador and/or embassy officials accompany mining industry representatives to these meetings; and (d) why are these representations not considered to infringe on the sovereign right of Indonesia to decide on the conditions under which mining can and cannot occur.
- 718 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to trips to Indonesia, sponsored by the department, for Australian journalists:
- (1) How many journalists were sponsored in 2002.
  - (2) What was the total cost of the program in 2002.
  - (3) What was the total cost of the program in 2001.
  - (4) What was the purpose of the sponsorship.

- (5) Which journalists were sponsored.
- (6) What is the basis on which journalists are selected.

- 719 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—Has the Australian Ambassador to Indonesia to Indonesia, Mr Richard Smith, invited Australian journalists for meals, and paid for such meals, in 2002; if so: (a) which journalists were invited and which accepted; (b) what has the total cost been in 2002, to date; and (c) what is the purpose of these meals.
- 720 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—Did Austrade officials or other departmental officials provide any direct or indirect assistance to Esmeralda Exploration, or its agents, when it was negotiating with Romanian authorities about buying into the Baia Mare mine; if so: (a) when did Esmeralda or its agents first contact Austrade officials or other departmental officials; (b) what assistance did Esmeralda or its agents request; (c) what assistance was provided; (d) what was the reason assistance was provided to Esmeralda or its agents; and (e) did Austrade officials or other departmental officials consider Esmeralda to be a reputable company.

*Notice given 1 October 2002*

- 721 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to any visits by the Australian Ambassador to Indonesia and/or embassy officials, since 1 January 1999, to the following mine sites:
- (a) the PT Freeport Indonesia (Rio Tinto), mine site in Irian Jaya;
  - (b) the PT Indo Muro Kencana (Aurora Gold), mine site in Central Kalimantan (other than the visit on 25 May 2001);
  - (c) the PT Kendilo Coal Indonesia (BHP Billiton) mine site in East Kalimantan;
  - (d) the PT Arutmin Indonesia-Senakin (BHP Billiton) mine site in South Kalimantan; and
  - (e) the PT Kaltim Prima Coal (Rio Tinto), mine site in East Kalimantan:
- (1) When did the ambassador or embassy officials visit the mine site.
  - (2) What was the purpose of each visit.
  - (3) What issues were raised with the ambassador or embassy officials by mining company representatives.
  - (4) Did the ambassador or embassy officials meet with local non-government organisations concerning the impacts of the mines on landowners, downstream villagers and/or the operation of security forces; if so, who.
  - (5) Were security issues raised with the ambassador or embassy officials; if so, what were the specific concerns raised.
  - (6) Were concerns about provisions of Indonesian legislation raised with the ambassador or embassy officials; if so, what were the specific concerns raised.
  - (7) What was the cost of each trip.

*Notice given 2 October 2002*

- 722 **Senator Evans:** To ask the Minister for Defence—
- (1) How many Reserves are there in the 5/7 Company that was deployed to East Timor in September 2002.

- (2) Are there any permanent Australian Defence Force members working in this company for the purposes of this deployment.

*Notice given 4 October 2002*

723 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the statement, 'Moratorium on Live Sheep Exports from Portland', issued by the Minister on 1 October 2002:

- (1) When did the Minister first consider the imposition of a moratorium on live sheep exports from Portland.
- (2) Did the department, the Minister's office or the Minister receive any representations from industry requesting a moratorium on livestock exports; if so, who made these representations and when were they received.
- (3) Which members of the livestock export industry were consulted prior to the imposition of the moratorium.
- (4) (a) Which representatives of the livestock export industry were present at the meeting to discuss this matter on 1 October 2002; (b) where did this meeting occur; (c) what time did it begin; and (d) what was its duration.
- (5) When did the Minister decide to impose the moratorium.
- (6) Is the moratorium secured by a formal order, or is it an informal agreement; if it is an informal agreement, who are the parties to the agreement.
- (7) In relation to each of the five incidents of "unacceptable losses" to which the Minister refers, excluding the recent journey of the *Al Shuwaikh*: (a) when did these incidents occur; (b) what vessels were involved; (c) when and where did the journeys commence and end; (d) when was the health of the sheep checked; (e) at what point in the journey did the sheep die; (f) how many sheep died; and (g) what was the result of the investigation, if any, into the reportable deaths.
- (8) Has the Commonwealth received any communication from governments of livestock destination countries expressing concern about the high mortality rate aboard Australian export vessels or the health of the livestock that survive; if so, can details be provided of the nature of this communication, the source of the communication, the date or dates on which it was received, and the response of the Commonwealth, if any.
- (9) With respect to the recent journey of the *Al Shuwaikh* that triggered the Minister's action: (a) how many sheep died; (b) at which point or points in the journey did the sheep die; (c) at which point or points in the journey were the carcasses disposed of; (d) what was the method of disposal; (e) when were these deaths reported to the department; (f) when was the Minister's office advised of these deaths; (g) when was the Minister advised of these deaths; (h) when and where did this particular journey begin; (i) when, where and for what duration did the vessel dock at other ports during the journey; (j) what was the geographic origin of the sheep on board; (k) was their health assessed prior to departure, and what was the result of this assessment; (l) was their health assessed at any time after the vessel left Portland, and what was the result of this assessment; (m) what was the vessel's destination; (n) what was the final destination of the sheep; and (o) what assessment was made of the condition of the surviving sheep when the vessel reached its final port.
- (10) (a) What 'extra conditions' were imposed on the voyage; and (b) can full details be provided, including the method of assessing the appropriate

conditions to be imposed and the department or agencies involved in determining these conditions.

- (11) (a) Which departments or agencies will conduct an investigation into the deaths on this voyage; (b) how long will the investigation take; and (c) will the results of the investigation be released to the public.
- (12) (a) How many other incidents of reportable deaths of sheep or livestock have involved the vessel *Al Shuwaikh* and/or its owners and/or operators; and (b) can full details be provided, including the date, the type and number of animals involved and the results of any investigations into these deaths.

724 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the statement, 'Moratorium on Live Sheep Exports from Portland', issued by the Minister on 1 October 2002:

- (1) What information does the Minister possess that suggests reportable sheep deaths are related to the preparation of livestock for voyage rather than on-board management.
- (2) What is the source of this information.
- (3) Who provided this advice to: (a) the Australian Maritime Safety Authority (AMSA); (b) the Minister's department; (c) the Minister's office; and (d) the Minister.
- (4) When was this advice received by (a) AMSA; (b) the Minister's department; (c) the Minister's office; and (d) the Minister.
- (5) Why does the live sheep export moratorium apply to Portland only.

725 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the statement, 'Moratorium on Live Sheep Exports from Portland', issued by the Minister on 1 October 2002:

- (1) What was the name of the livestock vessel that left Portland during 28-29 September 2002 carrying sheep.
- (2) How many sheep were carried by the vessel.
- (3) On what date, and at what time, did the vessel depart Portland.
- (4) Who owns and/or operates this vessel.
- (5) Has the vessel and/or its owner and/or its operator been involved in any prior incidents of reportable livestock export deaths; if so, what are the details of these deaths, including the date, type and number of animals involved, and the results of any investigations into these deaths.
- (6) (a) On what day, and at what time, did the inspection of the shipment by the Commonwealth Chief Veterinary Officer and the veterinary team occur; (b) where did the inspection take place; (c) what did the Chief Veterinary Officer and the veterinary team inspect; (d) what was the duration of the inspection; and (e) what was the cost of the inspection.
- (7) (a) Which department, agency or company incurred costs in relation to the inspection; and (b) if the costs were shared in any way, can a breakdown of the shared costs be provided.
- (8) (a) Who determined that an inspection by the Chief Veterinary Officer was necessary or desirable; (b) was the Minister consulted on the decision to engage the Chief Veterinary Officer in this task; and (c) when was the decision to engage the Chief Veterinary Officer made.

- (9) Was the Chief Veterinary Officer present in Portland prior to this decision being made; if not, when was the Chief Veterinary Officer called to Portland, and from where was he called.
- (10) Did a local Australian Quarantine Inspection Service (AQIS) officer or agent inspect the shipment prior to the inspection led by the Chief Veterinary Officer; if so, when did this inspection occur.
- (11) Did a local AQIS officer or agent make a recommendation about the vessel's departure; if so: (a) what are the details of this recommendation; and (b) which department or agency received this advice.
- (12) Did the Chief Veterinary Officer approve the vessel's departure.
- (13) Who comprised the team of 'expert veterinary officers' that accompanied the Chief Veterinary Officer?
- (14) Did all members of this team approve the vessel's departure.
- (15) What 'additional conditions' applied to its departure.
- (16) What existing conditions did these additional conditions supplement.
- (17) Will any special conditions apply during its journey; if so, what are these conditions and how will they be monitored.
- (18) Will the vessel dock at any ports during this journey; if so, what are the expected docking locations and dates.
- (19) Will any sheep be loaded onto or unloaded from the vessel prior to its final destination; if so, can details be provided of the number of sheep expected to be loaded and/or unloaded, the ports concerned, and the expected dates of these events.
- (20) (a) At what port will the vessel end its journey; (b) when is the vessel expected to reach its destination; and (c) what is the final destination of the sheep on board this vessel.

726 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the statement, 'Moratorium on Live Sheep Exports from Portland', issued by the Minister on 1 October 2002:

- (1) When was the Independent Reference Group formed.
- (2) Why was it formed.
- (3) Who are its members.
- (4) What are its standing terms of reference.
- (5) Does it have particular terms of reference related to the current moratorium.
- (6) Who determines its membership.
- (7) Has its membership varied since its formation.
- (8) What is the method of appointment of its members.
- (9) On what dates has it previously met.
- (10) What recommendations has it previously made.
- (11) Have these recommendations been adopted; if not, why not.

727 **Senator O'Brien:** To ask the Minister for Forestry and Conservation—With reference to the Minister's answer to question on notice no. 485 (Senate *Hansard*, 17 September 2002, p. 4249), and specifically parts (2) and (3):

- (1) Will the increased funding for 2002-03 identified in the answer result in more patrols to protect the Heard Island and McDonald Island fishery.



- (2) When will the specific funding allocation to protect the Heard Island and McDonald Island fishery for 2003-04 and future years be determined.

728 **Senator O'Brien:** To ask the Minister for Forestry and Conservation—With reference to the Minister's answer to question on notice no. 486 (Senate *Hansard*, 17 September 2002, p. 4249), and specifically part (2)(b): Since 1996, when have the navy and civilian patrols undertaken to protect the Heard Island and McDonald Island fishery taken place.

729 **Senator O'Brien:** To ask the Minister for Forestry and Conservation—With reference to the Minister's answer to question on notice no. 488 (Senate *Hansard*, 17 September 2002, p. 4250):

- (1) What information sources contributed to the assessment of the illegal Patagonian toothfish catch identified in the answer to question 488(1).  
(2) Can the Minister explain the variation by year in illegal catch figures identified in the answer to question 488(2)(b).

730 **Senator O'Brien:** To ask the Minister for Forestry and Conservation—With reference to the Minister's answer to question on notice no. 489, and specifically parts (1) and (2):

- (1) What was the cost to the Australian government of the 2001 operation to apprehend the *South Tomi* using South African navy vessels.  
(2) (a) What assistance has South Africa provided in approaching other countries to address specific incidents of illegal fishing; and (b) can details be provided of these incidents and of the assistance provided by the South African government in each case.  
(3) (a) When have formal negotiations with South Africa occurred with respect to concluding a formal agreement on cooperation to combat illegal fishing; and (b) who is leading these negotiations on behalf of the Australian government.  
(4) (a) When have formal negotiations with France occurred with respect to concluding a formal agreement on cooperation to combat illegal fishing; (b) who is leading these negotiations on behalf of the Australian government; and (c) when is it expected that these negotiations will conclude.  
(5) Since 1996, has any direct minister-to-minister contact occurred with respect to cooperation with other countries on combating illegal fishing; if so, can details of these occasions be provided, including the countries concerned and the ministers engaged in this contact.

731 **Senator O'Brien:** To ask the Minister for Forestry and Conservation—With reference to the Minister's answer to question on notice no. 490 (Senate *Hansard*, 17 September 2002, p. 4251), and specifically parts (2), (3) and (4):

- (1) Which country proposed the catch documentation scheme for Patagonian toothfish adopted at the eighteenth meeting of the Commission for the Conservation of Antarctic Marine Living Resources.  
(2) Has the commission or the Australian Government conducted an assessment of the effectiveness of the scheme since it commenced operation on 7 May 2000; if so, what was the result of the assessment.  
(3) (a) Which countries have been identified as key flag states of illegal or suspected illegal vessels by the Australian government; and (b) which of these countries have not been subject to direct representations from the Australian Government.

- (4) Can a list be provided of the 'well over 100' countries that have been the subject of Australian negotiating efforts in respect to combating illegal fishing.
  - (5) What measures will be included in the package Australia is taking to the next annual meeting of the commission to improve efforts to combat illegal fishing.
- 732 **Senator O'Brien:** To ask the Minister for Defence—What has been the cost to the department, by financial year since 1996, of protecting Australia's sovereign rights in the exclusive economic zone adjacent to Heard Island and McDonald Island.
- 733 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's answer to question on notice no. 594 (Senate *Hansard*, 26 September 2002, p. 4787), and specifically parts (1), (3), (5), (7) and (8):
- (1) (a) When will the final cost of the exercise to the department be known; and (b) which other Commonwealth departments have borne costs in relation to the exercise.
  - (2) Can the full details of the indicative budget be provided.
  - (3) Which countries expressed interest in attending Exercise Minotaur.
  - (4) How was each country informed of the decision to permit or deny observation status.
  - (5) (a) Can details of the draft schedule for the 2002/2003 post-exercise schedule be provided; and (b) when will the schedule be finalised.
- 734 **Senator O'Brien:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the Minister's answer to question on notice no. 559 (Senate *Hansard*, 25 September 2002, p. 4691), and specifically parts (1), (4) and (6):
- (1) Which 'state agencies, peak industry, and rural and conservation groups' receive notice from Environment Australia of nominations under the *Environment Protection and Biodiversity Conservation Act 1999*.
  - (2) (a) What is the total budgeted cost for the full-time position at the National Farmers' Federation (NFF); and (b) when will this position commence.
  - (3) Will the Commonwealth-funded position at the NFF facilitate consultation and communication about environment protection and biodiversity conservation matters with non-NFF member organisations.
- 735 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—
- (1) (a) What assessment was made by the Department of Transport and Regional Services of an application made through the Dairy Regional Assistance Programme to fund the construction of a short floor manufacturing project for Australian Solar Timbers; (b) when was that assessment completed; and (c) what were the findings of that assessment.
  - (2) What assessments of the above application were made by the Department of Agriculture, Fisheries and Forestry or any other federal or state agency; and in each case: (a) who did the assessment; (b) when did the assessment commence; (c) when was the assessment completed; and (d) what were the results of the assessment.
- 736 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—Was an application, or any assessment, or any other material

relating to an application through the Dairy Regional Assistance Programme to fund the construction of a short floor manufacturing project for Australian Solar Timbers provided to the Minister for Agriculture, Fisheries and Forestry or his office by the Department of Transport and Regional Services; if so: (a) when was that material sent to the Minister, or his office; and (b) what was the purpose of providing details of this application or its assessment to the Minister or his office.

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

- (1) Has work commenced on a proposal funded through the Dairy Regional Assistance Programme to construct a short floor manufacturing project for Australian Solar Timbers.
- (2) When did work commence on the construction of the plant.
- (3) If the construction of the plant has been completed, what was the date of completion.
- (4) If there was a variation in the estimated costs of the construction of the plant and the actual cost what was the level of the cost variation.

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

- (1) How many direct and indirect jobs were estimated to result from the provision of \$715 000 through the Dairy Regional Assistance Programme to help fund a short floor manufacturing project for Australian Solar Timbers, and what was the anticipated duration of these jobs.
- (2) (a) What was the basis of the above job creation estimates; and (b) who made the estimates.
- (3) Was there any review or analysis of these estimates as part of the application assessment; if so: (a) who did that assessment; and (b) what was the result of that assessment.
- (4) (a) What assessment was undertaken of the capacity of the proposal to improve the skills base of the region; (b) who undertook that assessment; and (c) what was the result of that assessment.
- (5) (a) What assessment was undertaken of the capacity of the proposal to tackle the disadvantage and encourage growth in the region; (b) who undertook that assessment; and (c) what was the result of that assessment.

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

- (1) When was an application made through the Dairy Regional Assistance Programme to fund a short floor manufacturing project for Australian Solar Timbers lodged with Australia's Holiday Coast Area Consultative Committee.
- (2) Who lodged the application.
- (3) What date was the application lodged.
- (4) Can a copy of the original application for assistance, and all related documentation, for this project from the programme be provided.
- (5) (a) What was the funding sought through the application; and (b) what was the level of funding approved.
- (6) When was funding for the project approved.

- (7) What was the total cost of the proposal and what commitment was given by the applicant to meet at least 50 per cent of these costs.
- (8) Did this proposal contain an evaluation process to ensure that agreed project outcomes were met; if so, can a copy of the evaluation details be provided; if not: (a) were details of any proposed evaluation mechanism sought; and (b) was this material provided; if not, why not.
- (9) If such an evaluation process was not included in the application, why was the application approved.

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

- (1) What is the membership of Australia's Holiday Coast Area Consultative Committee (ACC).
- (2) (a) When was each member appointed to the ACC; (b) what is the occupation of each member; and (c) what are the qualifications of each member.
- (3) Has any member of the ACC held any public office since January 2000, including appointments by local government, the New South Wales Government and the Commonwealth Government; if so, please advise: (a) the title and nature of office held; (b) the term of office; and (c) the method of election or appointment.

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

- (1) Were the terms of an application made through the Dairy Regional Assistance Programme to fund the construction of a short floor manufacturing project for Australian Solar Timbers varied in any way after the initial application for funds was lodged; if so: (a) what was the basis for these variations; (b) when was each variation lodged; and (c) did the assessor of the application accept these variations.
- (2) Can a copy of the varied application for assistance for this project from the programme be provided.
- (3) (a) What level of funding was sought through the amended application; and (b) what was the level of funding approved.
- (4) What was the total cost of the amended proposal and what commitment was given by the applicant to meet at least 50 per cent of these costs.
- (5) Did this amended proposal contain an evaluation process to ensure that agreed project outcomes were met; if so, can a copy of the evaluation process be provided.
- (6) (a) If the amended application does not include an evaluation process, why not; and (b) was this material sought as part of the approval process; if not, why not.
- (7) If such an evaluation process was not included in the application, why was the application approved.

742 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—With reference to the consideration of Mr Justice Mohr that service at HMS *Terror* by Royal Australian Navy and Royal Australian Air Force personnel be considered as qualifying service for the period 11 May 1960 to 5 June 1962, why did the Minister not accept that recommendation and, instead, substitute a period of only 51 days.

- 743 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—
- (1) When will the health survey of Gulf War veterans be made publicly available.
  - (2) (a) What is the current mortality figure for those veterans; and (b) what were the causes of death.
  - (3) What vaccinations were given to Gulf War veterans before and after deployment, for: (a) those who served with the Royal Australian Navy; and (b) those who were seconded to other forces.
  - (4) What other drugs were administered to personnel during the deployment.
  - (5) How many of those who served have been discharged: (a) fit; or (b) medically unfit.
  - (6) How many are in payment of a disability pension under the *Veterans' Entitlements Act 1986*, by percentage groups and disability type, and how many are totally and permanently incapacitated.
  - (7) How many have been paid a lump sum for disability under the Military Compensation and Rehabilitation Scheme, and of those how many have also claimed a pension under the Act.
- 744 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—
- (1) How many Australian Defence Force personnel have now served in East Timor.
  - (2) How many are in payment of a disability pension from the department, by percentage and disability type, and of those how many are still serving.
  - (3) How many are now totally and permanently incapacitated, by accepted disability type.
  - (4) How many have received a lump sum payment for disability under the Military Compensation and Rehabilitation Scheme (MCRS), and of those how many have been discharged.
  - (5) How many are in receipt of benefits under both the *Veterans' Entitlements Act 1986* and the MCRS.
- 745 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—
- (1) How many assessments have been conducted in total and by state, for access to the Veterans' Home Care Scheme.
  - (2) How many applications in total, and by state, have been rejected.
  - (3) How many accepted veterans and widows in total, and by state, have had services: (a) cancelled; or (b) reduced.
  - (4) What was: (a) the projected expenditure; and (b) actual expenditure, for the program for each quarter since its inception.
  - (5) Which service providers have been selected, by postcode.
  - (6) How many service providers have had their contracts suspended or terminated.
  - (7) What distinction is drawn between the services provided under this program and the Veterans' Home Helpline program.
  - (8) (a) In how many instances, by state, have services to veterans been reduced; and (b) what were the reasons for the reductions.

- (9) Can the Minister confirm press reports that funding has been redistributed between states and/or regions and some areas have had funds reduced; if so, what was the rationale for this decision.
- (10) Can the Minister confirm press reports that the Home and Garden Maintenance Scheme has been abolished; if so, what is the reason for that decision.

746 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—

- (1) How many veterans' children have received assistance under the Veterans' Children's Assistance Scheme, by state, since its inception.
- (2) How many successful applicants have had their participation cancelled.
- (3) How many participants have failed to complete courses funded by the program.
- (4) In how many cases have participants been asked to refund payments, and what sum has been repaid in total to date.
- (5) (a) How many cases of fraud have been investigated; (b) how many prosecutions have been launched; and (c) how many convictions have been obtained.
- (6) (a) What debts from participants are currently outstanding; and (b) how many cases are involved.
- (7) What counselling is provided to those who fail to complete courses.

747 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—Can the Minister confirm that tenders have been called for, to undertake a review of the methodologies employed in the construction of dosimetry data from the British Atomic Testing Program in Australia; if so: (a) what are the terms of reference; (b) what is the completion timetable; (c) what is the estimated cost; (d) what scientific concern prompted the need for the review; and (e) will the same task be undertaken for British Commonwealth Occupational Forces service in Japan.

748 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—

- (1) Does the Minister recall that at Senate Estimates hearings in June 2002, the Department of Veterans' Affairs undertook to review the draft request for tender (RFT) in light of comment by industry and to consult with providers and the veteran community before progressing to an appropriate tender arrangement.
- (2) Has the Community Transport Organisation (CTO) been consulted in that process.
- (3) (a) Who was present at consultations with the CTO; and (b) on what dates were those consultations on the draft RFT undertaken.
- (4) What was the outcome of those consultations.
- (5) Has the original draft RFT been amended as a result of those consultations; if not, why not.
- (6) Has the original draft been amended as a result of concerns raised by the New South Wales CTO; if so, in what way has it been amended.
- (7) What is the current status of the draft tender process.
- (8) When will tenders be called for and when will they close.

- (9) Will the CTO be invited to tender; if not, why not.
- (10) Has the CTO sought an appointment with the Minister; if so, why has the Minister not agreed to meet with CTO representatives; if not, will the Minister undertake to meet with CTO representatives.
- (11) Has there been a decision that the Commission should continue providing community transport arrangements in New South Wales as separate arrangements, as foreshadowed in the Senate Estimates hearings in June 2002.

749 **Senator O'Brien:** To ask the Minister for Justice and Customs—

- (1) What is the number of investigations the Australian Federal Police (AFP) has conducted into interstate livestock theft for each of the past 10 years.
- (2) How many arrests have been made by the AFP in relation to interstate livestock theft for each of the past 10 years.
- (3) How many convictions have been obtained from investigations made by the AFP in relation to interstate livestock theft for each of the past 10 years.
- (4) How many convictions have been obtained directly by the AFP in relation to interstate livestock theft for each of the past 10 years.
- (5) Does the AFP have staff assigned specifically to investigating interstate livestock theft; if so, what is the current number Full Time Equivalents (FTE).
- (6) What is the number of staff (in FTE) the AFP has assigned specifically to investigating interstate livestock theft for each of the past 10 years.
- (7) What, if any, are the maximum and minimum penalties under federal law for persons convicted of interstate livestock theft.
- (8) Have these penalties changed since 1995; if so, can details of the changes be provided.

*Notice given 8 October 2002*

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

- (1) With reference to the statement, 'Three more Indonesian boats apprehended in Australian waters', issued by the Minister on 3 October 2002: What are the names of the 62 'illegal vessels' apprehended in Australian waters since the beginning of 2002.
- (2) In relation to each of these vessels: (a) on what date was it apprehended; (b) when was its illegal activity first detected or reported; (c) where was it captured; (d) which departments and/or agencies coordinated and conducted the operation; (e) where was the vessel registered and under which flag did it sail; (f) how many crew were on board; (g) what Australian port was the vessel brought to; (h) what criminal charges, if any, were laid against the crew, master, operator and/or owner of the vessel, and in what jurisdiction were these charges brought; (i) what was the outcome of these legal proceedings; (j) what civil action, if any, was taken against the crew, master, owner and/or operator of the vessel, and in what jurisdiction was this action taken; (k) what was the outcome of these legal proceedings; and (l) has the vessel, crew, master, operator and/or owner ever been the subject of a report, charge or conviction in relation to illegal fishing or other prohibited activity in Australian waters; if so, when did this report, charge or conviction occur and what action or outcome resulted.

- (3) What are the names of the 27 vessels from which 'catch and/or gear' has been confiscated since the beginning of 2002.
- (4) In relation to each of these vessels: (a) on what date was the catch and/or gear confiscated; (b) was catch, gear, or catch and gear confiscated; (c) what was the type and value of the confiscated catch; (d) when was its illegal activity first detected or reported; (e) where was the catch and/or gear confiscated; (f) which departments and/or agencies coordinated and conducted the operation; (g) where was the vessel registered and under which flag did it sail; (h) how many crew were on board; (i) was the vessel brought to an Australian port; if so, which port; (j) what criminal charges, if any, were laid against the crew, master, operator and/or owner of the vessel, and in what jurisdiction were these charges brought; (k) what was the outcome of these legal proceedings; (l) what civil action, if any, was taken against the crew, master, owner and/or operator of the vessel, and in what jurisdiction was this action taken; and (m) what was the outcome of these legal proceedings.
- (5) When was the Australia-Indonesia Ministerial Forum formed.
- (6) On how many occasions has the matter of illegal fishing in Australian waters been discussed by the forum.
- (7) On how many occasions has the Minister directly discussed with his Indonesian counterpart the matter of illegal fishing in Australian waters by vessels registered in Indonesia, crewed by Indonesians or using Indonesian ports as a base for illegal fishing operations in Australian waters.

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

- (1) Which Commonwealth department or agency compiles data about illegal fishing in Australian waters.
- (2) Since the beginning of 2002: (a) how many reports concerning alleged illegal fishing have been received; and (b) how many of these reports have been investigated.
- (3) With respect to the Heard Island and McDonald Island (HIMI) Fishery, how many reports of alleged illegal fishing have been made since the beginning of 2002.
- (4) With respect to each of these HIMI reports: (a) when was the report made; (b) who made the report and how was it made; (c) which Commonwealth department or agency received the report; (d) what flags were the vessels subject to investigation flying; (e) how was the report investigated; (f) what was the outcome of the investigation.
- (5) If the investigation involved interception: (a) what was the name of the target vessel; (b) when and where did the interception occur; (c) which Commonwealth departments or agencies were involved in the interception; (d) which Australian aircraft and/or vessels were involved; and (e) what was the outcome of the interception.
- (6) Did any vessel subject to interception fail to display a flag and/or vessel identification; if so, can details of these incidents be provided.
- (7) Did any vessel subject to investigation and/or interception evade investigation and/or interception by refusing to respond to radio calls, provide requested information, change vessel course, permit Commonwealth officers to board or otherwise refuse to comply with lawful requests; if so, can details of these incidents be provided.



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

- (1) When was the Commonwealth/state taskforce referred to in the Dairy Regional Assistance Programme (DRAP) guidelines, dated 13 July 2000, established.
- (2) (a) What is the membership of that taskforce; (b) who appointed the taskforce members; and (c) on how many occasions has the taskforce met since it was established.
- (3) (a) On how many occasions has the taskforce reported to the Minister for Transport and Regional Services; and (b) on how many occasions has the taskforce consulted with the Minister for Agriculture, Fisheries and Forestry, either directly or indirectly.
- (4) (a) When did the taskforce commence its review of eligible regions at the end of the first year of the programme, referred to in the DRAP guidelines; (b) when was the review completed; and (c) when were the findings of the review provided to the Minister for Transport and Regional Services and the Minister for Agriculture, Fisheries and Forestry.

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

- (1) Have all successful applications for assistance through the Dairy Regional Assistance Programme (DRAP) been initially assessed by state offices of the department in accordance with the administration procedures for the programme referred to in the programme guidelines; if not, why not.
- (2) If some successful applications were not initially assessed by state officers of the department, in accordance with the published programme guidelines: (a) which applications were assessed in this manner; (b) when was each application assessed; (c) how was each application assessed; and (d) why were these applications not assessed in accordance with the programme guidelines.
- (3) Were any successful applications referred directly to the department's national office; if so: (a) which applications were referred directly to the national office; (b) when were they referred to the national office; and (c) why were they referred directly to the national office.
- (4) Were all of the above successful applications then referred to the Department of Agriculture, Fisheries and Forestry; if not: (a) which applications were not referred; and (b) in each case, why were these applications not referred.

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

- (1) How many Area Consultative Councils (ACC) have applied directly for funding through the Dairy Regional Assistance Programme (DRAP).
- (2) In each case: (a) when the application was lodged; (b) what was the proposal for which the funding was sought; and (c) when was the funding approved.
- (3) If any applications for funding by ACCs were rejected, in each case: (a) when was the application rejected; and (b) what was the basis for the rejection.

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

- (1) In relation to the grant of some \$214 172 under the Dairy Regional Assistance Programme (DRAP), announced on 11 April 2001 in round three of the programme, to fund the employment of DRAP coordinators to be located in the Australia's Holiday Coast, Hunter, Northern Rivers, Shoalhaven and South East New South Wales regions: in each case, when were the coordinators appointed.
- (2) (a) What level of funding was provided to each of the above regions; and (b) for what period has the funding been provided.
- (3) In relation to the above positions, in each case: (a) what evaluation process and performance indicators were included in each application; (b) what were the project outcomes identified by the applicant; and (c) what is the duration of each appointment.

756 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the answer to questions on notice nos 503 and 504 (Senate *Hansard*, 25 September 2002, pp 4683-4):

- (1) Can a copy of the details of the evaluation process included in the application for funding by Moruya Decking and Cladding Pty Limited for a steel profiling plant at Moruya, New South Wales, be provided.
- (2) Has an independent evaluation of the project, against the project plan and the objectives and performance indicators contained within, now been conducted; if so: (a) who undertook the evaluation; (b) when did it commence; (c) when was it completed; and (d) who has assessed the findings of the evaluation.
- (3) Did the proponent of this project provide monthly progress reports in accordance with section 1.17 of the Dairy Regional Assistance Programme (DRAP) guidelines for project proposals; if so, how many progress reports were lodged and when were they lodged; if not, why not.
- (4) On how many occasions did officers from the state office of the department visit the above project in accordance with section 1.18 of the DRAP guidelines for project proposals.
- (5) (a) Has the proponent submitted a completed evaluation form, including audited financial statements; if not, why not; and (b) what action has been taken to ensure the proponent complies with the DRAP.
- (6) What evidence has the proponent of this project provided to the department that the project has been completed in the specified manner.

757 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the answer to question on notice number 512 (Senate *Hansard*, 25 September 2002, p. 4688):

- (1) What was the methodology applied by the proponent of the project funded through the Dairy Regional Assistance Programme (DRAP) in calculating the creation of 14 to 16 direct, full time equivalent jobs.
- (2) Why was there no estimate of indirect jobs to be created by this project as required by section 1.10 of the document, *Commonwealth Dairy Regional Assistance Programme (Dairy RAP) Information Guide to the Application for Funding*.

758 **Senator Sherry:** To ask the Minister for Finance and Administration—With reference to Australian National Audit Office (ANAO) audit report no. 65 tabled on 28 June 2002, *Management of Commonwealth Superannuation Benefits to Members—Comsuper*:

- (1) Which Commonwealth agencies is the ANAO report referring to, in key finding 23 and paragraph 3.29, when it states that, 'as at December 2001, some 30% of employers fail to provided employment details within 10 days of each payday'.
- (2) Which Commonwealth agencies, if any, is the ANAO report referring to, in key finding 23, when it states that 'ComSuper has experienced delays from some employers not providing compliant data for over 12 months'.
- (3) In figure 3.10 the ANAO report lists four agencies (the Australian Customs Service and the Departments of Defence, Foreign Affairs and Trade and Veterans' Affairs) that have experienced high rates of failure to report new members and/or changes in member contribution rates to ComSuper: (a) which other agencies, if any, have experienced comparable rates of reporting failure; and (b) what steps have been taken at an agency level to address these failures.
- (4) Which agency is the ANAO report referring to when, in paragraph 3.10, it states 'that, for 12 weeks in 1999-2000, one agency failed to forward to ComSuper on time the payments for member contributions, productivity contributions, additional cover, and employer liability' and that 'ComSuper charged the agency \$75 736 [in] penalty interest'.
- (5) In paragraphs 4.15 and 4.17 the ANAO report notes that, in 'June 2001, some 43% of benefit applications were pending, due to either benefit application problems or problems with the member's record': (a) what proportion of these pending applications was a result of problems with members' records; (b) how many benefit applications are currently pending; (c) what proportion of total benefit applications does this represent; (d) what proportion of the current set of pending applications is a result of problems with the members' records; and (e) what was the average time that benefit applications spent pending in 2001-02.

759 **Senator Sherry:** To ask the Minister representing the Minister for Foreign Affairs—With reference to Australian National Audit Office (ANAO) audit report no. 65 tabled on 28 June 2002, *Management of Commonwealth Superannuation Benefits to Members—Comsuper:*

- (1) In key finding 25 and in paragraphs 3.41 and 3.45 the ANAO report states that up to 45 per cent of new commencements in the Department of Foreign Affairs and Trade were not reported to ComSuper from 1 July 2001 to 1 October 2001: (a) What steps has the department taken to ensure that new commencements are reported to ComSuper in a more timely manner; and (b) in each of the quarters after 1 October 2001, what proportions of new commencements in the department were not reported to ComSuper.
- (2) In figure 3.10 the ANAO report states that, in the period from June 1999 to August 2001, the department failed to report 65 per cent of changes in member contribution rates to ComSuper: (a) what steps has the department taken to ensure that changes in member contribution rates are reported to ComSuper in a more timely manner; (b) in the period since August 2001, what proportion of changes in member contribution rates were not reported to ComSuper and (c) in each of the years starting 1 July 2000 and 1 July 2001, what proportion of changes in member contribution rates was not reported in ComSuper.

760 **Senator Sherry:** To ask the Minister for Defence—With reference to Australian National Audit Office (ANAO) audit report no. 65 tabled on 28 June 2002, *Management of Commonwealth Superannuation Benefits to Members—Comsuper:*

- (1) In figure 3.10 the ANAO report states that 35 per cent of new members in the Department of Defence were not reported to ComSuper in the period from 1 July 2001 to 1 October 2001: Does this figure include members of the Public Sector Superannuation Scheme and the Military Superannuation and Benefit Scheme.
- (2) What steps has Defence taken to ensure that new members are reported to ComSuper in a more timely manner.
- (3) In each of the quarters after 1 October 2001, what proportions of new members in Defence were not reported to ComSuper.
- (4) In key finding 25 and in paragraphs 3.42 and 3.45 the ANAO report states that 'the Department of Defence (Defence) did not report up to 81% of changes in member contribution rates to ComSuper in 2000-01': Does this figure include members of both the civilian and the military superannuation schemes.
- (5) What steps has Defence taken to ensure that changes in member contribution rates are reported to ComSuper in a more timely manner.
- (6) In the year starting 1 July 2001, what proportion of changes in member contribution rates was not reported to ComSuper.

761 **Senator Sherry:** To ask the Minister representing the Minister for Veterans' Affairs—With reference to Australian National Audit Office (ANAO) audit report no. 65 tabled on 28 June 2002, *Management of Commonwealth Superannuation Benefits to Members—Comsuper*:

- (1) In figure 3.10 the ANAO report states that, in the period from January 2001 August 2001, the Department of Veterans' Affairs did not report 38 per cent of changes in member contribution rates to ComSuper: What steps has the department taken to ensure that changes in member contribution rates are reported to ComSuper in a more timely manner?
- (2) In the period since August 2001, what proportion of changes in member contribution rates was not reported to ComSuper.
- (3) In each of the years starting 1 July 2000 and 1 July 2001, what proportion of changes in member contribution rates was not reported to ComSuper.

762 **Senator Sherry:** To ask the Minister for Justice and Customs—With reference to Australian National Audit Office (ANAO) audit report no. 65 tabled on 28 June 2002, *Management of Commonwealth Superannuation Benefits to Members—Comsuper*:

- (1) In figure 3.10 the ANAO report states that 13 per cent of new members in the Australian Customs Service (ACS) were not reported to ComSuper in the period from 1 July 2001 to 1 October 2001: What steps has the ACS taken to ensure that new members are reported to ComSuper in a more timely manner.
- (2) In each of the quarters after 1 October 2001, what proportions of new members in the ACS were not reported to ComSuper.
- (3) In figure 3.10 the ANAO report states that, in the period from April 2001 to September 2001, the ACS did not report up to 32 per cent of changes in member contribution rates to ComSuper: What steps has the ACS taken to ensure that changes in contribution rates are reported to ComSuper in a more timely manner.
- (4) In the period since September 2001, what proportion of changes in member contribution rates was not reported in ComSuper.

- (5) In each of the years starting 1 July 2000 and 1 July 2001, what proportion of changes in member contribution rates was not reported in ComSuper.
- 763 **Senator Faulkner:** To ask the Minister for Family and Community Services—With reference to the Government's announcement on 26 September 2002 that it has reallocated 1 600 outside school hour child care places: By local government area and by federal electorate: (a) where did these places come from; and (b) where have these places been re-allocated to.
- 764 **Senator Faulkner:** To ask the Minister for Finance and Administration—
- (1) How many vehicles provided to members of the House of Representatives from New South Wales, including vehicles supplied through external fleet companies, from 1 January 2002 to 31 August 2002, have been changed after delivery because the Member of Parliament or a family member was dissatisfied with the original order.
  - (2) In each instance, what was the reason for the change.
  - (3) In each instance, what was the make and model of the vehicle in the original order, and of the replacement vehicle; if the make and model of each vehicle is the same, can the differing features between the vehicles originally supplied and the replacement vehicle be identified.
  - (4) In each instance, how much has the changeover of leasing arrangement cost.

*Notice given 9 October 2002*

- 765 **Senator Evans:** To ask the Minister for Defence—In relation to Project Air 87, the Government announced the signing of a \$1 300 million contract in December 2001 for the acquisition of 22 helicopters and their through life support, however, the 2002-03 Budget Statement indicates the total cost of this project will be \$1 858 million: What items make up the difference between the \$1 300 million acquisition and support contract and the project's current total budget.
- 766 **Senator Evans:** To ask the Minister for Defence—In relation to contingency funds assigned to capital equipment projects (reflecting the perceived risks associated with each project):
- (1) For each of the top 20 major capital projects identified in the 2002-03 Budget Statement, what was the original size of any such contingency fund associated with the acquisition project and what is the amount now remaining.
  - (2) Where a project has been completed and some of the contingency fund remains unspent what happens to those remaining funds.
  - (3) What was the total amount of such unspent funds remaining from projects completed in each of the following financial years: (a) 1999-2000; (b) 2000-01; and (c) 2001-02.
- 767 **Senator Evans:** To ask the Minister for Defence—
- (1) How many capital equipment projects are currently being funded.
  - (2) In terms of their approved total budget, how many fall within each of the following bands: (a) \$0 to \$10 million; (b) \$11 to 20 million; (c) \$21 to 50 million; (d) \$51 to 100 million; (e) \$101 to 200 million; (f) \$201 to 500 million; (g) \$501 to \$1 000 million and (h) more than \$1 000 million.

768 **Senator Evans:** To ask the Minister for Defence—In relation to cost increases (separate to prices growth and foreign exchange movements) approved for all capital equipment projects worth more than \$50 million:

- (1) What were the cost increases approved in each of the following financial years: (a) 1998-99; (b) 1999-2000; (c) 2000-01 and (d) 2001-02.
- (2) For each cost increase approved, what was: (a) the name of the project; (b) the original budget approved for the project; (c) the amount of the approved cost increase; (d) the date the increase was approved; and (e) the reason for the cost increase.

769 **Senator Evans:** To ask the Minister for Defence—With reference to the employment of professional service providers (PSPs) in the Defence Materiel Organisation:

- (1) How many PSPs were employed in each of the following periods: (a) July to December 2000; (b) January to June 2001; (c) July to December 2001; and (d) January to June 2002.
- (2) What was the total cost of PSPs employed in each of the following periods: (a) July to December 2000; (b) January to June 2001; (c) July to December 2001; and (d) January to June 2002.
- (3) For the PSPs currently employed, what proportion were previously employees of Defence.
- (4) For the PSPs currently employed: (a) what categories are employed, for example, accountants, project managers, computer specialists, engineers; and (b) approximately what proportion do they represent of the total numbers employed.
- (5) For the PSPs currently employed: how many have been employed (not necessarily continuously) by Defence for a total of: (a) 0 to 50 days; (b) 51 to 150 days; (c) 151 to 300 days; and (d) more than 300 days.
- (6) Among the PSPs employed today, what is the largest number of days a PSP has been employed by Defence.
- (7) Among the PSPs employed today, what is the largest amount paid to a PSP by Defence.

*Notice given 10 October 2002*

\*770 **Senator Evans:** To ask the Minister for Health and Ageing—In each federal electoral division, for each of the following financial years: (a) 1996-97; and (b) 2001-02:

- (1) How many general practitioners provided a bulk billing service.
- (2) How many general practitioners bulk billed less than 5 per cent of medical services.
- (3) How many general practitioners bulk billed more than 5 per cent but less than 25 per cent of medical services.
- (4) How many general practitioners bulk billed more than 25 per cent but less than 50 per cent of medical services.
- (5) How many general practitioners bulk billed more than 50 per cent but less than 75 per cent of medical services.
- (6) How many general practitioners bulk billed more than 75 per cent but less than 95 per cent of medical services.

- (7) How many general practitioners bulk billed more than 95 per cent of medical services.
- (8) Assigning each general practitioner to his or her principal practice postcode in the last quarter of the financial year having regard to service volumes, how many general practitioners practiced.

\*771 **Senator Brown:** To ask the Minister for Defence—

- (1) What is currently the postulated cause of Gulf War syndrome.
- (2) What is microplasm.
- (3) Have any Australians been subject to Gulf War syndrome.
- (4) Is Gulf War syndrome a real condition or has the Government established that it does not exist.

\*772 **Senator Brown:** To ask the Minister for Communications, Information Technology and the Arts—

- (1) Is the Minister aware of the environmental damage caused by the laying of fibre-optic cable across Mr Metherall's property in Springhurst, Victoria.
- (2) What damage mitigation principles were adhered to in the process of laying the cable on Mr Metherall's property.
- (3) After being forewarned of the potential damage that would be caused to Mr Metherall's water spring, why did the work continue without consideration of suitable alternative routes.
- (4) What access does Mr Metherall have to federal government funding to repair the water spring damage with an estimated cost of \$70 000.

*Notice given 14 October 2002*

\*773 **Senator Brown:** To ask the Minister for Communications, Information Technology and the Arts—

- (1) Is the Minister aware that, at Sandford, Tasmania, 30 minutes out of the central business district of Hobart, Telstra has informed residents that they will not be given access to high-speed Internet services for an indefinite period of time.
- (2) Is the Minister aware that this is hindering the efforts of residents to establish home-based small business operations.
- (3) What does the Minister intend to do to remedy this situation.

\*774 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—

- (1) Is the Minister aware of the case of Mr Lazar Kalaba and his claim for compensation to the International Organization for Migration following the loss of his family's property during the Second World War.
- (2) Is the Minister aware that, through the course of Australian Government involvement in Mr Kalaba's application for property compensation, on official Australian documents, the name of the concentration camp Mr Kalaba was interred in was changed from 'Sarvar' to 'Sirvir' and his year of incarceration was changed from 1942 to 1943, hence rendering his application to the organization invalid.
- (3) What will the Minister do to amend this inaccuracy so that Mr Kalaba can continue to pursue his compensation claim.

\*775 **Senator Faulkner:** To ask the Minister representing the Prime Minister—

- (1) Has the Prime Minister received correspondence from the Deputy Prime Minister concerning the future of the Australian Greenhouse Office; if so: (a) what was the date of that letter; and (b) did that correspondence recommend that the Australian Greenhouse Office be split.
- (2) (a) What functions did the Deputy Prime Minister propose be handed over to the Department of the Prime Minister and Cabinet; (b) what functions did the Deputy Prime Minister propose be transferred to the Department of Industry, Science and Resources; and (c) what functions did the Deputy Prime Minister propose be retained by Environment Australia.
- (3) If the Deputy Prime Minister did not propose that the Australian Greenhouse Office be split and transferred, what future did he propose for it.
- (4) Has the Prime Minister responded to the Deputy Prime Minister's correspondence concerning the future of the Australian Greenhouse Office; if so, what was his response to the proposal.

\*776 **Senator Faulkner:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Has the Deputy Prime Minister written to the Prime Minister concerning the future of the Australian Greenhouse Office; if so, what was the date of that letter.
- (2) Did the Deputy Prime Minister's letter propose that the functions of the Australian Greenhouse Office be split.
- (3) (a) What functions of the Australian Greenhouse Office did the Deputy Prime Minister propose to be transferred to the Department of the Prime Minister and Cabinet; (b) what functions did the Deputy Prime Minister propose to be transferred to the Department of Industry, Science and Resources; and (c) what functions did the Deputy Prime Minister propose be left within the jurisdiction of Environment Australia.
- (4) If the Deputy Prime Minister did not propose that the Australian Greenhouse Office be split, what did he propose concerning its future.

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## ORDERS OF THE SENATE

### Committees

#### 1 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.)

**2 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.)

**3 Foreign Affairs, Defence and Trade—Joint Standing Committee—Authorisation to meet**

That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 23 October 2002, from 11 am to 12.30 pm, to take evidence for the committee's inquiry into central Europe.

(Agreed to 26 September 2002.)

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

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

(Agreed to 4 September 2000.)

## Legislation

**5 Senate consideration—Variation**

- (1) That a bill shall not be considered in committee of the whole, unless, prior to the resolution of the question for the second reading, any senator has:
- (a) circulated in the Senate a proposed amendment or request for amendment of the bill; or
  - (b) required in debate or by notification to the chair that the bill be considered in committee of the whole.

- (2) That this order operate as a sessional order.

(Agreed to 20 June 2002.)

**6 Senate consideration—Variation**

That the provisions of paragraphs (5) to (7) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

States Grants (Primary and Secondary Education Assistance) Amendment Bill (No. 2) 2002

Dairy Industry Legislation Amendment Bill 2002.

(Agreed to 25 September 2002.)

## Meeting of Senate

**7 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.)*

**8 Amendment of standing orders 54, 55 and 57**

**54 Adjournment without motion**

- (5) Except on Tuesday debate on the question for the adjournment shall not exceed 40 minutes, and a senator shall not speak to that question for more than 10 minutes on any day. On Tuesday at the conclusion of debate, and on other days at the expiration of 40 minutes, at the conclusion of debate, or at the time specified for adjournment, whichever is the earlier, or if there is no debate, the President shall adjourn the Senate without putting the question.

**55 Times of meetings**

- (1) The days and times of meeting of the Senate in each sitting week shall be:

Monday 12.30 pm – 6.30 pm, 7.30 pm – 10.30 pm

Tuesday 2 pm – adjournment

Wednesday 9.30 am – 8 pm

Thursday 9.30 am – 8.40 pm.

**57 Routine of business**

- (1) The routine of business shall be:

(a) On Monday

(i) Government business only

(ii) At 2 pm, questions

(iii) Motions to take note of answers

(iv) Petitions

(v) Notices of motion

(vi) Postponement and rearrangement of business

(vii) Formal motions – discovery of formal business

- (viii) Any proposal to debate a matter of public importance or urgency
  - (ix) Government business
  - (x) At 9.50 pm, adjournment proposed
  - (xi) At 10.30 pm, adjournment.
- (b) On Tuesday:
- (i) Questions
  - (ii) Motions to take note of answers
  - (iii) Petitions
  - (iv) Notices of motion
  - (v) Postponement and rearrangement of business
  - (vi) Formal motions – discovery of formal business
  - (vii) Any proposal to debate a matter of public importance or urgency
  - (viii) Government business
  - (ix) At 6.50 pm, consideration of government documents for up to 30 minutes under standing order 61
  - (x) At 7.20 pm, adjournment proposed
  - (xi) Adjournment.

*(Agreed to 28 August 2002 upon adoption of certain recommendations in the Procedure Committee's first report of 2002.)*

## **Orders for production of documents**

### **9 Mining—Christmas Island—Order for production of documents**

That there be laid on the table, no later than 4 pm on Tuesday, 25 June 2002, the following documents:

- (a) the current mine lease or leases on Christmas Island held by Phosphate Resource Ltd (PRL), including all conditions;
- (b) the Environment Management Plan for the lease or leases;
- (c) any Environment Australia (EA) documents relating to compliance, oversight and enforcement of the lease or leases and conditions;
- (d) all materials relating to breaches of conditions, including claims, investigations and actions;
- (e) any audits of PRL's rehabilitation program;
- (f) any new mining proposals for Christmas Island;
- (g) a current tenure map of all blocks that have been mined;
- (h) any documents relating to the transfer of any lots to or from PRL;
- (i) any documents relating to the current mine rehabilitation budget for EA on Christmas Island;
- (j) any documents relating to the current status of rehabilitation on lease block 138;
- (k) any documents relating to the payment or non-payment of power bills by PRL;
- (l) any documents relating to alternative locations for the proposed detention centre on Christmas Island;

(m) any documents containing responses of EA to the detention centre proposal; and

(n) current funds held for purposes of mine rehabilitation on Christmas Island.

(Agreed to 19 June 2002.)

**10 Superannuation system—Order for production of document**

That there be laid on the table, on the last sitting day of the winter sittings 2002, the revised costings document, including the correct phasing-in arrangements, of the Australian Labor Party's plan for a fairer superannuation system, prepared by Phil Gallagher (Manager, Retirement and Income Modelling Unit, Treasury) which was sent to the Treasurer's office in the week beginning 20 May 2002 and identified in Mr Gallagher's evidence before the Economics Legislation Committee on 4 June 2002.

(Agreed to 24 June 2002.)

**11 Finance—Retirement and Income Modelling—Order for production of documents**

That there be laid on the table, on the last sitting day of the 2002 winter sittings, the modelling, including information on projected spending for payments to individuals, education, health and aged care spending, prepared for the draft Intergenerational Report in early 2002 before budget changes were factored in, prepared by the Retirement and Income Modelling Unit, Treasury and identified in Treasury's evidence before the Economics Legislation Committee on 6 June 2002.

(Agreed to 25 June 2002.)

**12 Environment—Lucas Heights reactor—Order for production of document**

That there be laid on the table, no later than the end of question time on Wednesday, 26 June 2002, the study commissioned by the Australian Nuclear Science and Technology Organisation, on behalf of the Australian Radiation Protection and Nuclear Safety Agency, of the preliminary evaluation of the construction site for the replacement research reactor at Lucas Heights, carried out by the New Zealand company, the Institute of Geological and Nuclear Sciences, which included geological mapping of the excavation of the construction site and has revealed a geological anomaly or 'fault' at the site.

(Agreed to 25 June 2002.)

**13 Health—Tobacco—Order for production of document**

That the Senate—

(a) notes the report tabled in the Senate on 6 May 2002 from the Australian Competition and Consumer Commission (ACCC) on the performance of its functions under the *Trade Practices Act 1974* (the Act) with regard to tobacco and related matters, as required by the order of the Senate of 24 September 2001;

(b) notes that the Senate may require the ACCC to provide it with information in accordance with section 29 of the Act;

(c) requires the ACCC to report, as soon as possible, on the following issues:

- (i) whether Australian tobacco companies have engaged in misleading or deceptive conduct in their use of the terms 'mild' and 'light', and
- (ii) whether there has been any misleading, deceptive or unconscionable conduct in breach of the Act by British American Tobacco and/or Clayton Utz with regard to document destruction for the purpose of withholding information relevant to possible litigation;

- (d) requests the ACCC to engage in consultation with interested parties and stakeholders over the perceived inadequacies in its response to the order of the Senate of 24 September 2001 and requires the ACCC to report on those consultations as soon as possible;
- (e) notes that once the Senate has had the opportunity to consider the ACCC's further reports on the use of the terms 'mild' and 'light', whether there has been misleading, deceptive or unconscionable conduct in relation to document destruction, and the ACCC's consultations, it will consider whether a further report should be sought from the ACCC in response to the order of the Senate of 24 September 2001;
- (f) calls on the Commonwealth Government to pursue the possibility of a Commonwealth/state public liability action against tobacco companies to recover healthcare costs to the Commonwealth and the states caused by the use of tobacco; and
- (g) calls on the Commonwealth to address the issue of who should have access to the more than \$200 million collected in respect of tobacco tax and licence fees by tobacco wholesalers but not passed on to Government (see *Roxborough v. Rothmans*) by introducing legislation to retrospectively recover that amount for the Commonwealth and/or to establish a fund on behalf of Australian consumers and taxpayers, and in either case for the moneys to be used for the purpose of anti-smoking and other public health issues.

(Agreed to 27 June 2002.)

**14 Animal Welfare—Cattle—Order for production of documents**

That there be laid on the table, no later than 4 pm on Wednesday, 21 August 2002, the following documents:

- (a) the Livestock Officer's report on the voyage of the *Maysora*, a Jordanian flagged vessel, travelling from Australia on 28 February 2001 carrying live cattle; and
- (b) the Master's reports from the same voyage.

(Agreed to 20 August 2002.)

**15 Superannuation Working Group—Order for production of document**

That there be laid on the table, on the next day of sitting, the report presented to the Government by the Superannuation Working Group on 28 March 2002.

(Agreed to 28 August 2002.)

**16 Health—Assessment reports by the Australian Competition and Consumer Commission—Order for production of documents—Variation**

That the order of the Senate of 25 March 1999, relating to an order for the production of periodic reports by the Australian Competition and Consumer Commission on private health insurance, be amended as follows:

Omit "6 months, commencing with the 6 months ending on 31 December 1999", substitute "12 months ending on or after 30 June 2003" (*Special Minister of State (Senator Abetz), in continuation, 18 September 2002*).

(Agreed to 18 September 2002.)

**17 Environment—Nelly Bay Harbour project—Order for production of documents**

That there be laid on the table no later than 4 pm on 24 October 2002:

- (a) any application to clear granite from the Nelly Bay Harbour project site by methods other than those approved through the 1995-1998 environmental impact statement process;
- (b) any documents outlining problems and responses to problems in relation to clearing the inner harbour and access channel of the Nelly Bay Harbour project;
- (c) the weekly site supervisor reports for the Nelly Bay Harbour project;
- (d) any applications by Nelly Bay Harbour Pty Ltd (or anyone else) for permission to attach pontoons to residential land bordering the Great Barrier Reef Marine Park;
- (e) any documents relating to the Great Barrier Reef Marine Park Authority's position in relation to private moorings inside the Great Barrier Reef Marine Park in relation to the Nelly Bay Harbour project;
- (f) the results of the Nelly Bay Harbour monitoring programs (summaries only);
- (g) any reported breaches of the Deed of Agreement of the joint Great Barrier Reef Marine Park Authority/Queensland Park and Wildlife Service permit; investigations and outcomes of investigations of those breaches;
- (h) any documents in relation to funding or financial problems associated with the Nelly Bay Harbour project; and
- (i) any documents evidencing actions on site that the Great Barrier Reef Marine Park Authority stopped, prevented or changed.

(Agreed to 25 September 2002.)

### 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);<br>Minister representing the Minister for Workplace Relations and Small Business (Senator Alston); and<br>Minister representing the Prime Minister (Senator Hill) |
| 07.03.2000    | Environment—Queensland—Tree clearing                               | Minister for the Environment and Heritage (Senator Hill)  |
| 03.04.2000    | Aged care—Riverside Nursing Home                                   | Minister representing the Minister for Aged Care  |
| 27.06.2000    | Tax reform—Petrol pricing  | Assistant Treasurer (Senator Kemp)  |
| 09.11.2000    | Environment—Tasmania   | Minister representing the Minister for Sport and Tourism (Senator Minchin)  |

| <b>Date of order</b> | <b>Subject</b>                                       | <b>Addressed to</b>   |
|----------------------|--|---|
| 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  |

### **Senate Chamber**

#### **18 Dress code—Media representatives and advisers**

That the Senate does not require media representatives in the Senate gallery, or senators' advisers, to wear coats.

*(Agreed to 20 March 2002.)*

#### **19 Chamber photographs**

That photographs of any senator may be taken by the media in the chamber whenever that senator has the call.

*(Agreed to 21 March 2002.)*

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## **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 Bartlett)**

**Senator Brown**

**Senator Harradine**

**Senator Harris**

**Senator Lees**

**Senator Nettle**

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 Bartlett)**  
**Senator Brown**  
**Senator Harradine**  
**Senator Harris**  
**Senator Lees**  
**Senator Nettle**

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 Bartlett)**  
**Senator Brown**  
**Senator Harradine**  
**Senator Harris**  
**Senator Lees**  
**Senator Nettle**

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 Bartlett)**  
**Senator Brown**  
**Senator Harradine**  
**Senator Harris**  
**Senator Lees**

**Senator Nettle**

- 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 Bartlett)**  
**Senator Brown**  
**Senator Harradine**  
**Senator Harris**  
**Senator Lees**  
**Senator Nettle**

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 Bartlett)**  
**Senator Brown**  
**Senator Harradine**  
**Senator Harris**  
**Senator Lees**  
**Senator Nettle**

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 Bartlett)**  
**Senator Brown**  
**Senator Harradine**  
**Senator Harris**  
**Senator Lees**  
**Senator Nettle**

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 Bartlett)**  
**Senator Brown**  
**Senator Harradine**  
**Senator Harris**  
**Senator Lees**  
**Senator Nettle**

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 Bartlett)**  
**Senator Brown**  
**Senator Harradine**  
**Senator Harris**  
**Senator Lees**  
**Senator Nettle**

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.

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## **TEMPORARY CHAIRS OF COMMITTEES**

Senators Bartlett, Bolkus, Brandis, Chapman, Collins, Cook, Ferguson, Hutchins, Knowles, Lightfoot, Sandy Macdonald, McLucas and Watson

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## 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

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.

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**COMMITTEES**

**A Certain Maritime Incident—Select Committee**

*(appointed 13 February 2002; terms of appointment varied 13 March 2002; reporting date varied 15 May, 20 June, 20 August and 25 September 2002; reporting date: 23 October 2002)*

*Members*

Senator Cook (*Chair*), Senator Brandis (*Deputy Chair*), Senators Bartlett, Collins, Faulkner, Ferguson, Mason and Murphy

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**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 Allison, Bolkus, Boswell, Ferris, Heffernan and Ray

*Reports presented*

Thirty-sixth report—Estimates for the Department of the Senate 2002-03 (*certified by the President on 22 May 2002, pursuant to standing order 166(2); tabled 18 June 2002*)

Annual report for 2001-02 (*tabled 29 August 2002*)

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

*Members*

Mr Jull (*Chair*), Senators Ferguson, Sandy Macdonald and Ray and Mr Beazley, Mr McArthur and Mr McLeay

*Reports presented*

Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002—Interim report (*presented to the Deputy President on 3 May 2002, pursuant to standing order 38(7); tabled 14 May 2002*)

Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002—Advisory report (*tabled 18 June 2002*)

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**Broadcasting of Parliamentary Proceedings—Joint Statutory Committee**

*Members*

The President (*Vice Chairman*), the Speaker (*Chairman*), Senators Ferris and Stephens and Mr Forrest, Mrs Gash, Mr Lindsay, Ms JS McFarlane and Mr Price

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**Community Affairs Legislation Committee***Portfolios*

Family and Community Services; Health and Ageing

*Members*

Senator Knowles (*Chair*), Senator Stott Despoja (*Deputy Chair*), Senators Barnett, Denman, Heffernan and Hutchins

*Substitute members*

Senator McLucas to replace Senator Denman for the committee's inquiry into the provisions of the Research Involving Embryos and Prohibition of Human Cloning Bill 2002

*Participating members*

Senators Abetz, Bishop, Boswell, Buckland, Carr, Chapman, Collins, Coonan, Crossin, Eggleston, Evans, Faulkner, Ferguson, Ferris, Forshaw, Harradine, Harris, Hogg, Lees, Lightfoot, McGauran, McLucas, Moore, Murphy, Payne, Tierney, Watson and Webber

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

Senators Brown, Nettle and Denman for the committee's consideration of the provisions of the Research Involving Embryos and Prohibition of Human Cloning Bill 2002

Senator Greig for matters relating to the Health portfolio

*Current inquiry*

Provisions of the Research Involving Embryos and Prohibition of Human Cloning Bill 2002 (*referred 21 August 2002; reporting date: 24 October 2002*)

*Reports presented*

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

Annual reports—No. 1 of 2002 (*tabled 13 March 2002*)

Additional estimates 2001-02, March 2002 (*tabled 13 March 2002*)

Budget estimates 2002-03, June 2002 (*tabled 19 June 2002*)

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**Community Affairs References Committee***Members*

Senator Hutchins (*Chair*), Senator Knowles (*Deputy Chair*), Senators Barnett, Lees, McLucas and Moore

*Participating members*

Senators Abetz, Bartlett, Bishop, Carr, Chapman, Coonan, Crossin, Denman, Eggleston, Evans, Faulkner, Ferguson, Ferris, Forshaw, Harradine, Harris, Lightfoot, Mason, McGauran, Murphy, Payne, Tierney, Watson and Webber

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

Senator Greig for matters relating to the Health portfolio

*Reports presented*

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

The patient profession: Time for action—Report on the inquiry into nursing (*tabled 26 June 2002*)

Participation requirements and penalties in the social security system [Family and Community Services Legislation Amendment (Australians Working Together and other 2001 Budget Measures) Bill 2002 and related issues] (*tabled 25 September 2002*)

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### **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*

Senator Chapman (*Chair*), Senator Wong (*Deputy Chair*), Senators Brandis, Conroy and Murray and Mr Byrne, Mr Ciobo, Mr Griffin, Mr Hunt and Mr McArthur

#### *Current inquiries*

Regulations and ASIC policy statements made under the *Financial Services Reform Act 2001* (*adopted 20 March 2002*)

Review of the *Managed Investments Act 1998* (*adopted 20 March 2002*)

Banking and financial services in rural, regional and remote areas of Australia (*adopted 26 June 2002*)

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### **Economics Legislation Committee**

#### *Portfolios*

Treasury; Industry, Tourism and Resources

#### *Members*

Senator Brandis (*Chair*), Senator Collins (*Deputy Chair*), Senators Chapman, Murray, Watson and Webber

#### *Substitute member*

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

#### *Participating members*

Senators Abetz, Boswell, George Campbell, Carr, Cherry, Conroy, Cook, Coonan, Eggleston, Evans, Faulkner, Ferguson, Ferris, Forshaw, Harradine, Harris, Kirk, Knowles, Lightfoot, Lundy, Mason, McGauran, Murphy, Payne, Ridgeway, Sherry, Stott Despoja, Tchen and Tierney

#### *Current inquiries*

New Business Tax System (Consolidation, Value Shifting, Demergers and Other Measures) Bill 2002 (*referred 18 September 2002; reporting date: 22 October 2002*)

Provisions of the Excise Tariff Amendment Bill (No. 1) 2002 and the Customs Tariff Amendment Bill (No. 2) 2002 (*referred 18 September 2002; reporting date: 22 October 2002*)

#### *Reports 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*)

Additional estimates 2001-02, March 2002 (*tabled 19 March 2002*)

Taxation Laws Amendment (Superannuation) Bill (No. 1) 2002 and Income Tax (Superannuation Payments Withholding Tax) Bill 2002 (*tabled 20 March 2002*)  
 Annual reports—No. 1 of 2002 (*tabled 21 March 2002*)  
 Budget estimates 2002-03, June 2002 (*tabled 19 June 2002*)  
 New Business Tax System (Consolidation) Bill (No. 1) 2002 (*tabled 26 June 2002*)  
 Taxation Laws Amendment Bill (No. 4) 2002 (*tabled 26 June 2002*)  
 Diesel Fuel Rebate Scheme Amendment Bill 2002 (*tabled 26 June 2002*)  
 Space Activities Amendment Bill 2002 (*tabled 27 August 2002*)  
 Annual reports—No. 2 of 2002 (*tabled 18 September 2002*)

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### **Economics References Committee**

#### *Members*

Senator Collins (*Chair*), Senator Brandis (*Deputy Chair*), Senators Chapman, Conroy, Ridgeway and Webber

#### *Substitute member*

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

#### *Participating members*

Senators Abetz, Boswell, George Campbell, Carr, Cherry, Coonan, Eggleston, Faulkner, Ferguson, Ferris, Forshaw, Harradine, Harris, Kirk, Knowles, Lightfoot, Mason, McGauran, Murphy, Murray, Payne, Sherry, Stott Despoja, Tchen, Tierney and Watson

#### *Current inquiry*

Public liability and professional indemnity insurance (*referred 20 March 2002; reporting date: 22 October 2002*)

#### *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*)

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### **Electoral Matters—Joint Standing Committee**

(*appointed 14 February 2002*)

#### *Members*

Mr Georgiou (*Chair*), Mr Danby (*Deputy Chair*), Senators Bartlett, Brandis, Mason, Murray and Ray and Mr Forrest, Mrs Ley and Mr Melham

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### **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*



Senator Tierney (*Chair*), Senator George Campbell (*Deputy Chair*), Senators Barnett, Carr, Johnston and Stott Despoja

*Substitute members*

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

Senator Allison to replace Senator Stott Despoja for matters relating to the Training portfolio and the Schools portfolio

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

*Participating members*

Senators Abetz, Boswell, Chapman, Cherry, Collins, Coonan, Crossin, Eggleston, Evans, Faulkner, Ferguson, Forshaw, Harradine, Harris, Hutchins, Knowles, Lees, Lightfoot, Ludwig, Mason, McGauran, Murphy, Nettle, Payne, Sherry, Watson and Webber

*Reports presented*

Annual reports—No. 1 of 2002 (*tabled 13 March 2002*)

Additional estimates 2001-02, March 2002 (*tabled 13 March 2002*)

Workplace Relations Amendment (Fair Dismissal) Bill 2002, Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Bill 2002, Workplace Relations Amendment (Secret Ballots for Protected Action) Bill 2002, Workplace Relations Amendment (Genuine Bargaining) Bill 2002 and Workplace Relations Amendment (Fair Termination) Bill 2002 (*tabled 15 May 2002*)

Budget estimates 2002-03, June 2002 (*tabled 27 June 2002*)

Higher Education Funding Amendment Bill 2002 (*tabled 22 August 2002*)

Research Agencies Legislation Amendment Bill 2002 (*tabled 29 August 2002*)

Workplace Relations Amendment (Paid Maternity Leave) Bill 2002 (*tabled 18 September 2002*)

Annual reports—No. 2 of 2002 (*tabled 18 September 2002*)

**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*

Senator George Campbell (*Chair*), Senator Tierney (*Deputy Chair*), Senators Barnett, Carr, Crossin and Stott Despoja

*Substitute members*

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

Senator Allison to replace Senator Stott Despoja for matters relating to the Training portfolio and the Schools portfolio

Senator Cherry to replace Senator Stott Despoja for matters relating to the Employment portfolio except for the public hearings in Western Australia and Melbourne for the committee's inquiry into small business employment when Senator Murray will replace Senator Stott Despoja

Senator Conroy to replace Senator Carr for the committee's inquiry into small business employment

*Participating members*

Senators Abetz, Boswell, Buckland, Chapman, Cherry, Collins, Coonan, Denman, Eggleston, Evans, Faulkner, Ferguson, Ferris, Forshaw, Harradine, Harris, Hutchins, Johnston, Knowles, Lees, Lightfoot, Ludwig, Mason, McGauran, Murphy, Nettle, Payne, Sherry, Watson and Webber

*Current inquiries*

Education of students with disabilities (*referred 13 March 2002; reporting date: the last sitting day in October 2002*)

Small business employment (*referred 20 March 2002; reporting date: 19 November 2002*)

The refusal of the Government to respond to the order of the Senate of 21 August 2002 for the production of documents relating to financial information concerning higher education institutions (*referred 18 September 2002; reporting date: by the fifth day of sitting in February 2003*)

*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, Lundy, Tchen and Tierney

*Substitute member*

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

*Participating members*

Senators Abetz, Bolkus, Boswell, Brown, George Campbell, Carr, Chapman, Conroy, Coonan, Evans, Faulkner, Ferguson, Ferris, Harradine, Harris, Knowles, Lees, Lightfoot, McLucas, Mason, McGauran, Murphy, Nettle, Ray, Watson and Wong

Senator Allison for matters relating to the Communications portfolio

Senator Stott Despoja for matters relating to the Information Technology portfolio

Senator Ridgeway for matters relating to the Arts portfolio

*Current inquiries*

Provisions of the Renewable Energy (Electricity) Amendment Bill 2002 (*referred 25 September 2002; reporting date: 19 November 2002*)

Provisions of the Telecommunications Competition Bill 2002 (*referred upon the introduction of the bill in the House of Representatives pursuant to the Selection of Bills Committee report no. 9, 25 September 2002; bill introduced 26 September 2002; reporting date: 14 November 2002*)

*Reports presented*

Additional estimates 2001-02, March 2002 (*tabled 13 March 2002*)

Annual reports—No. 1 of 2002 (*tabled 21 March 2002*)

Broadcasting Services Amendment (Media Ownership) Bill 2002 (*presented to the President on 18 June 2002, pursuant to standing order 38(7); tabled 19 June 2002*)

Budget estimates 2002-03, June 2002 (*tabled 19 June 2002*)

New Zealand/Australia committee exchange program: Report of visit to New Zealand, 15 to 17 April 2002 (*tabled 27 August 2002*)

Annual reports—No. 2 of 2002 (*tabled 18 September 2002*)

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

### *Members*

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

### *Substitute members*

Senator Crossin to replace Senator Mackay for the committee's inquiry into environmental performance at the Ranger, Jabiluka, Beverley and Honeymoon uranium operations

Senator Buckland to replace Senator Lundy for the committee's inquiry into environmental performance at the Ranger, Jabiluka, Beverley and Honeymoon uranium operations

Senator Scullion to replace Senator Tierney for the committee's inquiry into environmental performance at the Ranger, Jabiluka, Beverley and Honeymoon uranium operations

### *Participating members*

Senators Abetz, Bolkus, Boswell, Brown, Buckland, George Campbell, Carr, Chapman, Conroy, Coonan, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Harris, Knowles, Lees, Mason, McGauran, Murphy, Nettle, Payne and Watson

Senator Bartlett for matters relating to the Environment portfolio

Senators Greig and Stott Despoja for matters relating to the Information Technology portfolio

Senator Ridgeway for matters relating to the Arts portfolio

Senator Nettle for the committee's inquiry into environmental performance at the Ranger, Jabiluka, Beverley and Honeymoon uranium operations

### *Current inquiries*

Urban water management (*referred 5 April 2001; readopted 14 February 2002; reporting date: 24 October 2002*)

Environmental performance at the Ranger, Jabiluka, Beverley and Honeymoon uranium operations (*referred 20 June 2002; reporting date: 5 December 2002*)

The role of libraries as providers of public information in the online environment (*referred 25 June 2002; reporting date: last sitting day in March 2003*)

Australian telecommunications network (*referred 25 June 2002; reporting date: 21 February 2003*)

### *Reports presented*

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

New Zealand/Australia committee exchange program: Report of visit to New Zealand, 15 to 17 April 2002 (*tabled 27 August 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 Heffernan

*Participating members*

Senators Abetz, Carr, Chapman, Conroy, Coonan, Eggleston, Evans, Ferguson, Ferris, Harradine, Harris, Knowles, McGauran, Mackay, Marshall, Murphy, Payne, Ray, Ridgeway, Sherry, Tchen, Tierney and Watson

*Current inquiry*

Portfolio Budget Statements (*referred 21 November 1996; readopted 2 December 1998 and 21 March 2002*)

*Reports presented*

Additional estimates 2001-02, March 2002 (*tabled 13 March 2002*)

Matters not disposed of at the end of the 39th Parliament (*tabled 21 March 2002*)

Annual reports—No. 1 of 2002 (*tabled 21 March 2002*)

Budget estimates 2002-03, June 2002 (*tabled 19 June 2002*)

Charter of Political Honesty Bill 2000 [2002], Electoral Amendment (Political Honesty) Bill 2000 [2002], Government Advertising (Objectivity, Fairness and Accountability) Bill 2000 and Auditor of Parliamentary Allowances and Entitlements Bill 2000 [No. 2] (*tabled 29 August 2002*)

Annual reports—No. 2 of 2002 (*tabled 18 September 2002*)

Members of Parliament (Life Gold Pass) Bill 2002 (*tabled 19 September 2002*)

Public Interest Disclosure Bill 2001 [2002] (*tabled 26 September 2002*)

**Finance and Public Administration References Committee***Members*

Senator Forshaw (*Chair*), Senator Watson (*Deputy Chair*), Senators Heffernan, Marshall, Ridgeway and Wong

*Substitute member*

Senator Allison to replace Senator Ridgeway for the committee's inquiry into recruitment and training in the Australian Public Service

*Participating members*

Senators Abetz, Brandis, Carr, Chapman, Conroy, Coonan, Crossin, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Harris, Knowles, Lundy, Mason, McGauran, Murphy, Murray, Payne, Sherry, Tchen and Tierney

Senator Allison for matters relating to public service issues

*Current inquiries*

Tabling of indexed lists of files of departments and agencies (*referred 21 August 1996 pursuant to the order of 30 May 1996; readopted 1 December 1998 and 21 March 2002*)

First year of operation of the Senate order for the production of lists of departmental and agency contracts (*ordered 20 June 2001; amended 27 September 2001*)

Recruitment and training in the Australian Public Service (*referred 21 March 2002; reporting date: 12 December 2002*)

*Report presented*

Matters not disposed of at the end of the 39th Parliament (*tabled 21 March 2002*)

**Foreign Affairs, Defence and Trade—Joint Standing Committee***(appointed 14 February 2002)**Members*

Senator Ferguson (*Chair*), Mr Brereton (*Deputy Chair*), Senators Bartlett, Bolkus, Cook, Eggleston, Evans, Harradine, Hutchins, Johnston, Sandy Macdonald, O'Brien and Payne and Mr Baird, Mr Baldwin, Mr Beazley, Mr Bevis, Mr Byrne, Mr Edwards, Mr LDT Ferguson, Mrs Gash, Mr Hawker, Mr Jull, Mr Lindsay, Mrs Moylan, Mr Nairn, Mr Price, Mr Prosser, Mr Scott, Mr Snowdon, Mr Somlyay and Mr CP Thompson

*Current inquiries*

Enterprising Australia – planning, preparing and profiting from trade and investment (*adopted 15 May 2002*)

Watching brief on the war on terrorism (*adopted 15 May 2002*)

United Nations – Australia's role in the UN (*adopted 15 May 2002*)

World Trade Organisation – Australia's role in the WTO (*adopted 15 May 2002*)

Trade and investment relations with the countries of Central Europe (*adopted 12 August 2002*)

Relations with Indonesia (*adopted 22 August 2002*)

Australia's maritime strategy (*adopted 27 August 2002*)

Review of those aspects of the 2000-01 annual report of the Human Rights and Equal Opportunity Commission relating to conditions at immigration detention centres and the treatment of detainees (*adopted 27 June 2002*)

Human rights and good governance education in the Asia-Pacific region (*referred 3 September 2002*)

*Report presented*

Review of Foreign Affairs, Trade and Defence annual reports 2000-01 (*tabled 23 September 2002*)

**Foreign Affairs, Defence and Trade Legislation Committee***Portfolios*

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

*Members*

Senator Sandy Macdonald (*Chair*), Senator Cook (*Deputy Chair*), Senators Evans, Ferguson, Payne and Ridgeway

*Participating members*

Senators Abetz, Bartlett, Bishop, Boswell, Brandis, Carr, Chapman, Coonan, Eggleston, Faulkner, Ferris, Forshaw, Harradine, Harris, Hogg, Hutchins, Johnston, Knowles, Lightfoot, Mackay, Marshall, Mason, McGauran, Murphy, Nettle, Stott Despoja, Tchen, Tierney and Watson

*Reports presented*

Annual reports—No. 1 of 2002 (*tabled 21 March 2002*)

Additional estimates 2001-02, March 2002 (*tabled 21 March 2002*)

Budget estimates 2002-03, June 2002 (*tabled 26 June 2002*)

Annual reports—No. 2 of 2002 (*tabled 18 September 2002*)

**Foreign Affairs, Defence and Trade References Committee***Members*

Senator Cook (*Chair*), Senator Sandy Macdonald (*Deputy Chair*), Senators Hogg, Johnston, Marshall and Ridgeway

*Substitute member*

Senator Bartlett to replace Senator Ridgeway for the committee's inquiry into materiel acquisition and management in Defence

*Participating members*

Senators Abetz, Bartlett, Boswell, Brandis, Carr, Chapman, Coonan, Denman, Eggleston, Evans, Faulkner, Ferguson, Ferris, Forshaw, Harradine, Harris, Knowles, Lightfoot, Mackay, Mason, McGauran, Murphy, Nettle, Payne, Stott Despoja, Tchen, Tierney and Watson

*Current inquiries*

Materiel acquisition and management in Defence (*referred 13 March 2002; reporting date: 2 December 2002*)

Australia's relationship with Papua New Guinea and other Pacific island countries (*referred 13 March 2002; reporting date: 2 December 2002*)

*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*), Senators Carr, Colbeck, Collins, Ferris, Lightfoot and Stephens

**Legal and Constitutional Legislation Committee***Portfolios*

Attorney-General; Immigration and Multicultural and Indigenous Affairs

*Members*

Senator Payne (*Chair*), Senator Bolkus (*Deputy Chair*), Senators Greig, Ludwig, Mason and Scullion

*Substitute member*

Senator Ridgeway to replace Senator Greig for matters relating to the Indigenous Affairs portfolio

*Participating members*

Senators Abetz, Brandis, Brown, Carr, Chapman, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Harris, Kirk, Knowles, Lees, Lightfoot, McGauran, McLucas, Murphy, Nettle, Ray, Sherry, Stephens, Stott Despoja, Tchen, Tierney and Watson

Senator Bartlett for matters relating to the Immigration and Multicultural Affairs portfolio

*Current inquiry*

Statutory powers and functions of the Australian Law Reform Commission (*referred 1 December 1998 on adoption of the 73rd report of the Committee of Privileges; readopted 11 March 2002; reporting date: 24 October 2002*)

*Reports presented*

Matter not disposed of at the end of the 39th Parliament (*tabled 11 March 2002*)

Annual reports—No. 1 of 2002 (*tabled 21 March 2002*)

Additional estimates 2001-02, March 2002 (*tabled 21 March 2002*)

Proceeds of Crime Bill 2002 and the Proceeds of Crime (Consequential Amendments and Transitional Provisions) Bill 2002—Interim report (*presented to the Temporary Chair of Committees, Senator Chapman, on 10 April 2002, pursuant to standing order 38(7); tabled 14 May 2002*)

Criminal Code Amendment (Espionage and Related Offences) Bill 2002—Interim report (*presented to the Deputy President on 26 April 2002, pursuant to standing order 38(7); tabled 14 May 2002*)

Proceeds of Crime Bill 2002 and the Proceeds of Crime (Consequential Amendments and Transitional Provisions) Bill 2002 (*presented to the Deputy President on 26 April 2002, pursuant to standing order 38(7); tabled 14 May 2002*)

Security Legislation Amendment (Terrorism) Bill 2002 [No. 2], Suppression of the Financing of Terrorism Bill 2002, Criminal Code Amendment (Suppression of Terrorist Bombings) Bill 2002, Border Security Legislation Amendment Bill 2002 and Telecommunications Interception Legislation Amendment Bill 2002—Interim report (*presented to the Deputy President on 3 May 2002, pursuant to standing order 38(7); tabled 14 May 2002*)

Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002—Interim report (*presented to the Deputy President on 3 May 2002, pursuant to standing order 38(7); tabled 14 May 2002*)

Security Legislation Amendment (Terrorism) Bill 2002 [No. 2], Suppression of the Financing of Terrorism Bill 2002, Criminal Code Amendment (Suppression of Terrorist Bombings) Bill 2002, Border Security Legislation Amendment Bill 2002 and Telecommunications Interception Legislation Amendment Bill 2002 (*presented to the Temporary Chair of Committees, Senator Knowles, on 8 May 2002, pursuant to standing order 38(7); tabled 14 May 2002*)

Criminal Code Amendment (Espionage and Related Offences) Bill 2002 (*presented to the Deputy President on 10 May 2002, pursuant to standing order 38(7); tabled 14 May 2002*)

Family Law Amendment (Child Protection Convention) Bill 2002 (*tabled 15 May 2002*)

Proceeds of Crime Bill 2002 and the Proceeds of Crime (Consequential Amendments and Transitional Provisions) Bill 2002—Erratum (*tabled 16 May 2002*)

Migration Legislation Amendment (Procedural Fairness) Bill 2002—Interim report (*presented to the Temporary Chair of Committees, Senator Cook, on 22 May 2002, pursuant to standing order 38(7); tabled 18 June 2002*)

Migration Legislation Amendment Bill (No. 1) 2002—Interim report (*presented to the Temporary Chair of Committees, Senator Cook, on 22 May 2002, pursuant to standing order 38(7); tabled 18 June 2002*)

Migration Legislation Amendment (Procedural Fairness) Bill 2002 (*presented to the Deputy President on 5 June 2002, pursuant to standing order 38(7); tabled 18 June 2002*)

Migration Legislation Amendment Bill (No. 1) 2002 (*presented to the Deputy President on 5 June 2002, pursuant to standing order 38(7); tabled 18 June 2002*)

Australian Protective Service Amendment Bill 2002 (*presented to the Deputy President on 13 June 2002, pursuant to standing order 38(7); tabled 18 June 2002*)

Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002 (*tabled 18 June 2002*)

Budget estimates 2002-03, June 2002 (*tabled 25 June 2002*)

Government amendments to the Proceeds of Crime Bill 2002 and the Proceeds of Crime (Consequential Amendments and Transitional Provisions) Bill 2002 (*presented to the President on 28 June 2002, pursuant to standing order 38(7); tabled 19 August 2002*)

Annual reports—No. 2 of 2002 (*tabled 18 September 2002*)

### **Legal and Constitutional References Committee**

#### *Members*

Senator Bolkus (*Chair*), Senator Payne (*Deputy Chair*), Senators Greig, Kirk, Scullion and Stephens

#### *Substitute member*

Senator Ridgeway to replace Senator Greig for matters relating to the Indigenous Affairs portfolio

#### *Participating members*

Senators Abetz, Brandis, Brown, Carr, Chapman, Crossin, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Harris, Knowles, Lees, Lightfoot, Ludwig, Mason, McGauran, Murphy, Nettle, Sherry, Stott Despoja, Tchen, Tierney and Watson

Senator Bartlett for matters relating to the Immigration and Multicultural Affairs portfolio

#### *Current inquiries*

Migration Legislation Amendment (Further Border Protection Measures) Bill 2002 and related issues (*referred 25 June 2002; reporting date: 21 October 2002*)

Progress towards national reconciliation (*referred 27 August 2002; reporting date: March 2003*)

#### *Reports presented*

Matters not disposed of at the end of the 39th Parliament (*tabled 11 March 2002*)

Human Rights (Mandatory Sentencing for Property Offences) Bill 2000 (*tabled 12 March 2002*)

Inquiry into s. 46 and s. 50 of the *Trade Practices Act 1974* (*tabled 14 May 2002*)

Outsourcing of the Australian Customs Service's Information Technology (*tabled 16 May 2002*)

### **Library—Standing Committee**

#### *Members*

The President (*Chair*), Senators Kirk, Ludwig, Scullion, Tchen, Tierney and Wong

### **Migration—Joint Standing Committee**

(*appointed 14 February 2002*)

#### *Members*

Ms Gambaro (*Chair*), Senators Bartlett, Eggleston, Kirk and Tchen and Mr LDT Ferguson, Mrs Gash, Mrs Irwin, Mr Ripoll and Mr Randall

#### *Current inquiry*

Review of skilled migration (*referred 18 June 2002*)



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**National Capital and External Territories—Joint Standing Committee**

*(appointed 14 February 2002)*

*Members*

Senator Lightfoot (*Chair*), Senator Crossin (*Deputy Chair*), The Deputy President and Chairman of Committees, the Deputy Speaker, Senators Greig, Lundy and Scullion and Ms Ellis, Mr Johnson, Mr Neville, Mr Snowdon and Mr CP Thompson

*Report presented*

Norfolk Island electoral matters (*tabled 26 August 2002*)

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**National Crime Authority—Joint Statutory Committee**

*Members*

Mr Baird (*Chair*), Mr Sercombe (*Deputy Chair*), Senators Denman, Ferris, Greig, Hutchins and McGauran and Mr Dutton, Mr Kerr and Mr CP Thompson

*Current inquiry*

Australian Crime Commission Establishment Bill 2002 (*referred 26 September 2002; reporting date: 6 November 2002*)

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

*Members*

Senator McLucas (*Deputy Chair*), Senators Crossin, Lees and Scullion and Mr Cobb, Dr Lawrence, Ms Panopoulos, Mr Secker and Mr Snowdon

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**Privileges—Standing Committee**

*Members*

Senator Ray (*Chair*), Senator Knowles (*Deputy Chair*), Senators Evans, Johnston, Payne, Reid and Sherry

*Current inquiry*

Having regard to the matter raised by the Environment, Communications, Information Technology and the Arts Legislation Committee in its letter of 26 June 2002 to the President, whether there was an unauthorised disclosure of a report of that committee, and whether any contempt was committed in that regard (*referred 27 June 2002*)

*Reports presented*

102nd report—Counsel to the Senate (*tabled 26 June 2002*)

103rd report—Possible improper influence and penalty on a senator (*tabled 26 June 2002*)

104th report—Possible false or misleading evidence before the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund (*tabled 26 June 2002*)

105th report—Execution of search warrants in senators' offices – Senator Harris (*tabled 26 June 2002*)

106th report—Possible improper interference with a witness before the Senate Select Committee on a Certain Maritime Incident (*tabled 27 August 2002*)

107th report—Parliamentary privilege precedents, procedures and practices in the Australian Senate 1996-2002 (*tabled 27 August 2002*)

*Document presented*

Advices to the Senate Committee of Privileges from the Clerk of the Senate and Senior Counsel—March 1988 to April 2002 (*tabled 27 August 2002*)

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**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 Allison, Brandis, Eggleston, Ferguson, Ludwig and Ray

*Current inquiry*

Recommendations in the Procedure Committee's first report of 2002 relating to standing order 74(5) (*referred 28 August 2002*)

*Report presented*

First report of 2002—Adjournment debate; Unanswered questions on notice (*tabled 19 June 2002*)

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**Public Accounts and Audit—Joint Statutory Committee**

*Members*

Mr Charles (*Chairman*), Ms Plibersek (*Vice Chairman*), Senators Colbeck, Hogg, Moore, Murray, Scullion and Watson and Mr Ciobo, Mr Cobb, Mr Georgiou, Ms Grierson, Mr Griffin, Ms CF King, Mr PE King and Mr Somlyay

*Reports presented*

Report 388—Review of the accrual budget documentation (*tabled 19 June 2002*)

Report 389—Review of Auditor-General's reports 2000-01: Fourth quarter (*tabled 27 June 2002*)

Report 390—Review of Auditor-General's reports 2001-02: First, second and third quarters (*tabled 29 August 2002*)

Report 391—Review of independent auditing by registered company auditors (*tabled 18 September 2002*)

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**Public Works—Joint Statutory Committee**

*Members*

Mrs Moylan (*Chairman*), Mr BPJ O'Connor (*Deputy Chairman*), Senators Colbeck, Ferguson and Forshaw and Mr Jenkins, Mr Lindsay, Mr Lloyd and Mr Ripoll

*Reports presented*

Sixty-fifth annual report, March 2002 (*tabled 15 May 2002*)

Common use infrastructure on Christmas Island (First report of 2002) (*tabled 27 August 2002*)

RAAF Base Williamtown redevelopment stage 1 and facilities for the airborne early warning and control aircraft (Second report of 2002) (*tabled 18 September 2002*)

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**Publications—Standing Committee**

*Members*

Senator Colbeck (*Chair*), Senators Hutchins, Johnston, Kirk, Marshall, Moore and Scullion

*Reports presented*

1st report (*tabled 21 March 2002*)

2nd report (*tabled 29 August 2002*)

3rd report (*tabled 26 September 2002*)

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**Regulations and Ordinances—Legislative Scrutiny Standing Committee**

*Members*

Senator Tchen (*Chairman*), Senators Barnett, Bartlett, Marshall, Mason and Moore

*Report presented*

110th report—Annual report 2000-01 (*tabled 21 March 2002*)

*Document presented*

Ministerial correspondence relating to the scrutiny of delegated legislation, March – June 2002 (*tabled 26 June 2002*)

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**Rural and Regional Affairs and Transport Legislation Committee**

*Portfolios*

Transport and Regional Services; Agriculture, Fisheries and Forestry

*Members*

Senator Heffernan (*Chair*), Senator Buckland (*Deputy Chair*), Senators Cherry, Colbeck, Ferris and O'Brien

*Participating members*

Senators Abetz, Boswell, Brown, Carr, Chapman, Coonan, Eggleston, Evans, Faulkner, Ferguson, Harradine, Harris, Hutchins, Knowles, Lightfoot, Mason, Sandy Macdonald, McLucas, Murphy, Payne, Ray, Stephens, Tchen, Tierney and Watson

Senator Bartlett for matters relating to animal welfare issues

Senator Greig for matters relating to the Fisheries and Transport portfolios

*Current inquiries*

Administration of the Civil Aviation Safety Authority (*adopted 22 October 1999; readopted 13 March 2002; reporting date: last sitting day for 2002*)

Import risk assessment on New Zealand apples (*referred 2 November 2000; readopted 13 March 2002; reporting date: last sitting day for 2002*)

Administration of AusSAR in relation to the search for the *Margaret J* (*referred 25 June 2001; readopted 13 March 2002; reporting date: last sitting day for 2002*)

Australian meat industry and export quotas (*referred 27 June 2002; reporting date: 31 October 2002*)

Provisions of the Egg Industry Service Provision Bill 2002 and the Egg Industry Service Provision (Transitional and Consequential Provisions) Bill 2002 (*referred 18 September 2002; reporting date: 22 October 2002*)

Provisions of the Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 1) 2002 (*referred 18 September 2002; reporting date: 24 October 2002*)

*Reports presented*

- Matters not disposed of at the end of the 39th Parliament (*tabled 13 March 2002*)
- Annual reports—No. 1 of 2002 (*tabled 21 March 2002*)
- Additional estimates 2001-02, March 2002 (*tabled 21 March 2002*)
- Airports Amendment Bill 2002 (*tabled 16 May 2002*)
- Administration by the Department of Transport and Regional Services of Australian Motor Vehicle Standards under the *Motor Vehicle Standards Act 1989* and Regulations (*tabled 18 June 2002*)
- Budget estimates 2002-03, June 2002 (*tabled 19 June 2002*)
- The introduction of quota management controls on Australian beef exports to the United States by the Minister for Agriculture, Fisheries and Forestry (*tabled 26 June 2002*)
- Administration of the Civil Aviation Safety Authority—Interim report (*tabled 27 June 2002*)
- Proposed importation of fresh apple fruit from New Zealand—Interim report (*tabled 27 June 2002*)
- Administration of AusSAR in relation to the search for the *Margaret J*—Interim report (*tabled 27 June 2002*)
- Annual reports—No. 2 of 2002 (*tabled 18 September 2002*)
- The Australian meat industry consultative structure and quota allocation—Interim report: Allocation of the US beef quota (*tabled 24 September 2002*)

**Rural and Regional Affairs and Transport References Committee***Members*

Senator Ridgeway (*Chair*), Senators Buckland, Heffernan, McGauran, O'Brien and Stephens

*Participating members*

Senators Abetz, Boswell, Brown, Carr, Chapman, Colbeck, Coonan, Crossin, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Harris, Hutchins, Knowles, Lightfoot, Mason, Sandy Macdonald, Murphy, Payne, Tchen, Tierney and Watson

Senator Bartlett for matters relating to animal welfare issues

Senator Greig for matters relating to the Fisheries and Transport portfolios

*Current inquiry*

Forestry plantations (*referred 27 June 2002; reporting date: last sitting day in August 2003*)

**Scrutiny of Bills—Legislative Scrutiny Standing Committee***Members*

Senator McLucas (*Chairman*), Senators Barnett, Crossin, Johnston, Mason and Murray

*Alert Digests presented*

- No. 1 of 2002 (presented to the President on 21 February 2002, pursuant to standing order 38(7); *tabled 11 March 2002*)
- No. 2 of 2002 (*tabled 13 March 2002*)
- No. 3 of 2002 (*tabled 20 March 2002*)
- No. 4 of 2002 (*tabled 15 May 2002*)

- No. 5 of 2002 (*presented 19 June 2002*)
- No. 6 of 2002 (*tabled 26 June 2002*)
- No. 7 of 2002 (*tabled 21 August 2002*)
- No. 8 of 2002 (*tabled 28 August 2002*)
- No. 9 of 2002 (*tabled 18 September 2002*)
- No. 10 of 2002 (*tabled 25 September 2002*)

*Reports presented*

- No. 1 of 2002 (*presented to the President on 21 February 2002, pursuant to standing order 38(7); tabled 11 March 2002*)
- No. 2 of 2002 (*tabled 13 March 2002*)
- No. 3 of 2002 (*tabled 20 March 2002*)
- Matters not disposed of at the end of the 39th Parliament (*tabled 21 March 2002*)
- No. 4 of 2002 (*presented 15 May 2002*)
- No. 5 of 2002 (*presented 19 June 2002*)
- No. 6 of 2002: Application of absolute and strict liability offences in Commonwealth Legislation (*presented 26 June 2002*)
- No. 7 of 2002 (*presented 26 June 2002*)
- Work of the committee during the 39th Parliament, November 1998–October 2001 (*tabled 27 June 2002*)
- No. 8 of 2002 (*presented 21 August 2002*)
- No. 9 of 2002 (*tabled 28 August 2002*)
- No. 10 of 2002 (*presented 18 September 2002*)
- No. 11 of 2002 (*tabled 25 September 2002*)

**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, Eggleston and Ludwig

*Reports presented*

- Report no. 1 of 2002 (*presented 13 March 2002*)
- Report no. 2 of 2002 (*presented 20 March 2002*)
- Report no. 3 of 2002 (*presented 15 May 2002*)
- Report no. 4 of 2002 (*presented 19 June 2002*)
- Report no. 5 of 2002 (*presented 26 June 2002*)
- Report no. 6 of 2002 (*presented 21 August 2002*)
- Report no. 7 of 2002 (*presented 28 August 2002*)
- Report no. 8 of 2002 (*presented 18 September 2002*)
- Report no. 9 of 2002 (*presented 25 September 2002*)

**Senators' Interests—Standing Committee***Members*

Senator Denman (*Chair*), Senator Lightfoot (*Deputy Chair*), Senators Allison, Forshaw, McGauran, Reid, Webber and Wong

*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*)

Register of senators' interests incorporating declarations of interests and notifications of alterations of interests lodged between 7 December 2001 and 24 June 2002 (*tabled 26 June 2002*)

*Reports presented*

Report 1/2002: Annual report 2001 (*presented to the President on 28 March 2002, pursuant to standing order 38(7); tabled 14 May 2002*)

Report 2/2002: Proposed changes to resolutions relating to declarations of senators' interests and gifts to the Senate and the Parliament (*tabled 26 June 2002*)

**Superannuation—Select Committee**

(*appointed 14 March 2002*)

*Members*

Senator Watson (*Chair*), Senator Sherry (*Deputy Chair*), Senators Buckland, Chapman, Cherry, Hogg and Lightfoot

*Current inquiries*

Tax arrangements for superannuation and related policy (*referred 14 March 2002; reporting date: 14 November 2002*)

Provisions of the Superannuation Legislation Amendment (Choice of Superannuation Funds) Bill 2002 (*referred 21 August 2002; reporting date: 16 October 2002*)

*Reports presented*

Taxation Laws Amendment (Superannuation) Bill (No. 2) 2002 and Superannuation Guarantee Charge Amendment Bill 2002 (*tabled 25 June 2002*)

Taxation treatment of overseas superannuation transfers (*presented to the President on 25 July 2002, pursuant to standing order 38(7); tabled 19 August 2002*)

Superannuation (Government Co-contribution for Low Income Earners) Bill 2002 and Superannuation Legislation Amendment Bill 2002 (*tabled 26 September 2002*)

**Superannuation and Financial Services—Select Committee**

(*appointed 22 September 1999 with effect on and from 11 October 1999; re-appointed as the Superannuation—Select Committee, see above*)

*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*

Ms JI Bishop (*Chair*), Mr Wilkie (*Deputy Chair*), Senators Barnett, Bartlett, Kirk, Marshall, Mason, Stephens and Tchen and Mr Adams, Mr Bartlett, Mr Ciobo, Mr Evans, Mr Hunt, Mr PE King and Mr Scott

*Reports presented*

Report 44—Four nuclear safeguards treaties tabled in August 2001 (*tabled 15 May 2002*)

Report 45—The Statute of the International Criminal Court (*tabled 15 May 2002*)

Report 46—Treaties tabled 12 March 2002 (*tabled 24 June 2002*)

Statement on the 46th report, dated 26 June 2002 (*tabled 26 June 2002*)

Report 47—Treaties tabled on 18 and 25 June 2002 (*tabled 26 August 2002*)

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**SENATE APPOINTMENTS TO STATUTORY AUTHORITIES**

**Advisory Council on Australian Archives**

Senator Faulkner—(*appointed 27 June 2002 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*).

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**HARRY EVANS**

Clerk of the Senate

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## MINISTERIAL REPRESENTATION

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

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## 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.

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

