2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

NOTICE PAPER

No. 64

TUESDAY, 4 MARCH 2003

The Senate meets at 2 pm

Contents

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

BUSINESS OF THE SENATE

Notices 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 3 December 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.

(3) In undertaking this reference, the committee is not to consider particular cases under the current adjudication of a court, tribunal or administrative body.

(4) In undertaking this reference, the committee is to make witnesses and those who provide submissions aware of the scope of the inquiry, namely:

(a) explain the respective responsibilities of the Commonwealth and the states and territories in relation to child protection matters; and

(b) explain the scope of the committee's powers to make recommendations binding upon other jurisdictions in relation to the matters contained in these terms of reference.

Notice of motion altered on 3 March 2003 pursuant to standing order 77.

Notice given 3 March 2003

*2 **Senator Brown:** To move—That the following matters be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 26 June 2003:

The operation and effectiveness of Australia's security and intelligence agencies in the lead up to the Bali bombings, including:

(a) the discrepancies, if any, between Australia and other nations (including the United States of America) in intelligence received regarding terrorist operations prior to the bombings;

(b) action taken in Australia and elsewhere to warn the public of potential dangers; and

(c) any other matters concerning security and intelligence agencies affecting Australians in relation to the Bali bombings.

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.

GOVERNMENT BUSINESS

Notice of Motion

Notice given 3 March 2003

*1 **Parliamentary Secretary to the Treasurer (Senator Ian Campbell):** To move—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the Joint House Department for capital works within the Parliamentary Zone, being the installation of temporary vehicle barriers and permanent CCTV cameras.

Orders of the Day

1 **National Health Amendment (Pharmaceutical Benefits—Budget Measures) Bill 2002 [No. 2]—**(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*Senator Hutchins, in continuation, 5 December 2002*).

2 **Taxation Laws Amendment Bill (No. 6) 2002—**(*Minister for Justice and Customs, Senator Ellison*)

Second reading—Adjourned debate (*adjourned, Senator Buckland, 5 February 2003*).

*3 **Migration Legislation Amendment (Contributory Parents Migration Scheme) Bill 2002**

Migration (Visa Application) Charge Amendment Bill 2002—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Senator Webber, 3 March 2003*).

4 **Environment and Heritage Legislation Amendment Bill (No. 1) 2002**

Australian Heritage Council Bill 2002

Australian Heritage Council (Consequential and Transitional Provisions) Bill 2002—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

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

5 **Migration Legislation Amendment Bill (No. 1) 2002—**(*Minister for Justice and Customs, Senator Ellison*)

Second reading—Adjourned debate (*adjourned, Senator Buckland, 5 February 2003*).

6 **Copyright Amendment (Parallel Importation) Bill 2002—**(*Minister for Revenue and Assistant Treasurer, Senator Coonan*)

Second reading—Adjourned debate (*adjourned, Senator Buckland, 10 December 2002*).

*7 **New Business Tax System (Consolidation and Other Measures) Bill (No. 2) 2002**

New Business Tax System (Venture Capital Deficit Tax) Bill 2002—(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Senator Webber, 3 March 2003*).

*8 **Snowy Hydro Corporatisation Amendment Bill 2002—**(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Senator Webber, 3 March 2003*).

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

Second reading—Adjourned debate (*adjourned, Senator Buckland, 6 February 2003*).

10 **Transport Safety Investigation Bill 2002**

Transport Safety Investigation (Consequential Amendments) Bill 2002—(*Special Minister of State, Senator Abetz*)

Second reading—Adjourned debate (*adjourned, Senator Ludwig, 15 October 2002*).

*11 **Agricultural and Veterinary Chemicals Legislation Amendment Bill 2002—** (*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Senator Webber, 3 March 2003*).

*12 **Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 2) 2002—**(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Senator Webber, 3 March 2003*).

13 **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*).

14 **Broadcasting Services Amendment (Media Ownership) Bill 2002—**(*Minister for Fisheries, Forestry and Conservation, Senator Ian Macdonald*)

Second reading—Adjourned debate (*adjourned, Senator Mackay, 23 October 2002*).

*15 **Inspector-General of Taxation Bill 2002**

Consideration in committee of the whole of message no. 251 from the House of Representatives (*3 March 2003*).

*16 **Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Bill 2002 [No. 2]—**(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Senator Webber, 3 March 2003*).

17 **Family and Community Services Legislation Amendment (Australians Working Together and other 2001 Budget Measures) Bill 2002**

Consideration in committee of the whole of message no. 238 from the House of Representatives (*5 February 2003*).

18 **Crimes Legislation Enhancement Bill 2002 [2003]—(*Senate bill*)—** (*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*5 December 2002*).

*19 **Customs Legislation Amendment Bill (No. 2) 2002—**(*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Senator Webber, 3 March 2003*).

20 **Financial Sector Legislation Amendment Bill (No. 2) 2002—**(*Minister for Health and Ageing, Senator Patterson*)

Second reading—Adjourned debate (*2 December 2002*).

21 **Superannuation (Government Co-contribution for Low Income Earners) Bill 2002**

Superannuation Legislation Amendment Bill 2002

Adjourned debate on the motion of Minister for the Arts and Sport (Senator Kemp)—That these bills be now read a second time.

And on the amendment moved by Senator Sherry in respect of the Superannuation Legislation Amendment Bill 2002—At the end of the motion, add "but the Senate is of the opinion that the bill should be withdrawn and redrafted to:

(a) ensure that the proposed surcharge tax reduction to high-income earners, the splitting of superannuation contributions and the closure of the public sector funds do not proceed; and

(b) provide for a fairer contributions tax cut that will boost retirement incomes for all superannuation fund members to assist in preparing the nation for the ageing population".

And on the amendment moved by Senator Cherry in respect of the Superannuation (Government Co-contribution for Low Income Earners) Bill 2002—At the end of the motion, add "but the Senate notes that analysis provided to the Select Committee on Superannuation shows that extending the co-contribution to workers on average earnings would have a significant positive effect on national savings, and that this could be funded by better targeting of the Government's superannuation measures"—(*adjourned, Special Minister of State (Senator Abetz), 18 November 2002*).

*22 **Sex Discrimination Amendment (Pregnancy and Work) Bill 2002—** (*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Senator Webber, 3 March 2003*).

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

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

24 **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 Auditor-General's reports

*1 **Auditor-General—Audit report no. 28 of 2002-03—Performance audit—Northern Territory Land Councils and the Aboriginal Benefit Account**

Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 3 March 2003*).

*2 **Auditor-General—Audit report no. 29 of 2002-03—Audit activity report: July to December 2002: Summary of outcomes**

Consideration (*3 March 2003*).

*3 **Auditor-General—Audit report no. 30 of 2002-03—Performance audit—Defence ordnance safety and suitability for service: Department of Defence**

Consideration (*3 March 2003*).

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 of her portfolio for 5 years from the date of resignation.

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 2003***.

Notice of motion altered on 30 January 2003 pursuant to standing order 77.

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.

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.

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 spend 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 17 October 2002

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

(a) recognises that the Federal Coalition Government has increased investment in education each year, with $2.4 billion being provided for public schools in 2002-03, an increase of 5.7 per cent over the past year and a 52 per cent increase since 1996;

(b) expresses alarm that New South Wales state government spending on education currently lags $318 million a year below the Australian national average;

(c) notes that New South Wales primary schools have the worst student-to-teacher ratios in Australia and some of the largest class sizes in the country;

(d) further notes that the Vinson report into public education demonstrates the under resourcing of the public education system in New South Wales by the Carr Government; and

(e) congratulates New South Wales Opposition Leader, John Brogden, who vowed on 24 September 2002 to spend more on public schools and backed the need to reduce class sizes.

Notice given 24 October 2002

227 **Leader of the Australian Democrats (Senator Bartlett):** To move—That there be laid on the table, no later than 4 pm on 19 November 2002:

(a) all documents relating to the acquisition of the north-east margin search and rescue (SAR) data, including but not limited to the authorisation for acquisition, and any related internal correspondence;

(b) briefing documents or briefing notes relating to the Great Barrier Reef Marine Park Authority interest in SAR data, as referenced in Dr Trevor Powell's letter to the authority, dated 18 September 2002;

(c) covering letter accompanying the Shell/Woodside Consortium proposal, May 2000;

(d) all materials distributed at the Bali 2000 conference attended by Geoscience Australia;

(e) outputs leading to the outcome listed in the 2001-02 workplan under section 2, Geoscience for Oceans and Coasts, subsections 2.9, Petroleum and Regional Geology and 2.11 Eastern Region, as 'A geological overview of the east coast basins in order that decisions can be made regarding petroleum exploration opportunities and acreage release; and

(f) all documents and materials relating to the outcome and outputs described above, including preliminary discussions for the outcome and outputs, discussions, memorandums, budget materials, notes of phone conservations and e-mails.

Notice given 12 November 2002

245 **Leader of the Australian Democrats (Senator Bartlett):** To move—That there be laid on the table, no later than 2 pm on Thursday, 5 December 2002, all documents associated with the formation, funding and membership of the Foundation for a Sustainable Minerals Industry, including but not limited to: reports, correspondence, e-mail, records of conservation, memos, margin notes and minutes of meetings.

Notice given 13 November 2002

258 **Senator O'Brien:** To move—That the Senate—

(a) notes, with grave concern, the crisis enveloping rural and regional Australia;

(b) condemns the Howard Government for its neglect of rural and regional Australians, in particular, its failure to:

(i) adequately respond to the growing drought,

(ii) provide timely and appropriate assistance to the sugar industry, and

(iii) support essential services including health, banking, employment and telecommunications; and

(c) calls on the Howard Government to reverse its neglect of rural and regional communities.

Notice given 9 December 2002

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

(a) expresses concern about the extreme bushfire danger facing the citizens of New South Wales;

(b) praises the unstinting and brave work of the voluntary bushfire fighters in combating the fires and protecting and saving property and lives;

(c) congratulates the Australian Government for its high tech support for the firefighting effort with the provision of air crane fire bombing technology;

(d) recognises that the current extreme fire conditions have been exacerbated by a build-up of forest fuel resulting from the Carr Australian Labor Party Government's anti-back-burning policies over the past 7 years;

(e) condemns the Carr Government for ignoring the recommendations of the state parliamentary inquiry into the 2001-02 New South Wales fires brought down 6 months ago; and

(f) calls on the Carr Government in New South Wales to recognise that south-eastern Australia is the most fire-prone region in the world and to develop more appropriate policies to protect life, property and the environment.

Notice given 5 February 2003

342 **Senator Cherry:** To move—That the Senate—

(a) notes:

(i) that the Government is yet to respond to the unanimous July 2001 report of the Rural and Regional Affairs and Transport References Committee on the national Ovine Johne's Disease Program,

(ii) that the administration of the program continues to cause severe hardship for sheep producers in New South Wales, and

(iii) that more than 1 000 sheep producers in Forbes, New South Wales, on 3 February 2003 passed a vote of no confidence in the handling of the disease in New South Wales; and

(b) calls on:

(i) the Federal Government to immediately respond to the Senate report, and

(ii) the New South Wales Government to address the legitimate concerns raised in the report about bureaucratic overreaction in the program that has resulted in excessive and unnecessarily harsh social and economic effects on producers and rural communities.

Notice given 6 February 2003

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

(a) notes that:

(i) three nurses have recently been retrenched from the Flinders University health and counselling services,

(ii) this will result in the closure of the drop-in service that Flinders University health and counselling services currently provide, as well as the loss of other services associated with the health and counselling services, and

(iii) health services are essential to university students, and must be adequately funded; and

(b) urges the Government to target its higher education funding more specifically to ensure that funding to student services is increased.

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

(a) condemns the judicial killing of Buddhist monk Lobsang Dhondup in Tibet in January 2003; and

(b) calls on the Minister for Foreign Affairs to seek an explanation for his death from the People's Republic of China.

Notice given 3 March 2003

*352 **Chair of the Environment, Communications, Information Technology and the Arts References Committee (Senator Allison):** To move—That the time for the presentation reports of the Environment, Communications, Information Technology and the Arts References Committee be extended as follows:

(a) environmental performance at the Ranger, Jabiluka, Beverley and Honeymoon uranium operations—to 9 April 2003; and

(b) the role of libraries as providers of public information in the online environment—to 24 June 2003.

*353 **Chair of the Select Committee on Superannuation (Senator Watson):** To move—That the Select Committee on Superannuation be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 5 March 2003, from 6 pm till 8.30 pm, to take evidence for the committee's inquiry into the Superannuation Industry (Supervision) Amendment Bill 2002 and the Superannuation (Financial Assistance Funding) Levy Amendment Bill 2002.

*354 **Senator O'Brien:** To move—That the Senate—

(a) notes that:

(i) on 16 October 2002 it agreed to an order for the production of documents relating to the government's consideration of an ethanol excise and production subsidy,

(ii) on 21 October 2002 the Parliamentary Secretary to the Treasurer (Senator Ian Campbell) advised the Senate that 'the government intends to comply with the order as soon as possible and fully expects to be in a position to do so shortly',

(iii) on 12 December 2002 Senator Ian Campbell advised the Senate that, 'consideration of the documents is close to conclusion' and committed to tabling the requested documents out of session by 17 December 2002,

(iv) on 5 February 2003 Senator Ian Campbell advised the Senate that, 'the government is seeking to conclude its consideration of these documents and its compliance – albeit very late – with the order of the Senate', and

(v) more than 130 days have passed since Senator Ian Campbell gave the Senate a commitment that the Government would 'shortly' comply with the Senate order; and

(b) calls on the government to comply with the order of the Senate no later than 5pm on 6 March 2003.

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

(a) notes that:

(i) the Centres for Disease Control and Prevention in Atlanta and the National Cancer Institute (USA) draft report estimates that 11 000 people died from cancers relating to nuclear testing during the Cold War,

(ii) this is the first study to consider the health effects of nuclear detonations, including those done in foreign countries, between 1951 and 1962, when open-air testing was banned, and

(iii) the report concludes that radioactive fallout from the Cold War nuclear testing exposed virtually everyone in the United States and contributed to cancer deaths;

(b) calls on the Federal Government to adopt blood testing, as New Zealand has done, for all veterans who have been exposed to nuclear testing or munitions in light of this new report; and

(c) urges the Federal Government to contact servicemen who are found in the current Australian health study to have been exposed to high levels of radiation, for the purpose of assessing their health condition and providing medical services.

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

(a) notes that:

(i) Eileen Kampakuta Brown, senior Yankunytjatjara/Antikarinya woman and member of the Kupa Piti Kungka Tjuta from Coober Pedy, was awarded an Order of Australia (AO) for services to the community 'through the preservation, revival and teaching of traditional Anangu (Aboriginal) culture and as an advocate for Indigenous communities in central Australia',

(ii) Mrs Brown's extensive traditional cultural knowledge has compelled her to lead a 10-year struggle against the Federal Government's proposal to dump radioactive waste in the South Australian desert,

(iii) just days before Mrs Brown was awarded the AO, the Federal Government released its final environmental impact statement for the waste dump project, and

(iv) the Government also announced that $300 000 is to be spent to 're-educate' the South Australian public and to nullify opposition to the dump;

(b) points out to the Prime Minister (Mr Howard) the hypocrisy of the Government in giving an award for services to the community to Mrs Brown but taking no notice of her objection, and that of the

Yankunytjatjara/Antikarinya community, to its decision to construct a national repository on this land; and

(c) calls on the Government to reverse its decision to construct a national repository in South Australia.

*357 **Chair of the Economics Legislation Committee (Senator Brandis):** To move—That the Economics Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 6 March 2003, from 4 pm, to take evidence for the committee's inquiry into the Corporations Amendment (Repayment of Directors' Bonuses) Bill 2002.

*358 **Chair of the Parliamentary Joint Committee on Corporations and Financial Services (Senator Chapman):** To move—That the Parliamentary Joint Committee on Corporations and Financial Services be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 5 March 2003, from 4.30 pm, to take evidence for the committee's inquiry into the disclosure of commissions on risk products.

*359 **Senator Brown:** To move—That the Senate congratulates the New South Wales Premier (Mr Carr) for his decision to scrap agreements made under the Regional Forest Agreement so that a further 15 icon areas of forest are to be protected in the north east of New South Wales.

*360 **Senator Nettle:** To move—That the Senate—

(a) notes the tragic fires and destruction of property which occurred over December 2002 and January 2003 at five Australian immigration detention centres and the ongoing consequences in terms of the impact for asylum seekers;

(b) condemns the acting Minister for Immigration and Multicultural and Indigenous Affairs (Senator Ellison) for the imputations in his media statements accusing refugee advocates for inciting arson; and

(c) calls on the Minister for Immigration and Multicultural and Indigenous Affairs (Mr Ruddock) and the Department for Immigration and Multicultural and Indigenous Affairs to ensure that refugees not involved in the fires at these detention centres are not arbitrarily detained or punished.

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

(a) congratulates the Globalism Institute, the New Internationalist magazine and David Bridie, the organisers of the successful West Papua conference and concert held in Melbourne last week; and

(b) condemns the RMIT University administration for withdrawing, after pressure from the Indonesian Government, permission for the conference to be held on its campus.

Orders of the Day

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

Second reading—Adjourned debate (*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 (*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 (*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 (*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 (*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 (*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 (*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 13 February 2002*).

12 **Reconciliation Bill 2001 [2002]—(*Senate bill*)—**(*Senator Ridgeway*)

Second reading—Adjourned debate (*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 (*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 (*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 (*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 (*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 then 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*).

36 **Plastic Bag (Minimisation of Usage) Education Fund Bill 2002 [No. 2]—(*Senate bill*)—**(*Senator Brown*)

Second reading—Adjourned debate (*Senator Brown, in continuation, 21 October 2002*).

37 **Plastic Bag Levy (Assessment and Collection) Bill 2002 [No. 2]—(*Senate bill*)—**(*Senator Brown*)

Second reading—Adjourned debate (*Senator Brown, in continuation, 21 October 2002*).

38 **Parliament House security—Statement by President**

Adjourned debate on the motion of Senator Ray—That the Senate take note of the statement (*Senator Ray, in continuation, 11 November 2002*).

39 **Convention on Climate Change (Implementation) Bill 1999 [2002]—(*Senate bill*)—**(*Senator Brown*)

Second reading—Adjourned debate (*2 September 1999*)—(*restored pursuant to resolution of 12 November 2002*).

40 **Customs Amendment (Anti-Radioactive Waste Storage Dump) Bill 1999 [2002]—(*Senate bill*)—**(*Senator Brown*)

Second reading—Adjourned debate (*20 October 1999*)—(*restored pursuant to resolution of 12 November 2002*).

41 **Human Rights (Mandatory Sentencing for Property Offences) Bill 2000 [2002]—(*Senate bill*)—**(*Senator Brown*)

Second reading—Adjourned debate (*6 September 2000*)—(*restored pursuant to resolution of 12 November 2002*).

42 **Environment Protection and Biodiversity Conservation Amendment (Invasive Species) Bill 2002—(*Senate bill*)—**(*Leader of the Australian Democrats, Senator Bartlett*)

Second reading—Adjourned debate (*Senator Bartlett, in continuation, 19 November 2002*).

43 **Parliamentary Commission of Inquiry (Bali Bombings) Bill 2002—(*Senate bill*)—**(*Senator Brown*)

Second reading—Adjourned debate (*Senator Brown, in continuation, 4 December 2002*).

44 **Health—Pharmaceutical Benefits Scheme—Order for Production of Documents—Statement by the Parliamentary Secretary to the Treasurer (Senator Ian Campbell)**

Adjourned debate on the motion of Senator Nettle—That the Senate take note of the statement (*Senator Nettle, in continuation, 4 December 2002*).

45 **Trade—Pharmaceutical Benefits Scheme—Order for Production of Documents—Statement by the Parliamentary Secretary to the Treasurer (Senator Ian Campbell)**

Adjourned debate on the motion of Senator Nettle—That the Senate take note of the statement (*Senator Nettle, in continuation, 4 December 2002*).

46 **Public Interest Disclosure (Protection of Whistleblowers) Bill 2002—(*Senate bill*)—**(*Senator Murray*)

Second reading—Adjourned debate (*Senator Murray, in continuation, 11 December 2002*).

47 **Uranium Mining in or near Australian World Heritage Properties (Prohibition) Bill 1998 [2002]—(*Senate bill*)—**(*Senator Allison*)

Second reading—Adjourned debate (*28 May 1998*)—(*restored pursuant to resolution of 11 December 2002*).

48 **Environment—National radioactive waste repository**

Adjourned debate on the motion of Senator Carr—That the Senate condemns the Government for:

(a) its failure to respect the rights of the people of South Australia in its consultation process over the location of the planned low-level radioactive waste repository;

(b) its decision to replace effective and meaningful consultation and discussion with a $300 000 propaganda campaign, designed to sway the opinions of South Australians towards locating the repository in that state, in the absence of genuine efforts to provide accurate and exhaustive information on the suitability of the selected site, close to Woomera; and

(c) its lack of a thorough examination of the environmental impact of this plan, in particular the possible dangers caused by the site's proximity to the Woomera rocket range, and the serious concerns of both the Department of Defence and private contractors on this issue (*Senator Buckland, in continuation, 6 February 2003*).

*49 **Immigration—East Timorese asylum seekers—Document**

Adjourned debate on the motion of the Leader of the Australian Democrats (Senator Bartlett)—That the Senate take note of the document (*Senator Crossin, in continuation, 3 March 2003*).

BUSINESS FOR FUTURE CONSIDERATION

Next day of sitting (5 March 2003)

General Business—Notices of Motion

Notice given 12 December 2002

333 **Senator Brown:** To move—

(1) That the Senate—

(a) approves a question time each day encompassing a minimum of 14 questions, or more if the hour permits;

(b) allocates questions as follows per 4 day sitting week:

		Number of senators
Opposition	28	28
Government	15	35
Australian Democrats	7	7
Crossbench	6	6

(c) notes that this involves a loading for non-government senators; and

(d) notes that the Australian Democrats and crossbench groups will work out an order of senators asking questions, based on these two groups having the sixth, eighth and twelfth questions each day and the fourteenth question on Wednesday.

(2) That standing order 72(3)(a) is amended by omitting '4 minutes', and substituting '3 minutes'.

(3) That standing order 72(3)(b) is amended so that supplementary questions are not permitted when the substantive question is asked by a Government senator.

Notice of motion altered on 6 February 2003 pursuant to standing order 77.

Notice given 6 February 2003

350 **Senator Brown:** To move—That the Senate, recognising that the blue whale, the largest creature ever to move on the face of our planet, faces extinction (its numbers are less than 10 000) and heeding scientific advice that seismic testing at sea may damage the ability of blue whales to feed and breed in Australian waters, calls on the Government to immediately prohibit seismic testing and other sonic activities in areas affecting blue whales or other whale species.

Notice given 3 March 2003

*362 **Senator Brown:** To move—That the Senate supports the rights of the people of West Papua to develop their own distinctive culture and institutions and to determine their own political future.

On 6 March 2003

Business of the Senate—Notice of Motion

Notice given 2 December 2002

1 **Senator Nettle:** To move—

(1) That the following matters be referred to the Community Affairs References Committee for inquiry and report by 18 September 2003:

(a) the financial sustainability of the Pharmaceutical Benefits Scheme (PBS), including the assumptions of forward estimates of the cost of the PBS to the Commonwealth Government;

(b) the social and economic implications of increasing the co-payment for PBS-listed medicines, including the long-term implications for the health of Australians;

(c) whether the cost of the PBS to the Commonwealth Government provides value for money to the Australian community in terms of health outcomes;

(d) alternative means of funding the PBS, including:

(i) abolishing the Private Health Insurance Incentive Scheme and using the budget savings to fund the PBS,

(ii) a less regressive direct payment system taking into account ability to pay, and

(iii) abolishing the co-payment and replacing it with an increase in the Medicare levy;

(e) ways to map the prescribing habits of doctors and possible strategies to improve the quality of prescribing;

(f) the transparency of the PBS listing process, including the cost-benefit analysis that is conducted for drugs proposed for listing;

(g) whether the Commonwealth Government is making the best use of price-volume agreements to obtain the best value for money;

(h) the extent of leakage and means to eliminate it;

(i) whether voluntary controls on industry marketing practices are adequate or should be replaced with legislative controls;

(j) pharmaceutical industry practices that undermine the PBS and possible measures to eliminate or constrain these practices;

(k) cost shifting of pharmaceutical expenses from the states to the Commonwealth and ways to improve co-operation between the jusridictions; and

(l) implications of any agreements that seek to link trade restriction practices to the operation of the PBS.

(2) That in conducting this inquiry, the committee is to invite public submissions and to conduct public hearings in all capital cities.

Government Business—Notices of Motion

Notice given 6 February 2003

1 **Minister for Justice and Customs (Senator Ellison):** To move—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the National Capital Authority for capital works within the Parliamentary Zone, being the erection of public artwork to celebrate the centenary of women's suffrage in Australia.

Notice given 3 March 2003

*2 **Parliamentary Secretary to the Treasurer (Senator Ian Campbell):** To move—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the National Capital Authority for capital works within the Parliamentary Zone, being additional works at Reconciliation Place, namely, the design and content of the sixth sliver.

On 18 March 2003

Business of the Senate—Order of the Day

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

Report to be presented on the provisions of the Workplace Relations Amendment (Termination of Employment) Bill 2002. (*Referred pursuant to Selection of Bills Committee report.*)

General Business—Notice of Motion

Notice given 11 December 2002

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

(a) notes:

(i) the recent $US3 million fine imposed by the United States Department of Agriculture on ProdiGene, a biotechnology company, for contamination of soybeans meant for human consumption with genetically-engineered corn containing a vaccine,

(ii) that 500 000 bushels of food crop must now be destroyed,

(iii) that research into such pharma-foods (genetically-engineered crops containing vaccines, medicines and drugs) is occurring in Australia, and

(iv) that pharma-foods, because they contain drugs, may create serious health and safety issues in Australia, including by misuse and contamination; and

(b) urges the Government to prevent the commercial release of pharma-foods in Australia until all issues relating to health, safety, environment and contamination are fully resolved.

On 19 March 2003

Business of the Senate—Orders of the Day

1 **Legislation Committees**

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

2 **Superannuation—Select Committee**

Report to be presented on the provisions of the Superannuation Industry (Supervision) Amendment Bill 2002 and the Superannuation (Financial Assistance Funding) Levy Amendment Bill 2002. (*Referred pursuant to Selection of Bills Committee report.*)

3 **Economics Legislation Committee**

Report to be presented on the provisions of the Corporations Amendment (Repayment of Directors' Bonuses) Bill 2002. (*Referred pursuant to Selection of Bills Committee report.*)

Government Business—Order of the Day

1 **Issues from the Advance to the Finance Minister as a final charge for the year ended 30 June 2002**

Consideration in committee of the whole (*6 February 2003*).

*2 **Corporations Amendment (Repayment of Directors' Bonuses) Bill 2002—** (*Parliamentary Secretary to the Treasurer, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Senator Webber, 3 March 2003*).

Four sitting days after today (19 March 2003)

Business of the Senate—Notice of Motion

Notice given 3 March 2003

*1 **Leader of the Australian Democrats (Senator Bartlett):** To move—That items [2356], [2357] and [2358] of Schedule 2 to the Migration Amendment Regulations 2002 (No. 10), as contained in Statutory Rules 2002 No. 348 and made under the *Migration Act 1958*, be disallowed.

Fifteen sitting days remain for resolving.**

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

On the tenth sitting day of 2003 (20 March 2003)

Business of the Senate—Order of the Day

1 **Legislation Committees**

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

On 20 March 2003

Business of the Senate—Orders of the Day

1 **Legal and Constitutional Legislation Committee**

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

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

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

On 27 March 2003

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 March 2003 (27 March 2003)

Business of the Senate—Orders 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.

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

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

On 14 May 2003

Business of the Senate—Order of the Day

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

Report to be presented on an examination of the Government's foreign and trade policy strategy.

On 15 May 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.

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.

Twelve sitting days after today (15 May 2003)

Business of the Senate—Notice of Motion

Notice given 5 February 2003

1 **Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen):** To move—That the Bankruptcy Amendment Regulations 2002 (No. 1), as contained in Statutory Rules 2002 No. 255 and made under the *Bankruptcy Act 1966*, be disallowed.

Thirteen sitting days remain for resolving.**

Notice of intention to withdraw at the giving of notices on 4 March 2003 (*Notice given 3 March 2003*)

** *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 16 June 2003

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 17 June 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 19 June 2003

Business of the Senate—Order of the Day

1 **Legislation Committees**
Reports to be presented in respect of the 2003-04 Budget estimates.

On 24 June 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 the last sitting day in June 2003 (26 June 2003)

Business of the Senate—Orders of the Day

1 **Community Affairs References Committee**
Report to be presented on poverty and financial hardship.

2 **Employment, Workplace Relations and Education References Committee**
Report to be presented on labour market skills requirements.

3 **Foreign Affairs, Defence and Trade References Committee**
Report to be presented on Australia's relationship with Papua New Guinea and other Pacific island countries.

4 **Rural and Regional Affairs and Transport Legislation Committee**
Report to be presented on the administration of the Civil Aviation Safety Authority.

5 **Rural and Regional Affairs and Transport Legislation Committee**
Report to be presented on the import risk assessment on New Zealand apples.

6 **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.*

7 **Superannuation—Select Committee**
Report to be presented on planning for retirement.

By the last sitting day in August 2003 (21 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.

On 27 November 2003

Business of the Senate—Order of the Day

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

Report to be presented on issues involved in the negotiation of the General Agreement on Trade in Services in the Doha Development Round.

By the last sitting day in 2003 (4 December 2003)

Business of the Senate—Order of the Day

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

Report to be presented on rural water resource usage.

By the last sitting day in June 2004 (26 June 2003)

Business of the Senate—Order of the Day

1 **Economics References Committee**

Report to be presented on the structure and distributive effects of the Australian taxation system.

BILLS REFERRED TO COMMITTEES

Provisions of bills currently referred†

Corporations Amendment (Repayment of Directors' Bonuses) Bill 2002‡

Referred to the Economics Legislation Committee (*referred 11 December 2002; reporting date varied 3 March 2003; reporting date: 19 March 2003*).

Superannuation Industry (Supervision) Amendment Bill 2002‡

Superannuation (Financial Assistance Funding) Levy Amendment Bill 2002‡

Referred to the Select Committee on Superannuation (*referred 5 February 2003; reporting date: 19 March 2003*).

Wheat Marketing Amendment Bill 2002‡

Referred to the Rural and Regional Affairs and Transport Legislation Committee (*referred 5 February 2003; reporting date: 20 March 2003*).

Workplace Relations Amendment (Termination of Employment) Bill 2002‡

Referred to the Employment, Workplace Relations and Education Legislation Committee (*referred 11 December 2002; reporting date: 18 March 2003*).

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

‡*Pursuant to adoption of report of Selection of Bills Committee*.

BILLS DISCHARGED OR NEGATIVED

Government Bills

Family and Community Services Legislation Amendment (Australians Working Together and other 2001 Budget Measures) Bill 2002

Redundant order relating to the bill discharged from *Notice Paper*, 12 December 2002.

Family and Community Services Legislation Amendment (Disability Reform) Bill (No. 2) 2002

Second reading negatived, 19 November 2002.

Migration Legislation Amendment (Further Border Protection Measures) Bill 2002

Second reading negatived, 9 December 2002.

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.

Trade Practices Amendment (Small Business Protection) Bill 2002 [No. 2]

Third reading negatived, 3 March 2003.

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

Third reading negatived, 25 September 2002.

Private Senator's Bill

Public Interest Disclosure Bill 2001 [2002]

Discharged from *Notice Paper*, 11 December 2002.

QUESTIONS ON NOTICE

Questions remaining unanswered

Question Nos, as shown, from 55 to 1143 remain unanswered for 30 or more days (see standing order 74(5)).

Notice given 12 February 2002

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.

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.

271 Minister for Revenue and Assistant Treasurer

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 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 refered 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

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

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 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 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.

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.

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 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.

Notice given 17 September 2002

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.

Notice given 23 September 2002

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.

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

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.

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.

Notice given 15 October 2002

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

(1) (a) Was the Minister or his office contacted by the proponents of a steel profiling plant at Moruya, New South Wales, listed in the Dairy Regional Assistance Program project summary of round 6 for the 2001-02 financial year; and (b) was the Minister or his office contacted by any person on behalf of the proponents of the above project.

(2) Was the Minister or his office contacted by the Federal Member for Eden Monaro (Mr Nairn) in relation to the above project.

(3) Was the Minister or his office contacted by any member of the South East New South Wales Area Consultative Committee in relation to the above project.

(4) Was the Minister or his office contacted by the Minister for Transport and Regional Services, or his staff, or officers of the Department of Transport and Regional Services in relation to the above project.

(5) With reference to any contact by the persons listed above with the Minister or his office: (a) when did each communication take place; (b) who was involved in each communication; (c) what was the nature of each

communication; (d) what was the form of each communication; and (e) which officers from the department were involved in any way in these contacts.

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

(1) (a) Was the Minister or his office contacted by Australian Solar Timbers about an application for funding through the Dairy Regional Assistance Program for the development of a short floor manufacturing project in Kempsey; and (b) was the Minister or his office contacted by any person on behalf of the proponents of the above project.

(2) Was the Minister or his office contacted by the Federal Member for Lyne (Mr Vaile) in relation to the above project.

(3) Was the Minister or his office contacted by any member of Australia's Holiday Coast Area Consultative Committee in relation to the above project.

(4) Was the Minister or his office contacted by the Minister for Transport and Regional Services, or his staff, or officers of the Department of Transport and Regional Services in relation to the above project.

(5) With reference to any contact by the persons listed above with the Minister or his office: (a) when did each communication take place; (b) who was involved in each communication; (c) what was the nature of each communication; (d) what was the form of each communication; and (e) which officers from the department were involved in any way in these contacts.

Notice given 16 October 2002

803 **Senator Crossin:** To ask the Minister Assisting the Prime Minister for the Status of Women—With reference to the Partnerships Against Domestic Violence (PADV) Program:

(1) Is Dr Tricia Szirom involved with the two companies known as Success Works and Strategic Partners, as an owner, director or employee.

(2) What is Dr Tricia Szirom's relationship to these companies.

(3) What is the connection between these two companies.

(4) Is Success Works a subsidiary of Strategic Partners.

(5) (a) Is the Minister aware that, during Senate estimates hearings in June 2002, Ms Bentley advised the Finance and Public Administration Legislation Committee that the Success Works company was the appointed evaluator of the meta-evaluation of the PADV; and (b) can the Minister confirm whether this is the case or whether Strategic Partners is contracted to do the meta-evaluation rather than Success Works.

(6) What amount has been budgeted for and paid to Dr Tricia Szirom as a consultant.

(7) What amount has been budgeted for and paid to Strategic Partners from the PADV.

(8) What amount has been budgeted for and paid to Success Works from the PADV.

(9) Was Dr Tricia Szirom paid as a facilitator or for a consultancy for the PADV conference in Perth in December 2001.

(10) What was the total amount paid to Dr Szirom for her work at the conference in Perth in December 2001.

(11) Was Dr Szirom paid $2 500 per day plus expenses during this conference.

(12) Has Dr Szirom been contracted by the Office of the Status of Women (OSW) to undertake capacity building workshops nationally.

(13) What amount has been budgeted for and paid to Dr Szirom for the capacity building workshops.

(14) What amount has been budgeted for and paid to Dr Szirom through Strategic Partners for the meta-evaluation.

(15) (a) Has Success Works gained the tender to be the 'Project Manager' of the 'PADV Children's Projects'; and (b) what is the total amount of this tender.

(16) How is Strategic Partners (the meta-evaluator of the PADV) going to evaluate the work of Success Works (the project manager of the PADV Children's Projects) when both companies have close links with each other.

(17) Who are the directors and stakeholders of Success Works and Strategic Partners, respectively.

(18) Has Dr Szirom been contracted in the 2002-03 financial year for PADV 2 rather than PADV 1.

(19) Regarding the PADV children's projects, have organisations or businesses that lodged a tender been informed either by phone or in writing that they were unsuccessful; if so, on what date was this done.

(20) Who has been awarded the tender for the children's projects.

(21) Who has been awarded the tender for the perpetrators' projects.

(22) Who has been awarded the tender for the project management of the women's services projects.

(23) Given that under PADV 1 a major project was the Community Awareness Project, can the Minister provide a summary of the implementation of this project.

(24) (a) Following the development of the National Domestic Violence Competency Standards, who won the tender to develop the curriculum development for these standards; and (b) given that these competencies need to be delivered in an appropriate way, why are they available on the Australian National Training Authority's web site for any registered training organisation to take and deliver.

(25) How many PADV publications have been produced by OSW since the project was first funded.

(26) What is the total cost of these publications.

Notice given 30 October 2002

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

(1) Can the Minister confirm that electricity is classified as a good or service for the purposes of the goods and services tax.

(2) Can the Minister also confirm that, for the purposes of determining liability for damage to a consumer's electrical goods due to load shedding by an electricity supplier's power, there is a dispute over whether the supply of electricity is a good or service (see *Electricity Supply Association of Australia Ltd v ACCC* [2001] FCA 1296, 12 September 2001) and that this dispute has hitherto allowed suppliers to avoid liability for damage.

(3) Can the Minister explain how these two positions are consistent; if not, what steps is the Government taking to address this apparent inconsistency.

Notice given 1 November 2002

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

(1) What action has the Royal Australian Navy taken to address the significant shortfall of pilots, seaman officers, weapons electrical aircraft engineers, electronic technicians and marine technicians that existed as at 1 July 2001.

(2) How many pilots, seaman officers, weapons electrical aircraft engineers, electronic technicians and marine technicians have been newly recruited to the Royal Australian Navy since 1 July 2001.

(3) How many pilots, seaman officers, weapons electrical aircraft engineers, electronic technicians and marine technicians have separated from the Royal Australian Navy since 1 July 2001 (can the information on separations be broken down to show the length of service of those personnel that separated from the Royal Australian Navy).

(4) Does the Royal Australian Navy conduct exit surveys as a means of determining why personnel with specialist skills are separating from the Royal Australian Navy; if so, what do the findings of these surveys show; if not, why not.

(5) What is the current strength of pilots, seaman officers, weapons electrical aircraft engineers, electronic technicians and marine technicians at navy bases.

(6) What is the required strength of pilots, seaman officers, weapons electrical aircraft engineers, electronic technicians and marine technicians at navy bases.

(7) What action is the Royal Australian Navy taking to overcome the ongoing shortage of pilots, seaman officers, weapons electrical aircraft engineers, electronic technicians and marine technicians.

Notice given 7 November 2002

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

(1) What assessment has been made of Australia's actual environmental and economic loss from the incursion of marine pests.

(2) What assessment has been made of the potential environmental and economic loss from the incursion of marine pests.

(3) What contribution has the department made to the development of a national management system for managing marine pests.

(4) Which stakeholders have participated in the development of a national management system.

(6) When will a national management system be implemented.

Notice given 8 November 2002

879 **Senator Sherry:** To ask the Minister for Revenue and Assistant Treasurer—With reference to the following information in the 2001-02 Annual Report of the Australian Prudential Regulation Authority (APRA), tabled on 23 October (and where APRA cannot disclose names and other sensitive information relating to particular cases can as much other detail as possible be provided):

(a) the statement on page 8 that in December 2001 APRA accepted an enforceable undertaking from a superannuation fund for the first time: can APRA provide details of: (i) that enforceable undertaking and all subsequent enforceable undertakings, including any breaches of the *Superannuation Industry (Supervision) Act 1993*, (ii) any other problems involved, and (iii) the specific commitments made by the trustee(s) in these undertakings;

(b) the statements on page 9 that in June 2002 APRA commenced prosecutions against trustees of regulated superannuation entities who failed to lodge an annual return for 2000-01 and on page 27 that 13 trustees had been referred to the Director of Public Prosecutions and two successfully charged: (i) have any further charges been made, and (ii) have any trustees been convicted for offences named in these charges, if so, what penalties have been imposed;

(c) the statement on page 21 that APRA is currently reviewing the operations of a number of multi-employer corporate superannuation funds: can APRA provide details of: (i) the problems it has encountered in such funds, and (ii) any enforcement actions to date, particularly in relation to the equal representation requirements in the *Superannuation Industry (Supervision) Act 1993*;

(d) the list on page 24 of enforcement activities undertaken during the year: can APRA provide details of the specific breaches of the *Superannuation Industry (Supervision) Act 1993*, or other APRA-enforced conditions, that gave rise to each of these enforcement activities;

(e) the statement on page 40 that a number of joint visits to financial institutions were conducted with the Australian Securities and Investments Commission (ASIC) in 2001 as part of an APRA review of unit pricing in the superannuation industry: can APRA provide details of this review including: (i) any problems encountered, (ii) actions taken by trustees to address these problems, and (iii) enforcement actions taken by APRA or ASIC; and

(f) the noting on page 41 of the establishment of the International Network of Pensions Regulators and Supervisors (INPRS): can APRA provide further details of: (i) the INPRS activities, and (ii) APRA's contribution to date.

Notice given 11 November 2002

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

(1) Has the department participated in an inter-departmental committee that drafted a scoping paper on the patentability of genetic material and genetic technologies; if so, can a copy of the scoping paper be provided; if not, why not.

(2) Which departments were represented on the inter-departmental committee.

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

(1) What recommendations were contained in the Rural Economic Services review of the AAA-Farm Management Deposit scheme, completed in June 2002.

(2) Have these recommendations been adopted by the Government; if so, when were the recommended changes adopted; if not, why have the recommendations been rejected.

(3) What did the review cost.

(4) Can a copy of the review be provided; if not, why not.

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

(1) What projects have been funded under the Fisheries Action Program.

(2) For each project, can the following information be provided: (a) grant date; (b) grant recipient; (c) registered address of grant recipient; and (d) full project description, including: (i) location, project commencement and conclusion dates, (ii) total funding, and (iii) evaluation results; and can any grants that were made despite the applications not meeting program application criteria be identified.

(3) What evaluation has been made of the effectiveness of the program.

Notice given 12 November 2002

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

(1) Was a review of interest rate subsidies as a form of farm business assistance scheduled to commence in January 2002.

(2) Did the Minister delay the commencement of the review; if so, why was the review delayed.

(3) Has the review commenced; if so: (a) when did it commence; (b) who is conducting the review; (c) what are its terms of reference; and (d) when will it be completed; if not: (a) when will it commence; (b) who will conduct the review; (c) what will be its terms of reference; and (d) when is it expected to be completed.

907 **Senator Ludwig:** To ask the Minister representing the Attorney-General—With respect to the 2002-03 Commonwealth Community Legal Services Program, in particular the $70 000 allocated to, but not taken up by, the Financial Counselling Service (QLD):

(1) When will a decision be made on the reallocation of the funding.

(2) Can the money be made available to the Caxton Legal Centre Inc. to avoid the imminent closure of its innovative program for the provision of legal outreach services to older people; if not, why not.

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

(1) When was the decision made to have a Life of Type Extension (LOTE) to the Landing Craft Heavy (LCH) fleet.

(2) Were any options apart from the LOTE considered, for example, was the option of replacement rather than refurbishment considered.

(3) Were any proposals to replace the LCHs received from Australian small- to medium-sized enterprises; if so, which organisations submitted proposals.

(4) (a) Why were these proposals rejected; and (b) was the decision made on the basis of cost; if not, what factors led to the decision to refit rather than replace the current fleet.

(5) Of the proposals submitted: (a) how many had existing units that could be directly evaluated by the Navy; and (b) what were the advantages and disadvantages of the proposed units.

(6) What was the original budget for the refit of the LCH fleet.

(7) What were the costs of any other options.

(8) (a) What has been the cost of the refit to the LCH fleet to date; and (b) what is the complete refit expected to cost.

(9) When will the refit be delivered.

Notice given 13 November 2002

909 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the media statement released by the Minister for Agriculture, Fisheries and Forestry, on 6 November 2002, concerning Commonwealth drought assistance:

(1) How much of the claimed '$800 million to Agriculture Advancing Australia programs' has been expended on these programs.

(2) How much of the expended funding has been expended on: (a) advertising and/or promotion; (b) communication programs; and (c) departmental and/or program administration.

916 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to page 95 of the department's annual report for 2001-02:

(1) What contribution did the department make to the development and implementation of the joint government/industry strategy to influence the development of the new United States Farm Bill.

(2) What are the details of the strategy.

(3) What assessment has been made of the success of the strategy.

Notice given 14 November 2002

924 **Senator Nettle:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the Minister's letter to Senator Nettle, dated 25 September 2002, regarding the Blacktown City Council's proposal to purchase a block of remnant Cumberland Plain Woodland in Prospect, Western Sydney, and the Minister's decision not to approve funding for this purchase, citing the block's 'degraded condition' as a key factor: Can all the evidence used to establish that the land was in such a condition be provided.

Notice given 18 November 2002

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

(1) What projects have been funded under the Wildlife and Exotic Disease Preparedness Program.

(2) For each project, can the following information be provided: (a) project descriptions; (b) names of funding recipient; (c) registered addresses of funding recipients; (d) project commencement and conclusion dates; and (e) summaries of project evaluations.

(3) What budget has been allocated to this program for each of the following financial years: (a) 2001-02; and (b) 2002-03.

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

(1) Has the Export Documentation Program been reviewed; if so, when did the review commence and conclude.

(2) Who conducted the review.

(3) What recommendations does the review make.

(4) Can a copy of the review be provided; if not, why not.

(5) Has the Minister adopted the recommendations; if not, why not.

(6) (a) What additional uptake of the program is expected in the 2002-03 financial year; and (b) can details be provided, by industry sector.

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

(1) (a) What events and locations has the Agriculture – Advancing Australia Roadshow visited since June 2001; and (b) on what dates did those visits occur.

(2) (a) Did the Roadshow stage a visit to Ag-Quip in August 2002; and (b) did the Minister feature on a video-link at this event.

(3) What has been the cost of staging the roadshow since June 2001.

(4) What events and locations will the roadshow visit in the remainder of the 2002-03 financial year.

949 **Senator Nettle:** To ask the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs—

(1) Will the Minister consider changing Australia's refugee program to allow groups to sponsor Falun Gong practitioners, who live in fear of persecution, to come to Australia, as has occurred in Canada.

(2) If such a change will not be considered, why does the Minister think it is inappropriate.

Notice given 21 November 2002

954 **Senator O'Brien:** To ask the Minister representing the Prime Minister—

(1) On what date did the Department of the Prime Minister and Cabinet first become aware that some Farm Management Deposit (FMD) products may not comply with legislation applicable to the Government's FMD scheme.

(2) (a) What was the source of this information; and (b) in what form was this information conveyed, for example, correspondence, e-mail, telephone conversation or direct conversation.

(3) What was the nature of the problem specifically identified in this information.

(4) On what date did the department inform the Prime Minister, or his office, of this problem.

(5) Did the Prime Minister, or his office, receive advice about this problem from a source other than the Department of the Prime Minister and Cabinet; if so: (a) on what date was this information first received; (b) what was the source of this information; (c) in what form was this information conveyed; and (d) what was the nature of the problem specifically identified in this information.

(6) (a) On what date, or dates, did the department take action in response to this identified problem; and (b) what action did the department take.

(7) (a) What departments, agencies, banks or non-bank financial institutions did the department communicate with in relation to this matter; (b) on what date, or dates, did that communication occur; and (c) what form did that communication take.

(8) (a) What responses, if any, has the department received in respect to those communications; (b) in what form have those responses been received; and (c) what was the content of those responses.

(9) What action has the department taken in response to communications from departments, agencies, banks or non-bank financial institutions.

(10) Was the Prime Minister aware when he spoke to the Committee for Economic Development of Australia, on 20 November 2002, about the FMD scheme, of:

(a) the report on page 3 of the *Australian Financial Review*, of 20 November 2002, stating that the Government 'has been forced to seek an Australian Taxation Office ruling over a potential legal flaw in its $2 billion farm management deposit scheme'; and/or

(b) evidence given by the Department of Agriculture, Fisheries and Forestry to the Rural and Regional Affairs and Transport Legislation Committee, on 20 November 2002, that the department had been aware of uncertainty over some FMD products since July 2001.

Senator O'Brien: To ask the Ministers listed below (Question Nos 955-956)—

(1) On what date did the department first become aware that some Farm Management Deposit (FMD) products may not comply with legislation applicable to the Government's FMD scheme.

(2) What was the source of this information; and (b) in what form was this information conveyed, for example, correspondence, e-mail, telephone conversation or direct conversation.

(3) What was the nature of the problem specifically identified in this information.

(4) On what date did the department inform the Minister, or his office, of this problem.

(5) Did the Minister, or his office, receive advice about this problem from a source other than the Minister's department; if so: (a) on what date was this information first received; (b) what was the source of this information; (c) in what form was this information conveyed; and (d) what was the nature of the problem specifically identified in this information.

(6) (a) On what date, or dates, did the department take action in response to this identified problem; and (b) what action did the department take.

(7) (a) What departments, agencies, banks or non-bank financial institutions did the department communicate with in relation to this matter; (b) on what date, or dates, did that communication occur; and (c) what form did that communication take.

(8) (a) What responses, if any, has the department received in respect to those communications; (b) in what form have those responses been received; and (c) what was the content of those responses.

(9) What action has the department taken in response to communications from departments, agencies, banks or non-bank financial institutions.

955 Minister representing the Minister for Transport and Regional Services

956 Minister representing the Minister for Agriculture, Fisheries and Forestry

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

(1) On what date did the Department of the Treasury and/or the Australian Taxation Office (ATO) first become aware that some Farm Management Deposit (FMD) products may not comply with legislation applicable to the Government's FMD scheme.

(2) What was the source of this information; and (b) in what form was this information conveyed, for example, correspondence, e-mail, telephone conversation or direct conversation.

(3) What was the nature of the problem specifically identified in this information.

(4) On what date did the department and/or the ATO, inform the Treasurer, or his office, or the Assistant Treasurer, or her office, of this problem.

(5) Did the Treasurer, or his office, receive advice about this problem from a source other than the Treasurer's department or the ATO; if so: (a) on what date was this information first received; (b) what was the source of this information; (c) in what form was this information conveyed; and (d) what was the nature of the problem specifically identified in this information.

(6) On what date, or dates, did the department and/or the ATO take action in response to this identified problem; and (b) what action did they take.

(7) (a) What departments, agencies, banks or non-bank financial institutions did the department and/or the ATO communicate with in relation to this matter; (b) on what date, or dates, did that communication occur; and (c) what form did that communication take.

(8) (a) What responses, if any, has the department and/or the ATO received in respect to those communications; (b) in what form have those responses been received; and (c) what was the content of those responses.

(9) What action has the department and/or the ATO taken in response to communications from departments, agencies, banks or non-bank financial institutions.

Notice given 26 November 2002

959 **Senator Conroy:** To ask the Minister for Revenue and Assistant Treasurer—With respect to those persons who hold private health insurance which is eligible for the 30 per cent private health insurance rebate and who receive the benefit of the rebate as a rebate through the tax system:

(1) How many persons are covered by private health insurance by postcode and by federal electorate division, as at: (a) 31 December 2000; (b) 30 June 2002; and (c) the most current date for which information has been compiled.

(2) How many contributor units hold private health insurance by postcode and by federal electorate division, as at: (a) 31 December 2000; (b) 30 June 2002; and (c) the most current date for which information has been compiled.

Notice given 29 November 2002

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

(1) How many matters relating to insolvencies or external administrations in which applications were made for payment of entitlements under the Federal Government's Employee Entitlements Support Scheme or General Employee Entitlements and Redundancy Scheme have been referred by the Department of Employment and Workplace Relations to each of: (a) the Australian Securities and Investments Commission (ASIC); and (b) the Australian Competition and Consumer Commission (ACCC).

(2) In each matter, what concerns were identified.

(3) What was the outcome of the ASIC's and the ACCC's consideration of each of these matters.

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

(1) Are retention bonuses currently payable to serving members of the Navy, Army and Air Force.

(2) In respect of each bonus: (a) what are the eligibility criteria; (b) what duration of additional service is required for payment; (c) what is the amount of the bonus; (d) what penalties apply if the additional service is not performed; (e) how many personnel received the bonus in the last year for which data is available; and (f) what is the estimated cost of providing the bonuses in the 2002-03 financial year.

(3) Since November 2000, has the Government withdrawn any existing retention bonus; if so, what was the reason for withdrawal and the date that it took effect.

(4) Since November 2000, has the Government created any additional bonuses; if so, what was the reason for doing so and the date that they took effect.

(5) Has the department conducted an evaluation of the effectiveness of retention bonuses; if so, (a) when was the evaluation completed; and (b) what were the conclusions and recommendations; if not, why not.

Notice given 2 December 2002

978 **Senator Evans:** To ask the Minister for Defence—With reference to Department of Defence annual reports, which show that the following amounts were spent on capital equipment projects in each of the following financial years:

1998-99	$2 599.1 million;
1999-2000	$3 219.8 million;
2000-01	$3 608.5 million;
2001-02	$2 702.2 million;
2002-03	$2 482.9 million:

Can the department separately identify for each of those years the amount spent on: (a) existing projects; and (b) new projects (projects where a contract was signed in that year and payments were made for the first time).

Notice given 3 December 2002

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

(1) Is the Government examining options for tracking livestock via systems such as a national livestock identification system.

(2) Which identification systems has the Government examined in the past 5 years.

(3) What was the quantum of funding spent by the department during each of the past 5 financial years on feasibility studies on national livestock identification systems.

(4) What was the quantum of funding spent by the department on feasibility studies of each system examined in past 5 financial years.

(5) Is the Minister aware of any meetings between the department, and state and territory departments on the issue of a national approach to livestock identification in the past 2 years.

(6) (a) When did these meetings occur; (b) who attended each meeting; (c) what was discussed at each meeting; and (d) what records have been kept of the discussion at these meetings.

Notice given 4 December 2002

986 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's statement, 'Sheep exports from Portland to resume if tough new conditions are met', issued on 31 October 2002:

(1) What recommendations did the Independent Reference Group make to the Minister.

(2) Have any of these recommendations failed to be incorporated into the new action plan for live animal exports.

(3) (a) Who comprised the joint industry/Government working group that developed the action plan; and (b) when was this working group formed.

(4) On how many occasions has this working group met.

(5) Has the working group been disbanded; if so, when did this occur; if not, what tasks is the working group now undertaking.

987 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the answer to the question on notice no. 725 (Senate *Hansard*, 2 December 2002, p. 6612) concerning live animal exports:

(1) Did the Chief Veterinary Officer recommend to the Secretary of the department that the livestock vessel *Al Kuwait* should be permitted to depart from Portland; if so, did the Chief Veterinary Officer recommend any conditions that were not subsequently applied to its departure; if not, why did the secretary disregard the recommendation of the Chief Veterinary Officer and revoke a direction that an export permit not be granted to the exporter.

(2) (a) How many sheep, if any, died aboard the *Al Kuwait* during the voyage that commenced in Portland on 29 September 2002; and (b) what was the principal identified cause of death.

Notice given 5 December 2002

994 **Senator Brown:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—For each of the 110 cases referred to on page 1 of the report for 2001-02 on the results of the Australian National Residue Survey Results, where residues were above Australian Standards, can details be provided

of: (a) the level of residue; (b) the state and place where the measurement occurred; and (c) the penalty which resulted.

Notice given 9 December 2002

1001 **Senator Bartlett:** To ask the Minister representing the Minister for the Environment and Heritage—

(1) What is the total quantity of untreated sewage discharged from vessels into the Great Barrier Reef Marine Park each year.

(2) What is the amount of sewage treated to a standard less than tertiary treatment that is discharged into the marine park.

(3) Are there any plans for eliminating the discharge of untreated waste into the marine park.

(4) What is the status of the plan to require tertiary treatment for all sewerage treatment plants that discharge into the marine park.

(5) Are there requirements for pump out facilities to be installed in marinas, harbours and/or ports along the Great Barrier Reef coast.

(6) Is there a requirement that new facilities contain pump-out facilities.

(7) With reference to page 34 of the Great Barrier Reef Marine Park Authority's report 2001-02, which indicates both a reduction in the number of trawlers and an increased profitability of remaining trawlers: Are there any figures on: (a) the relative levels of catch; and (b) catch per unit effort in the 18 months since the trawl plan took effect.

(8) When are the results of the seabed recovery work being done by the Commonwealth Scientific and Industrial Research Organisation expected to be available.

(9) With reference to page 35 of the Great Barrier Reef Marine Park Authority's report 2001-02, which notes that agreement has been reached with the Queensland Government regarding management of the take of pipefish and seahorses by trawlers, and given that the report also indicates that agreement was reached on measures that need to be introduced to monitor the impact of trawling on these species: What is the current level of: (a) pipefish; and (b) seahorse take by trawlers.

(10) What are the current estimated population levels in the marine park of those species listed under the *Environment Protection and Biodiversity Conservation Act 1999*.

(11) What are the agreed measures for monitoring pipefish and/or seahorse take.

(12) What are potential measures to reduce the take of those threatened species.

(13) (a) Is it true that prohibitions on spawning aggregations are no longer in the Reef Line Fishing Plan; (b) was it in earlier drafts of the plan; (c) did the Great Barrier Reef Marine Park Authority support its earlier inclusion; and (d) does the authority support the targeting of spawning aggregations under this plan.

(14) Given that the Government has indicated it will reintroduce regulations relating to commercial netting in Princess Charlotte Bay, and given that approximately 16 fishers that have a history of regularly using the bay: (a) how many of those 16 had other endorsements; and (b) what were the other endorsements.

(15) Of the total commercial netting effort in the bay, historically, how much of the effort occurred outside the conservation zone, including intertidal and estuarine netting.

(16) What is the total bill that the authority has submitted to the Queensland Government for monitoring and other work at Nelly Bay Harbour.

(17) (a) Has the authority inspected the ferry landing area; (b) is it the case that the concrete at the ferry landing is cracking; and (c) has the authority signed off on the landing facilities.

(18) Given that at the Environment, Communications, Information Technology and the Arts Legislation Committee estimate hearings on 20 November 2002, the authority indicated there were concerns with sediment at Nelly Bay: Can details be provided of the nature, status and proposed solutions to those concerns.

(19) Given that at the Environment, Communications, Information Technology and the Arts Legislation Committee estimate hearings on 20 November 2002, the authority indicated that there was an 'excision' issue in relation to Nelly Bay: Is it correct that this relates to the need for water to be permanently present between the breakwater and the mainland of Magnetic Island

(20) Is it correct that the authority is recommending a re-profiling of areas inside the harbour in order to ensure that separation is maintained; if so, can a description of the authority requirements be provided.

(21) Is this issue the subject of any dispute with the state government.

(22) Based on current design, depths and sedimentation rates and the changes in beach profile requested by the authority, how frequently is dredging expected to be required inside Nelly Bay harbour or in the access channel.

(23) Has the authority had any discussions with the state, the contractor or others in relation to a proposed groyne at Nelly Bay; if so, can details be provided of: (a) the nature and status of the proposal; and (b) any discussions that have been held.

(24) With reference to the answer to question on notice no. 525 (Senate *Hansard*, 17 September 2002, p. 4323) in which the authority provided a summary of pending coastal development applications to the Senate: How many additional staged developments are there along the Queensland coast for which there are no current Commonwealth applications, but which have indicated an intent to move to a subsequent development stage.

(25) How many coastal development approvals issued by local or state governments are currently on the books that have not yet been acted upon but are still valid.

(26) With reference to page 30 of the Great Barrier Reef Marine Park Authority's report 2001-02, which indicates that the authority acted as advisory agency on a number of occasions under the Integrated Planning Act: (a) How many advices were provided; and (b) for which development proposals.

(27) To what extent have the recommendations contained in advices been followed by the relevant state authority.

(28) With reference to page 28 of the Great Barrier Reef Marine Park Authority's report 2001-02 which lists one of the outputs of the authority as the 'pollution status of Cleveland Bay': Can an outline of the pollution issues relating to Cleveland Bay be provided.

(29) (a) Is the Queensland nickel outfall discharge pipe still operational; and (b) are there plans to cease discharge from that pipe.

1004 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—With reference to paragraph 6.22 in the Australian National Audit Office report no. 6 into fraud control in the Department of Veterans' Affairs, tabled in the Senate on 29 August 2002 and the estimate in the department's Fraud Control Plan that up to $15 million may be at risk to fraud in the medical accounts treatment processing system:

(1) (a) What specific items of medical services were included in that estimate; and (b) what was the estimate against each item.

(2) For each of the past 3 years, what amounts have been recovered, by state, from: (a) providers of medical services, by type; (b) providers of community nursing; (c) providers of other home care and domestic services; and (d) other providers of health-related services.

(3) What resources are specifically allocated in each state office to fraud control and management in the health area.

(4) For each state in the past year, how many health providers have been interviewed or counselled with respect to claims lodged for payment.

(5) In each of the past 5 years, how many providers of health services have been prosecuted for fraudulent claims.

(6) In each of the past 5 years, how many veterans in relation to fraudulent travel claims have been: (a) investigated; and (b) prosecuted.

(7) In each of the past 5 years how many transport contractors in relation to fraudulent claims have been: (a) investigated; and (b) prosecuted.

(8) With reference to state offices, what instructions exist for the implementation of the fraud control plan.

1005 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) (a) What discussions has the Minister undertaken with Japanese officials during 2002 in relation to Australian beef imports to Japan known as 'Aussie Beef'; (b) who attended each meeting; (c) when did each meeting occur; (d) what was discussed at each meeting; and (e) what records were kept of each meeting.

(2) (a) What discussions has the Minister had with Japanese officials specifically in relation to the import restrictions known as the 'snap-back'; (b) who attended each meeting; (c) when did each meeting occur; (d) what was discussed at each meeting; and (e) what records were kept of each meeting.

(3) Is the 'snap-back' calculated on total beef imports into Japan, or on a country-by-country basis.

(4) Will the 'snap-back' be invoked on Australian beef imports to Japan during the 2002-03 and 2003-04 financial years.

Notice given 10 December 2002

1012 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—

(1) In how many cases have claimants for compensation by personnel with East Timor service, pursuant to the *Veterans' Entitlements Act 1986*, been

referred to and examined by the Australian Defence Force (ADF) Medical Service.

(2) At what level of injury under the scale set out in the Guide for the Assessment of Rates of Pension, under the *Veterans' Entitlements Act 1986*, would a serving member be considered unfit for duty.

(3) What penalty is provided to serving members who conceal an injury or make false statements about their fitness.

(4) Is evidence of disabilities claimed and accepted under the *Veterans' Entitlements Act 1986* considered as part of that assessment.

(5) Will the Minister ask the Inspector-General to conduct an investigation into alleged fraud by serving ADF personnel making claims under the *Veterans' Entitlements Act 1986* and representing themselves as fit for duty.

(6) What steps are being taken to remove the effect of the *Privacy Act 1988* which prevents the Department of Veterans' Affairs advising the Department of Defence of disability claims lodged and accepted from serving personnel.

(7) With reference to the answer given to question on notice no. 743 (Senate *Hansard*, 4 December 2002, p. 6796) on Gulf War compensation, how many personnel with accepted claims are still serving.

1014 **Senator Harris:** To ask the Minister for Revenue and Assistant Treasurer—

(1) Is the Minister aware that in the recent decision of the Federal Court of Australia in the case of MLC Limited v Deputy Commissioner of Taxation [2002] FCA 149, in responding to the Commissioner's statement of reasons which accompanied notification of the disallowance of the applicants' objections, the judge stated: 'It may be said that it is hard to see how the applicants or their agent could have taken into account in preparing the returns lodged in 1996 and 1997 the views expressed in TD 1999/1 when those views did not appear publicly for some years after the returns were lodged.'

(2) Is the Minister prepared to make any changes to tax law to avoid the need for a taxpayer to have the crystal ball the Commissioner apparently expects.

1015 **Senator Lundy:** To ask the Minister for Communications, Information Technology and the Arts—

(1) Can the following information be provided in the form of a spreadsheet, in both hard copy and electronically, for each contract entered into by the National Office for the Information Economy which has not been fully performed or was entered into during the 2001-02 financial year, and that is wholly, or in part, information and communications technology-related with a consideration of $20 000 or more: (a) a unique identifier for the contract, for example contract number; (b) the contractor name and Australian Business Number or Australian Company Number; (c) the domicile of the parent company; (d) the subject matter of the contract, including whether the contract is substantially for hardware, software, services or a mixture, with estimated percentages; (e) the starting date of the contract; (f) the term of the contract, expressed as an ending date; (f) the amount of the consideration in Australian dollars; and (g) the amount applicable to the current budget year in Australian dollars; and (h) whether or not there is an industry development requirement and, if so, details of the industry development requirement (in scope and out of scope).

(2) With reference to any contracts that meet the above criteria, can a full list of sub-contracts valued at over $5 000 be provided, including: (a) a unique identifier for the contract, for example contract number; (b) the contractor name and Australian Business Number or Australian Company Number; (c) the domicile of the parent company; (d) the subject matter of the contract, including whether the contract is substantially for hardware, software, services or a mixture, with estimated percentages; (e) the starting date of the contract; (f) the term of the contract, expressed as an ending date; (f) the amount of the consideration in Australian dollars; and (g) the amount applicable to the current budget year in Australian dollars; and (h) whether or not there is an industry development requirement and, if so, details of the industry development requirement (in scope and out of scope).

Senator Lundy: To ask the Ministers listed below (Question Nos 1019-1020)—

(1) Can the following information in the form of a spreadsheet be provided, in both hard copy and electronically, for each contract entered into by agencies within the department which has not been fully performed or was entered into during the 2001-02 financial year, and that is wholly, or in part, information and communications technology-related with a consideration of $20 000 or more: (a) a unique identifier for the contract, for example contract number; (b) the contractor name and Australian Business Number or Australian Company Number; (c) the domicile of the parent company; (d) the subject matter of the contract, including whether the contract is substantially for hardware, software, services or a mixture, with estimated percentages; (e) the starting date of the contract; (f) the term of the contract, expressed as an ending date; (f) the amount of the consideration in Australian dollars; and (g) the amount applicable to the current budget year in Australian dollars; and (h) whether or not there is an industry development requirement and, if so, details of the industry development requirement (in scope and out of scope).

(2) With reference to any contracts that meet the above criteria, can a full list of sub-contracts valued at over $5 000 be provided, including: (a) a unique identifier for the contract, for example contract number; (b) the contractor name and Australian Business Number or Australian Company Number; (c) the domicile of the parent company; (d) the subject matter of the contract, including whether the contract is substantially for hardware, software, services or a mixture, with estimated percentages; (e) the starting date of the contract; (f) the term of the contract, expressed as an ending date; (f) the amount of the consideration in Australian dollars; and (g) the amount applicable to the current budget year in Australian dollars; and (h) whether or not there is an industry development requirement and, if so, details of the industry development requirement (in scope and out of scope).

1019 Minister representing the Attorney-General

1023 **Senator Evans:** To ask the Minister for Defence—

(1) (a) How many of the 86 uniformed personnel engaged in health service provision in Victoria have been advised, to date, of their new postings as a result of the decision to award the health services contract to Mayne Health Services; and (b) of these personnel, how many have be posted to each hospital.

(2) When will all personnel be advised of their new postings.

(3) Why has this advice not been given to some personnel.

(4) What is the average period of notice given to those health personnel who have been notified, that is, what is the average time between notification and uplift to their new position.

(5) What is the minimum period of notice given to those health personnel who have been notified.

1025 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—Further to the advice given to the Rural and Regional Affairs and Transport Legislation Committee in the estimates hearing on 20 November 2002 that Air Marshal Houston and Airservices Australia had agreed to work towards the provision by Airservices Australia of air traffic control services at Townsville and Darwin airports:

(1) (a) When will the consultation phase commence and conclude; and (b) which transport and related agencies and organisations will be included in that consultation.

(2) Will this involve Airservices Australia providing defence and civilian air traffic control services.

(3) Does this decision relate to previous reports of a shortage of defence air traffic controllers; if so, can the Minister assure the public that sufficient defence resources exist to safely cover the functions until the proposed changes occur or, if defence resources are not sufficient, will interim measures be put in place.

(3) Is the decision to transfer functions from the department to Airservices Australia a ministerial or an agency level decision.

(4) Will any other airport or aviation functions be involved in the transfer of functions at Darwin and/or Townsville airports, or any other location; if so, which services and locations.

Notice given 11 December 2002

1026 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) Can a full list be provided of real property owned by the department, indicating: (a) the address; (b) the type of property (for example, vacant building etc.); (c) the size of the property; and (d) the property valuation.

(2) Can a full list be provided of the real property sold by or on behalf of the department in the 2002-03 financial year, indicating: (a) the address; (b) the type of property (for example, vacant building etc.); (c) the size of the property; (d) the type of sale (auction or advertised price); (e) the date of sale; (f) the reason for the sale; and (g) the price obtained.

(3) Can a full list be provided of the real property proposed to be sold by or on behalf of the department in the 2002-03 financial year, indicating: (a) the address; (b) the type of property (for example, vacant building etc.); (c) the size of the property; (d) the type of sale proposed (auction or advertised price); (e) the expected price range; and (f) the likely timing of the sale.

(4) Can a full list be provided of real property currently leased by the department, indicating: (a) the owner of the property; (b) the address; (c) the type of property; (d) the size of property; (e) the length of current lease; (f) the value of the lease; (g) the departmental activities conducted at the property; and (h) any sub-leases entered into at the property, including

details of: (i) the name of sub-tenants; (ii) the length of sub-leases; (iii) the value of sub-leases; and (iv) the nature of sub-tenant activities.

1027 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) What guidelines apply in relation to cost recovery in each output area and agency of the department.

(2) Can a full list of cost recovery charges in each output area and agency of the department be provided.

(3) Which cost recovery charges in each output area and agency of the department have varied in response to the Commonwealth Cost Recovery Policy.

(4) (a) What are the details of each variation; and (b) when did each variation occur.

(5) What is the expected quantum of revenue from cost recovery arrangements in the 2002-03 financial year in each output area and agency of the department.

(6) How does this figure compare with the figure for the 2001-02 financial year.

(7) Is the revenue from cost recovery arrangements expected to grow in the 2003-04 financial year; if so, what is the expected revenue growth in each output area and agency of the department.

1029 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—If the Australian Government's position is just and legal, why has the Australian Government repudiated the International Court of Justice as an arbitrator in determining sea and seabed boundaries between Australia and East Timor.

Notice given 12 December 2002

1031 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—With reference to the answer to question on notice no. 631 (Senate *Hansard*, 12 December 2002): (a) What grants have been made under each of the department's grants programs during the 2000-01 financial year and the 2002-03 financial year to date, by postcode; (b) what was the value of each grant; and (c) what was the purpose of each grant.

Notice given 13 December 2002

1036 **Senator Cook:** To ask the Minister for Revenue and Assistant Treasurer—

(1) (a) How many taxpayers, in circumstances similar to those of Julie Vincent's have settled and agreed to pay amounts to the Australian Taxation Office (ATO) that have now been found not to be owing, as a result of the Full Court decision in *Vincent v Commissioner of Taxation* [2002] FCA 656; and (b) what is the amount of money that has been, will be or would otherwise have been collected irrespective of the *Vincent* case.

(2) (a) Is it the case that most taxpayers issued with amended assessments for 1994, 1995 and 1996 potentially fall within the ambit of the *Vincent* decision based on the Commissioner's own assessment of the deductibility of their claimed expenditure; and (b) what is the amount of money collected from taxpayers during these years of income.

(3) Has the ATO accepted settlement offers from taxpayers after the decision in the *Vincent* case in circumstances in which the taxpayers are agreeing to settle for an amount that the full court decision has shown is not owing; and (b) how many have they accepted in these circumstances.

(4) Can the ATO provide any statistics on the number of taxpayers who have entered into bankruptcy in circumstances where the decision in the *Vincent* case indicates that the amended assessments issued to them were in fact not owing.

(5) Has the ATO notified taxpayers that one of the implications of the decision in the *Vincent* case is that a tax deductible loss may be claimed on the cessation of their projects, in circumstances where their projects were commercial failures.

(6) If the decision of Justice Stone in *Cooke v Commissioner of Taxation* [2002] FCA 1315 is upheld on appeal, how much money will have been collected from taxpayers in circumstances where the court has found that no money is owing by these taxpayers.

(7) Why did the ATO refuse test case funding for the *Vincent* appeal.

(8) Why did the ATO select 'Budplan' as a so-called representative test case when the *Vincent* case and the *Cooke* case have shown it was not representative of other tax effective investment projects.

(9) Given that immediately prior to the settlement offer closing the Commissioner was suggesting that the first instance decision in the *Vincent* case had broad application to all taxpayers: Now that the decision has been overturned on appeal, why is the Commissioner now stating that the decision of the Full Court in the *Vincent* case has limited application to other taxpayers.

(10) Does the Assistant Treasurer believe that the Commissioner, in forcing ordinary taxpayers to settle prior to court appeals being decided, is acting as a model litigant in accordance with the Attorney-General's policy statement.

Notice given 16 December 2002

1039 **Senator Evans:** To ask the Minister for Defence—With reference to the answer to a question without notice asked on 10 December 2002 on the project to upgrade the Adelaide Class Guided Missile Frigates (FFGs) in which the Minister indicated that 'significant difficulties' had been experienced with the subcontractor:

(1) What are the details of the significant difficulties that were experienced.

(2) When did ADI Limited decide to take the task back from the subcontractor.

(3) How much had been paid to the subcontractor prior to ADI Limited taking back the task.

(4) Was any action taken, either by the department or ADI Limited, against the subcontractor after ADI Limited took back the task.

(5) Does the decision by ADI Limited to take back the task have any implications for the project budget; if so, can details of this impact be provided.

(6) With reference to the Minister's statement that, 'with regard to the FFGs, the oldest of them will not be upgraded to the same level': (a) What was meant by this statement; and (b) when was the decision taken to proceed along these lines.

(7) Why was the decision taken not to proceed with the same level of upgrade for all of the FFGs.

(8) Which of the FFGs are affected by this decision.

(9) Does the decision not to proceed with the same level of upgrade for the older FFGs have any implications for the project budget; if so, can details of this impact be provided.

(10) What will it cost, in respect of each FFG, to upgrade the FFGs as a result of this decision.

(11) Does the decision not to proceed with the same level of upgrade for the older FFGs have any implications for the capability of these vessels; if so, can details be provided.

(12) What is the proposed end of life date for each of the FFGs following the decision not to upgrade all of the ships to the same level.

Notice given 20 December 2002

1042 **Senator Evans:** To ask the Minister for Defence—

(1) Has the decision been made to relocate the RAAF Training College from Point Cook and Edinburgh; if so: (a) when was this decision made; and (b) why.

(2) Where will be the RAAF Training College be relocated.

(3) What amount, if any, has been spent on the relocation so far.

(4) What is the total amount allocated to the relocation in each of the following financial years: (a) 2002-03; and (b) 2003-04.

(5) (a) What is the estimated cost of transferring all staff and students of the RAAF Training College; and (b) what are the numbers of staff and students across the whole training college.

(6) Has any part of the RAAF Training College moved yet (for example, the Training College Headquarters, the Officer Training School and the School of Post Graduate Studies); if so, which parts have moved and when; if not, when will the move of each part be made.

(7) What use will be made of the RAAF training facilities at Point Cook and Edinburgh after the training college has been relocated.

(8) When were the training facilities at Point Cook and Edinburgh: (a) built; and (b) last enhanced or upgraded.

(9) Is any part of either of these bases proposed to be sold; if so, when will they be advertised and for how much.

(10) Will all students of the RAAF Training College be accommodated on-base at the new location.

(11) How many people will the new accommodation house.

(12) Has a decision been made to move the Recruit Training Unit of the RAAF Training College; if so, where to and why.

(13) How many staff and students are there at the Recruit Training Unit of the RAAF Training College.

(14) What is the estimated cost of their relocation.

(15) What is the total amount allocated to the relocation of the Recruit Training Unit in each of the following financial years: (a) 2002-03; and (b) 2003-04.

1046 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the answer to question on notice no. 854 (Senate *Hansard*, 2 December 2002, p. 6635) and the completion on 17 December 2002 of the coronial inquiry in Western Australia into the circumstances surrounding the crash of a police aircraft, and in relation to the Western Australian Police Air Support Unit's request to amend its Air Support Unit operations manual and for its Air Operator's Certificate to be reissued by the Civil Aviation Safety Authority (CASA) in early 1998:

(1) (a) What were the aviation qualifications required at each level of the structure provided for by the operations manual prior to its amendment; and (b) what were the aviation qualifications required at each level of the structure provided for by the operations manual under the proposed amendments.

(2) (a) How many properly qualified pilots were included in the structure provided for in the operations manual; and (b) how many pilots were provided for in the amended version of the operations manual.

(3) (a) How many chief pilots were provided for in the unamended operations manual; and (b) how many chief pilots were provided for in the amended version of the manual.

Notice given 7 January 2003

1055 **Senator Collins:** To ask the Minister representing the Minister for Children and Youth Affairs—With reference to the recent reallocation of 1 030 Outside School Hours Care places (415 in September 2002 and a further 615 in December 2002) in Victoria to meet the state's Vacation Care unmet demand of 1 750 places, as identified by the Victorian Family and Community Services office:

(1) (a) Which localities received the extra Vacation Care places; and (b) what was the number of places that each locality received.

(2) (a) From which localities and forms of care were the Outside School Hours Care places reallocated; and (b) what was the number of places that each locality and form of care gave up.

(3) (a) Which localities are still in need of Vacation Care places; and (b) what is the estimated unmet need for each of these localities.

(4) (a) What is the current number of Vacation Care places in each state as compared to other forms of Outside School Hours Care; and (b) what is the number of any recent reallocation of Outside School Hour Care places to Vacation Care in states other than Victoria, if any.

(5) If there has been any recent reallocation of Outside School Hour Care places to Vacation Care in states other than Victoria, for each state: (a) which localities received the extra Vacation Care places; (b) what was the number of Vacation Care places that each locality received; (c) from which localities and forms of care were the Outside School Hours Care places reallocated; (d) what was the number of places that each locality and form of care gave up; (e) which localities are still in need of Vacation Care places; and (f) what is the estimated unmet need for each of these localities.

(6) What was the methodology used to calculate the unmet demand for Vacation Care places.

Senator Brown: To ask the Ministers listed below (Question Nos 1057-1059)—Has Roam Consulting done any work for the department or its agencies in the past

5 years; if so: (a) when; (b) what was the brief; (c) what were the main findings; (d) what was the cost; and (e) can a copy of any report be provided.

1057 Minister representing the Minister for the Environment and Heritage

1059 Minister representing the Minister for Science

Senator Brown: To ask the Ministers listed below (Question Nos 1065-1068)—With reference to the priority goals for research announced by the Prime Minister:

(1) (a) Which technologies are included in the goal of 'reducing and capturing emissions in transport and energy generation'; (b) specifically, are the following renewable energy technologies included: photovoltaics, solar thermal, wind, hydrogen; and (c) are any renewable energy technologies excluded, in particular, those which do not result in the generation of power but replace power generation.

(2) (a) What range of activities is included in 'capture and sequestration of carbon dioxide'; and (b) does it include biological sequestration such as in old-growth forests and geological sequestration.

(3) What was the recommendation of the expert advisory committee chaired by Dr Jim Peacock.

(4) Why is it that 'capture and sequestration of carbon dioxide' is specifically mentioned but renewable energy and energy efficiency are not.

(5) (a) What decisions have so far been influenced by the national research priorities; and (b) what guidelines or other information were given to the decision-makers in interpreting the priorities.

1065 Minister representing the Minister for Science

1066 Minister representing the Minister for Science

1067 Minister representing the Minister for Science

1068 Minister representing the Minister for Science

Senator Brown: To ask the Ministers listed below (Question Nos 1069-1071)—

(1) (a) Do plantation growers in Tasmania obtain a financial advantage compared with those in other states from being able to clear native vegetation to establish plantations; (b) has this benefit been quantified; and (c) how much is it.

(2) (a) Why is it that native forests can be cleared in Tasmania but not in any other state; and (b) what is the environmental and economic justification.

(3) Have other plantation growers complained about the situation in Tasmania; if so, who and when.

(4) (a) Is the Minister aware that 42 000 hectares of Tasmanian native forest on public and private land was cleared for plantations in the 2000-01 financial year and that Gunns Ltd alone has around 70 000 hectares of native forest on its own land which it intends to clear for plantations; and (b) what action will be taken to stop this destruction.

(5) What area of plantations was established under managed investment schemes for each state in each of the following financial years: (a) 2000-01; and (b) 2001-02.

(6) (a) Does the Government have any policy against using tax concessions to encourage the clearing of native vegetation; and (b) is the 13-month prepayment provision for plantations such a concession.

1069 Minister representing the Treasurer

1072 **Senator Brown:** To ask the Minister representing the Attorney-General—Will the Government indemnify the family of Rola McCabe for legal costs incurred in taking action against British American Tobacco relating to her death.

Notice given 14 January 2003

Senator Brown: To ask the Ministers listed below (Question Nos 1079-1082)—With reference to energy policy and greenhouse gas emissions:

(1) Does the department have copies of any reports or documents produced by Roam Consulting in the past 5 calendar years; if so, in each case: (a) for whom was the report or document prepared; (b) what is the full title and date of the report or document; (c) what was the brief; (d) what were the main findings; and (e) can a copy of the report or document be provided.

(2) Have any documents prepared by the department or its agencies, including by the Chief Scientist, used information supplied by Roam Consulting; if so, in each case: (a) what was the full title and date of the document from which the information was used; and (b) what other data supported any conclusions drawn.

1079 Minister representing the Prime Minister

1082 Minister representing the Minister for Science

1083 **Senator Evans:** To ask the Minister for Defence—

(1) (a) When was the decision taken to extend the pilot trial of Manpower in Victoria and Tasmania past its original completion date of September 2001; (b) who made this decision; and (c) why.

(2) Is the amount paid to Manpower the same for each recruit to the Australian Defence Force (ADF), regardless of the rank or job to be performed by the new recruit; if not, what amount is paid to Manpower for recruits to each different rank, job, geographic location etc.

(3) Can a list be provided of all the ADF recruitment call centres and their locations.

(4) For each call centre what is the number of: (a) Manpower employees; (b) uniformed ADF personnel; and (c) public servants from the department.

(5) (a) Has any decision been made to move the Manpower Defence Recruiting Call Centre from Dickson, ACT; if so: (i) when was the decision made: (ii) to where will it be moved, and (iii) when; and (b) what was the baseline operating cost for the call centre in Dickson.

(6) How much will Manpower be paid automatically under the national recruitment contract awarded in September 2002, and when, for example, what amount will Manpower be paid that is not linked to the number of recruits enlisted, and at what intervals in the life of the contracts.

1084 **Senator Evans:** To ask the Minister for Defence—

(1) How many students graduated from the Australian Defence Force Academy (ADFA) with a PhD in each of the following years: 1998, 1999, 2000, 2001 and 2002.

(2) Of these graduates, how many produced a thesis related to military or defence issues.

(3) How much time per week, on average, do PhD supervisors spend with each student.

(4) How much funding does the Federal Government provide each year for each PhD student, including both money paid directly to the student and that paid to ADFA.

(5) What percentage of research carried out by the academic staff of ADFA is related to defence or military issues.

1085 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to each of the twenty-six Dairy Regional Assistance Program (DRAP) projects funded in the electorate of Wide Bay and listed in the answer to questions on notice nos 424 and 443 (Senate *Hansard*, 29 August 2002, p. 4074):

(1) When was the project application lodged with the Wide Bay Burnett Area Consultative Committee.

(2) When was the application for funding lodged with the department and when was each application assessed and approved.

(3) Was the Member for Wide Bay or his electorate office informed by the Wide Bay Burnett Area Consultative Committee of the details of the application.

(4) Did the Member for Wide Bay or his electorate office make representations in support of the application.

(5) Was the Member for Wide Bay or his electorate office consulted on the details of the application.

(6) Was the Department of Agriculture, Fisheries and Forestry, the Minister for Agriculture, Fisheries and Forestry and/or his office: (a) advised of the lodgement of the application and/or consulted on the details of the application; and (b) informed of the outcome of the assessment; if so, when was this information provided.

(7) Which individual or organisation lodged the application.

(8) What was the level of funding sought, and what level of funding was approved.

(9) What was the total cost of the proposed project.

(10) Did the applicant agree to meet 50 per cent of the cost of the project.

(11) Did the application contain proposed assessment criteria for evaluation; if so, what are the details of the assessment criteria.

(12) Has the project been evaluated; if so: (a) who conducted the evaluation; (b) when did it occur; and (c) what are its findings; if not, why not.

(13) Has the project failed to meet the milestones contained in its project plan; if so: (a) what is the nature of the failure; and (b) what action has been taken by the department to address the failure of the project to meet the terms of its project plan.

(14) If the application did not contain proposed assessment criteria, why not.

(15) Was the application varied between lodgement and approval; if so: (a) what was the nature of the variation; (b) was the variation required to ensure the proposal complied with the program guidelines; (c) who requested the variation; and (d) when was it requested.

(16) Has the project commenced; if so, when did it commence and did it commence on schedule; if not, why not.

(17) Has the project been completed; if so, when was it completed and was it completed on schedule; if not, why not.

(18) (a) If the project has been completed, has the proponent submitted a completed evaluation form including audited financial statements; if not, why not; and (b) what action has been taken by the department to ensure the proponent of the project complies with DRAP guidelines.

(19) How many direct and indirect jobs did the applicant estimate would be created by the project, and what was the anticipated duration of these jobs.

(20) Did the department evaluate the job creation forecast contained in the application; if so, what was the result of the evaluation; if not, why not.

(21) Has the project proponent provided monthly progress reports in accordance with section 1.17 of the DRAP application; if not: (a) has the project failed to comply with the requirement contained in section 1.17 of the DRAP application, and (b) what action has the department taken to address this failure.

(22) On how many occasions has the state office of the department inspected the project in accordance with section 1.18 of the DRAP application, and on what dates did those inspections occur.

(23) If a departmental officer has not visited the project in accordance with section 1.18 of the DRAP application; why not.

Notice given 17 January 2003

1088 **Senator O'Brien:** To ask the Minister representing the Prime Minister—With reference to the answer to question on notice no. 945 advising that questions about the performance pay arrangements for secretaries, including reporting of performance pay, should be directed to the Prime Minister:

(1) In relation to the payment of a performance bonus to the Secretary of the Department of Agriculture, Fisheries and Forestry: what was the quantum of the bonus, if any, in each of the following financial years: (a) 1999-2000 (b) 2000-01; and (c) 2001-02.

(2) If a performance bonus was paid to the Secretary of the Department of Agriculture, Fisheries and Forestry in 2001-02: (a) why is the quantum of the bonus not divulged in the Department for Agriculture, Fisheries and Forestry's annual report for 2001-02; (b) what performance criteria were used; (c) who assessed the Secretary's performance against the criteria; (d) who was the decision-maker; and (e) what role did the Minister for Agriculture, Fisheries and Forestry or his office have in relation to the payment.

1089 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

(1) How many projects through the Dairy Regional Assistance Programme (DRAP) have been funded in the electorate of Page.

(2) When was each project application lodged with the Northern Rivers Area Consultative Committee.

(3) When was the application for funding lodged with the department and when was each application assessed and approved.

(4) Was the Member for Page or his electorate office informed by the Northern Rivers Area Consultative Committee of the details of the application.

(5) Did the Member for Page or his electorate office make representations in support of the application.

(6) Was the Member for Page or his electorate office consulted on the details of the application.

(7) Was the Department of Agriculture, Fisheries and Forestry, the Minister for Agriculture, Fisheries and Forestry and/or his office: (a) advised of the lodgement of the application and/or consulted on the details of the application; and (b) informed of the outcome of the assessment; if so, when was this information provided.

(8) Which individual or organisation lodged the application.

(9) What was the level of funding sought, and what level of funding was approved.

(10) What was the total cost of the proposed project.

(11) Did the applicant agree to meet 50 per cent of the cost of the project.

(12) Did the application contain proposed assessment criteria for evaluation; if so, what are the details of the assessment criteria.

(13) Has the project been evaluated; if so: (a) who conducted the evaluation; (b) when did it occur; and (c) what are its findings; if not, why not.

(14) Has the project failed to meet the milestones contained in its project plan; if so: (a) what is the nature of the failure; and (b) what action has been taken by the department to address the failure of the project to meet the terms of its project plan.

(15) If the application did not contain proposed assessment criteria, why not.

(16) Was the application varied between lodgement and approval; if so: (a) what was the nature of the variation; (b) was the variation required to ensure the proposal complied with the program guidelines; (c) who requested the variation; and (d) when was it requested.

(17) Has the project commenced; if so, when did it commence and did it commence on schedule; if not, why not.

(18) Has the project been completed; if so, when was it completed and was it completed on schedule; if not, why not.

(19) (a) If the project has been completed, has the proponent submitted a completed evaluation form including audited financial statements; if not, why not; and (b) what action has been taken by the department to ensure the proponent of the project complies with DRAP guidelines.

(20) How many direct and indirect jobs did the applicant estimate would be created by the project, and what was the anticipated duration of these jobs.

(21) Did the department evaluate the job creation forecast contained in the application; if so, what was the result of the evaluation; if not, why not.

(22) Has the project proponent provided monthly progress reports in accordance with section 1.17 of the DRAP application; if not: (a) has the project failed to comply with the requirement contained in section 1.17 of the DRAP application, and (b) what action has the department taken to address this failure.

(23) On how many occasions has the state office of the department inspected the project in accordance with section 1.18 of the DRAP application, and on what dates did those inspections occur.

(24) If a departmental officer has not visited the project in accordance with section 1.18 of the DRAP application; why not.

Senator O'Brien: To ask the Ministers listed below (Question Nos 1090-1120)—

(1) What programs and/or grants administered by the department provide assistance to the people living in the federal electorate of Gippsland.

(2) When did the delivery of these programs and/or grants commence.

(3) What funding was provided through these programs and/or grants for the people of Gippsland in each of the following financial years: (a) 1999-2000; (b) 2000-01; and (c) 2001-02.

(4) What funding has been appropriated for these programs and/or grants in the 2002-03 financial year.

(5) What funding has been appropriated and/or approved under these programs and/or grants to assist organisations and individuals in the electorate of Gippsland in the 2002-03 financial year.

1091 Minister representing the Minister for Transport and Regional Services

1092 Minister representing the Treasurer

1093 Minister representing the Minister for Trade

1094 Minister for Defence

1095 Minister for Communications, Information Technology and the Arts

1096 Minister representing the Minister for Foreign Affairs

1098 Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs

1099 Minister representing the Minister for the Environment and Heritage

1100 Minister representing the Attorney-General

1101 Minister for Finance and Administration

1102 Minister representing the Minister for Agriculture, Fisheries and Forestry

1103 Minister for Family and Community Services

1104 Minister representing the Minister for Education, Science and Training

1107 Minister for Justice and Customs

1108 Minister for the Arts and Sport

1109 Minister representing the Minister for Small Business and Tourism

1111 Minister representing the Minister for Regional Services, Territories and Local Government

1112 Minister representing the Minister for Children and Youth Affairs

1114 Special Minister of State

1115 Minister representing the Minister for Veterans' Affairs

1116 Minister for Revenue and Assistant Treasurer

1118 Minister representing the Minister for Citizenship and Multicultural Affairs

1119 Minister Assisting the Prime Minister for the Status of Women

1120 Minister for Fisheries, Forestry and Conservation

1121 **Senator Stott Despoja:** To ask the Minister representing the Minister for Regional Services, Territories and Local Government—Currently, Phosphate Resource Ltd (PRL) pays $1.50 per ton for phosphate as a rehabilitation levy on Christmas Island, a levy that has been collected by the department but administered by Environment Australia (EA):

(1) Is it a fact that the Minister has ended that arrangement; that the monies from the levy imposed on PRL no longer goes to Environment Australia,

and Environment Australia is no longer responsible for administering the fund.

(2) Why was this arrangement terminated.

(3) Did EA support the termination of the arrangement.

(4) Is there any evidence that EA was not carrying out its obligations in relation to the levy.

(5) Is there any evidence that EA was failing to protect the Christmas Island environment.

(6) Have tenders been sought in order to find another organisation to manage the levy; if so: (a) who has been granted the contract; (b) who tendered for the contract; (c) what are the terms of the contract; (d) what expertise does the contractor bring to the Christmas Island environment; and (e) how will the levy monies be spent, including percentages spent on rehabilitation, environment work and administration.

(7) Who will oversee the program.

(8) Has the Minister received any correspondence from (PRL) indicating displeasure with EA's work on Christmas Island.

Notice given 21 January 2003

Senator Brown: To ask the Ministers listed below (Question Nos 1122-1125)—

(1) (a) What capital funding was provided to Tasmania under the Regional Forest Agreement (RFA) for the construction of forestry interpretation and/or visitor centres; (b) how many centres were to be constructed; (c) how many centres were constructed; (d) where are they situated; and (e) what was the cost of each centre.

(2) What conditions did the Commonwealth place on the use of the funding.

(3) Was it a condition of the grant that the centres could be sold and leased back to Forestry Tasmania; if so: (a) what conditions applied to the sale proceeds; and (b) how is the Commonwealth to recoup its funding; if not, can the government confirm the sale by Forestry Tasmania of the Forestry Eco Centre constructed at Scottsdale, Tasmania.

(4) Was part of the sale contract the lease of the building to Forestry Tasmania.

(5) What are the terms and conditions of the lease.

(6) For how many years and at what rental is the building leased.

(7) What was the Commonwealth funding for the construction of the Scottsdale centre and what was the sale price.

(8) For what purpose have the funds from the sale been used.

(9) Is it acceptable to the Commonwealth to provide recurrent funding to Forestry Tasmania through liquidation of Commonwealth-funded assets.

(10) Are there any other Commonwealth-funded Tasmanian Forestry capital projects which have been privatised and leased back to Forestry Tasmania.

(11) Did the Commonwealth recoup any funding from the sale.

(12) Are there any other RFA Commonwealth-funded Tasmanian Forestry capital projects which have been identified for sale and lease back, for example, Dismal Swamp.

(13) Is it Government policy to provide the states with capital funding and to permit the states to sell off the assets unconditionally.

1122 Minister representing the Minister for Agriculture, Fisheries and Forestry

1123 Minister representing the Minister for Agriculture, Fisheries and Forestry

1124 Minister representing the Minister for Agriculture, Fisheries and Forestry

1125 Minister representing the Minister for Agriculture, Fisheries and Forestry

Senator Brown: To ask the Ministers listed below (Question Nos 1126-1129)—

(1) What natural, cultural and heritage significance does the Government place on the landing place and area of exploration at Recherche Bay in southern Tasmania of the French explorer Bruni d'Entrecasteaux's expedition of 1791-93 in search of La Perouse.

(2) What communication has the Australian Government had with the French Government or the Tasmanian Aboriginal community regarding the protection and commemoration of this place.

(3) Has the Government ever requested an assessment of the area for its indigenous and European heritage values, including an archaeological dig in the area to determine the site of the garden planted by the gardener Felix Delahaie; if not, will the Government seek such an assessment.

(4) Was the area considered for reservation under the Regional Forest Agreement because of its National Estate and/or heritage values; if not, why not.

(5) Is the Government aware that an area of private land in the north east corner of Recherche Bay, referred to by the French as the Port du Nord, has been the subject of a clear-fell logging plan and approved for logging by the Tasmanian Government.

(6) Is the Government aware that the land in question is surrounded by reserved areas and that the Tasmanian Government has granted permission for a logging road to be built across the conservation reserve.

(7) Is the Government aware that the Tasmanian Minister responsible for the Forest Practices Board and therefore granting approval for the Forest Practices Plan is also the Minister for the Parks and Wildlife Service responsible for granting road access across a conservation reserve: does the Commonwealth regard this as a conflict of interest.

(8) What action has the Government taken to protect the area in question.

(9) What action does the Government intend to take.

(10) Has the Australian Government informed the French Government of the proposed logging of this heritage site; if not, does it intend to do so.

1126 Minister representing the Minister for the Environment and Heritage

1127 Minister representing the Minister for the Environment and Heritage

1128 Minister representing the Minister for the Environment and Heritage

1129 Minister representing the Minister for the Environment and Heritage

Notice given 22 January 2003

1130 **Senator Ludwig:** To ask the Minister representing the Attorney-General—

(1) What steps has the Government taken to monitor the operation of the Copyright Act as new technologies develop, particularly in relation to the Internet.

(2) With reference to the Government's commitment to review the *Copyright Amendment (Digital Agenda) Act 2000* in response to the recommendations of the Government-appointed Intellectual Property and Competition Review Committee in August 2001: (a) Has this review commenced; if not

why not and when will it commence; (b) who is conducting the review; (c) are the terms of reference for the review available; if not why not and when will they be available; and (d) when in 2004 will the review be available.

(3) What steps has the Government taken to enhance enforcement mechanisms in relation to copyright.

Notice given 24 January 2003

Senator Brown: To ask the Ministers listed below (Question Nos 1131-1133)—In relation to the Southport Lagoon Conservation Area, which is a Regional Forest Agreement (RFA) reserve listed on the Indicative Register of the National Estate:

(1) Does the Minister agree that the Tasmanian Government has committed a major breach of the RFA by approving a road through this reserve; if not, why not.

(2) What action has been taken to protect the reserve, to stop any further work on the road and to rehabilitate the damage.

(3) What mechanisms are in place to alert the Minister to breaches of the RFA such as this.

(4) When did the Minister become aware that the RFA had been breached.

(5) Will the Minister commence action to terminate the RFA on the grounds of this major breach.

1131 Minister representing the Minister for the Environment and Heritage

1132 Minister representing the Minister for the Environment and Heritage

1133 Minister representing the Minister for the Environment and Heritage

Senator Brown: To ask the Ministers listed below (Question Nos 1134-1137)—

(1) (a) What permanent committees with members from outside the public service advise the Minister on energy policy; and (b) for each committee can the following information be provided: (i) the committee's terms of reference, and (ii) a list of its members, their terms of appointment, and the institutions or organisations to which they belong.

(2) (a) What temporary or ad hoc committees have advised the Minister on energy policy in the past 5 calendar years; and (b) for each committee can the following information be provided: (i) the committee's terms of reference, and (ii) a list of its members, their terms of appointment, and the institutions or organisations to which they belong.

1134 Minister representing the Prime Minister

1135 Minister representing the Minister for the Environment and Heritage

1136 Minister representing the Minister for Industry, Tourism and Resources

1137 Minister representing the Minister for Science

1138 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—

(1) Will the Minister categorically rule out supporting the introduction of bumblebees to mainland Australia.

(2) What action will be taken to prevent the deliberate or accidental introduction of bumblebees to mainland Australia.

(3) What action has been taken and will be taken to control their spread and reduce their impacts in Tasmania.

1139 **Senator Brown:** To ask the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs—

(1) Do detention centres situated around Australia have on site doctors to supervise detainees in isolation; if so, for how many days will a doctor monitor a detainee.

(2) Is there a limit to the length of time Australasian Correctional Management (ACM) can put people in isolation.

(3) What percentage of detainees are on medication for mental illness.

(4) Are doctors required to give medication for the purpose of chemical restraint.

(5) Do staff of ACM give out medication without reference to doctors.

1140 **Senator Allison:** To ask the Minister for Communications, Information Technology and the Arts—Given that, according to the foreword and annexes of the new Radiation Protection Standard RPS3 – Maximum Exposure Levels to Radiofrequency Fields – 3 kHz to 300 GHz, approved by Dr John Loy on 7 May 2002, research papers indicate adverse health problems from extremely low levels of radiofrequency (RF) energy, which have been neither confirmed nor denied:

(1) How will the Australian Communications Authority (ACA) handle these uncertainties when it integrates the levels specified in the standard into the regulatory framework.

(2) Will there be references in the regulations to: (a) the research papers; (b) the precautionary measures contained in clause 5.7(e) of the standard; and (c) the annexes at the back of the standard.

(3) Why has the ACA used only selected parts of the RF standard in regulating the mobile phone and broadcasting industries.

(4) What protection is now offered regarding occupational exposure to workers in these industries since the sections relating to occupational exposure have not been taken up by ACA.

(5) Why did the Australian Radiation Protection and Nuclear Safety Agency agree to selective use of parts of the standard.

Notice given 30 January 2003

1142 **Senator Evans:** To ask the Minister for Defence—

(1) Is there an established process by which Australian Defence Force (ADF) personnel who are deemed to be medically unfit may be redeployed to civilian positions within the department; if so, are there any guidelines or administrative procedures that detail how the process is carried out and, if so, can a copy of these guidelines be provided.

(2) Does this process in any way restrict the employment of former ADF personnel in civilian functions in the department; if so, under what circumstances might such restrictions occur.

1143 **Senator Evans:** To ask the Minister for Defence—

(1) (a) How many legal actions have been commenced, to date, in relation to the HMAS *Voyager*/HMAS *Melbourne* collision; and (b) how many claims have been settled out of court.

(2) For each year since 1985: (a) how many claims were settled; and (b) on average, how many days before the trial commenced were the cases settled.

(3) How many legal actions commenced in relation to the collision have not yet been settled or mediated or had a judgment given.

(4) In each year since 1985: (a) how many requests have been made under the Freedom of Information (FOI) Act to the department for information on personal files by persons with claims relating to the collision (or their lawyers); and (b) how many of the requests have been granted.

(5) Has the department refused some FOI requests relating to the collision; if so, how many and in what years.

(6) Did the department refuse, at some point in the 1990s, FOI requests made by persons with claims relating to the collision (or their lawyers) insisting that the request be made instead to the department's external lawyers.

(7) Has the Commonwealth destroyed any documents from personal files by persons with claims relating to the collision.

Notice given 3 February 2003

1144 **Senator Ludwig:** To ask the Minister representing the Attorney-General—

(1) Can a copy be provided of the memorandum of understanding between Centrelink and the Attorney-General's office in relation to the Family Law Hotline and the Regional Law Hotline.

(2) What are the hours of operation for the Regional Law Hotline.

(3) In the answer to question on notice no. 1009, paragraph (2), reference was made to a caller who was dissatisfied with the service: Can the following information on this caller be provided: (a) what date was the original call made; (b) what date was the complaint made; (c) how was the complaint handled; (d) who handled the complaint; (e) was any follow up action taken; and (f) was the question answered to the caller's satisfaction.

(4) In the answer to question on notice no. 1009 reference was made to the customer service operators not being able to directly distinguish between calls made to the Regional Law Hotline and the Family Law Hotline: (a) why is it not possible to they distinguish between the calls; (b) how many calls are made in a month; (c) what are the busiest days and hours during a week; and (d) how is it possible to reconcile the expenditure on these programs against calls made if you cannot differentiate between the two.

(5) Can a month-by-month breakdown be provided of the calls to the services, matching expenditure to calls for the past 12 months.

(6) Is a review being undertaken given the decrease in calls during the period specified in the answer to question on notice no. 1009; if not, why not.

(7) (a) What is the expenditure to date for the promotion of the Regional Law Hotline and Family Law Hotline; (b) how has the promotion for these services taken place; (c) what materials were used to promote this service; and (d) how many households were advised of this service.

(8) What was the cost of the promotional material.

(9) Which communication services were used to promote this service, for example, television, radio, newspapers, pamphlets and/or flyers.

(10) What were the costs of these promotions in each individual case.

(11) Can copies be provided of promotional pamphlets advertising these services.

(12) From where was the money allocated.

1145 **Senator Ludwig:** To ask the Minister for Justice and Customs—

(1) What powers other than those found in the *Broadcasting Services Act 1992* does the Federal Government have to block Internet sites which commit cyber crime.

(2) On how many occasions have these powers been used; and (b) can examples be provided of where this has occurred.

(3) Does the Australian Broadcasting Authority (ABA) have the power to block access to an Internet site.

(4) Who directs the ABA in this issue.

(5) On what or whose authority can an Internet site be blocked.

(6) What will the review of telecommunications offences specifically look at in relation to the Internet.

(7) Will any Internet sites that break Australian laws be subject to blocking by the ABA.

(8) Is there an information hotline which consumers can call to make a complaint about a particular web site.

(9) Are there any jurisdictional issues that need to be addressed prior to a decision being made on the legality of an Internet site's operations and subsequent blocking; if so, what are they.

(10) Will these issues impede the ABA's authority to block access.

(11) (a) What is the High Tech Crime Centre; (b) is it a subsidiary of the Australian Crime Commission; and (c) where is it located?

(12) Who is responsible for the operational running of the High Tech Crime Centre.

(13) (a) How many staff are employed at the centre; (b) what are their direct duties in relation to cyber crime; and (c) what sort of cyber crime will they investigate.

(14) How much funding is dedicated to the Internet section of the centre, given that the Internet is the single largest area of growth for crime.

1146 **Senator Ludwig:** To ask the Minister for Communications, Information Technology and the Arts—

(1) With reference to the Networking the Nation Program's general fund, of projects funded to provide dial-up Internet access services: What regions in Queensland have subsequently gained local Internet access that were previously without.

(2) Have projects funded to provide dial-up Internet access services proven to be sustainable beyond completion of funding.

(3) Was funding provided to any project for the specific purpose of provision of web design or web hosting services; if so, were any restrictions or conditions placed on said services, including the origin and nature of clientele.

(4) Does the department assess the effectiveness of individual projects by direct consultation with members of the public in addition to information supplied by the grantee.

(5) (a) How many projects have received funding in total, to date, in Queensland; and (b) how many have subsequently renegotiated their deeds of agreement with the Commonwealth.

(6) With reference to projects that received funding to build community, regional or portal websites: Does the department attempt to assess the impact of completed websites on communities by measurement of patronage to these web sites or otherwise.

(7) Does the audit procedure for completed projects that built community, regional or portal websites include independent valuation of websites to ensure value for money.

(8) With reference to Telstra, and ACIF/SPAN/Telstra reports of 1998 and 1999, which said Telstra had a problem with XSPC ISDN billing and that it was resolved by Telstra in approximately June 1998: What was the nature of this billing problem.

(9) Were XSPC ISDN billing problems resolved in approximately June 1998 as claimed.

(10) When did XSPC ISDN billing problems originate.

(11) Did Telstra's resolution of XSPC ISDN billing problems extend to include the correct adjustment of prior billing of services already in use by customers.

(12) Did XSPC ISDN billing errors typically result in Telstra's customers being undercharged or overcharged for the service.

(13) Given that XSPC ISDN services were somewhat specialised, did Telstra actively promote XSPC ISDN services to any particular class of customer or industry.

(14) Once aware of XSPC ISDN billing problems, did Telstra attempt to identify and notify all XSPC ISDN customers.

(15) Did Telstra formulate a program to correctly 're-bill' all customers affected by XSPC ISDN billing problems.

(16) Did Telstra require an allegation of XSPC ISDN billing errors to be raised by the customer before investigating and attempting to correctly re-bill the customer.

(17) Did Telstra inform customers with XSPC ISDN services who made billing complaints if they were or may be affected by a known billing problem.

(18) If a regional Queensland Telstra customer had complained of XSPC ISDN billing errors, which Telstra department or departments would be assigned to investigate the complaint.

1147 **Senator Ludwig:** To ask the Minister representing the Attorney-General—

(1) (a) When was the tender for the Family Law Hotline announced; and (b) how was it announced.

(2) How many tenders were submitted.

(3) What were the names of the tenderers who applied.

(4) How was the winning tender selected.

(5) How many full-time operators staff the Family Law Hotline on a state-by-state basis.

(6) How many part-time and/or casual operators staff the Family Law Hotline on a state-by-state basis.

(7) What, if any, qualifications are Family Law Hotline operators required to possess.

(8) Is there a qualified family law adviser in each of the call centres during operational hours; if not, what are the minimum qualifications a person must have in order to supervise staff within the call centre.

(9) What are the hours of operation.

(10) Where are these centres located.

(11) How many calls were made to the Family Law Hotline in the 2001-02 financial year.

(12) (a) Can a breakdown be provided of calls made to the Family Law Hotline in the 2001-02 financial year, categorised by issues for instance: custody, property issues etc; and (b) of these calls, how many were referred to: (i) Legal Aid, and (ii) an agency other than Legal Aid?

(13) To which agencies were these other calls referred.

(14) Where any of these calls referred to Community Legal Centres.

(15) Are Family Law Hotline operators trained for a specific period; if so: (a) for how long; (b) who provides this training; and (c) are the trainers qualified to practice family law.

(16) Is there a toll-free number for residents in rural areas.

(17) How many calls were made from rural areas to the Family Law Hotline in the 2001-02 financial year.

(18) How many calls in the 2001-02 financial year did Family Law Hotline operators satisfactorily deal with, without referral to another agency.

(19) What processes have been put in place to ensure correct information is passed to consumers.

(20) Of the callers to the Family Law Hotline Service in the 2001-02 financial year: (a) how many people were referred to a social worker; and (b) how long did each social worker spend on the line with each person.

(21) Did these social workers complete any other work not relevant to the Family Law Hotline during the course of their employment.

(22) Can a breakdown be provided of the amounts allocated to the Family Law Hotline service on a state-by-state basis.

(23) Can a list be provided showing the names and call centre staff ratios for the 2001-02 financial year.

1148 **Senator Brown:** To ask the Minister for Defence—With reference to the joint United States of America (US) and Australian naval defence exercises carried out off Western Australia in January 2003:

(1) Can the Minister confirm that the USS *Abraham Lincoln* carried out ordnance and bombing training on a day of total fire ban, resulting in two fires in the Lancelin Defence Training Area; if so: (a) who was responsible; (b) what damage was incurred; and (c) what action is being taken to investigate the matter.

(2) Did the Australian Navy or the US Navy engage in any active sonar testing, including low-range frequency or mid-range frequency active sonar testing, in any of the naval exercises; if so, specifically what testing was conducted.

(3) Has the Australian Navy an active sonar testing program; if so: (a) what is the nature of the tests; and (b) what research has been conducted on the impacts of the tests on marine species, including juvenile fish and mammals such as whales.

(4) Has the Australian Navy informed Environment Australia and its state government counterparts of the findings of that research; if not, why not.

Notice given 4 February 2003

1149 **Senator Nettle:** To ask the Minister for Health and Ageing—

(1) To what extent is the Minister aware that tobacco companies, including Philip Morris Ltd and British American Tobacco, are now producing self-extinguishing cigarettes.

(2) What information is there regarding the technology involved with the production of self-extinguishing cigarettes.

(3) If the Minister is aware of the existence of self-extinguishing cigarettes, does the Minister plan to adopt a national standard for self-extinguishing cigarettes; if not, why not.

(4) If the Minister is not aware of such a product will the Minister look into the viability of self-extinguishing cigarettes in Australia.

Notice given 5 February 2003

1150 **Senator Hogg:** To ask the Minister for Family and Community Services—In relation to the Centrelink Office located at 1085 Gold Coast Highway, Palm Beach, Queensland:

(1) What are the term and the expiry date of the current lease on the premises used by this office.

(2) Is there any plan to relocate this office; if so, what are the details.

(3) (a) What is the daily average number of face-to-face client contacts each working day; and (b) is there a day of the week or month when face-to-face contact peaks compared to any other day.

(4) Have there been any incidents in the office or the immediate vicinity that have required the filing of an incident report by staff or the intervention of the police; if so, can details be provided of each such incident.

(5) Have there been any complaints from the local community to Centrelink management regarding the behaviour of clients who visit this office; if so, can details be provided of each complaint and the action taken to address the community concerns.

(6) What consultation has taken place with local businesses to assess the financial impact on their business due to the location of this Centrelink office.

Notice given 6 February 2003

Senator Brown: To ask the Ministers listed below (Question Nos 1151-1152)—

(1) Was Australia requested to contribute funds to an appeal by the United Nations in December 2002 for US $37 million to prepare for a possible humanitarian crisis in Iraq.

(2) (a) What contribution has Australia made to ‘pre-positioning’ humanitarian aid in case of a war in Iraq; and (b) how much has it contributed to the $37 million requested.

(3) What does the Minister estimate the humanitarian requirements for Iraq to be in the case of war.

(4) (a) What humanitarian aid will Australia provide in case of a war in Iraq; (b) what will be the value; (c) what form will the aid take; and (d) how will it be delivered.

(5) (a) What communications has the Minister had with the United States of America and Britain relating to humanitarian issues in the event of war; (b) when were these discussion; and (c) what was the substance of the discussions.

1151 Minister representing the Minister for Foreign Affairs

1152 Minister representing the Minister for Foreign Affairs

1153 **Senator Tierney:** To ask the Special Minister of State—How much was spent in parliamentary printing entitlements in the electorate of Paterson, for the following parliamentary terms: (a) 1993-96; (b) 1996-98; (c) 1998-2001; and (d) 2001 to present.

1154 **Senator Allison:** To ask the Minister for Defence—

(1) Can the Government confirm the following reports: (a) that President Bush has been quoted as saying the United States (US) Administration will use nuclear weapons 'if necessary'; (b) that on 28 January American Nuclear weapons analyst, William Arkin, Senior Fellow at the Centre for Strategic Education at the Johns Hopkins University, was reported as saying the US Strategic Command is compiling potential target lists with planning focussed on roles for nuclear weapons on underground facilities and to stop chemical or biological attack; and (c) that when asked about the report, White House spokesperson, Ari Fleischer said that all military options are available.

(2) Can details be provided on what advice the Government has been given by the US Administration about such proposals to use nuclear weapons in any attack on Iraq.

(3) Given that the US STRATCOM review says, 'nuclear weapons could be employed against targets able to withstand non-nuclear attack': (a) what advice has the Government been given by the US Administration about the proposed use of these so-called 'bunker busters'; and (b) can details be provided.

(4) Which, if any, of the following circumstances would cause Australia to decline to send or withdraw troops from combat in Iraq: (a) use by the US Administration of depleted uranium in warheads; (b) use of nuclear 'bunker busters'; (c) use of other nuclear weapons; and (d) use of nuclear weapons in retaliation against Iraqi use of chemical or biological weapons.

(5) If no decision has yet been made on the above, when, and by what process, will a decision be made.

(6) (a) What advice has the Government received from the US Administration about a reported increase in US nuclear capability; if no advice has been received, what analysis has the Government done of this increase in nuclear capability.

(7) Given that the US Administration announced in January 2003 that it intended to shatter Iraq 'physically, emotionally and psychologically' using 800 cruise missiles in 2 days – twice the number launched during the 40 days of the Gulf War in 1991: (a) has the US Administration advised the Government if these missiles will carry depleted uranium; if so, what would be the total quantity of depleted uranium so used; (b) has the US Administration advised the Government which cities would be targeted

by these 800 cruise missiles; and (c) what civilian casualties could be expected in each city.

(8) With reference to the Prime Minister's statement on 30 January 2003 that, 'Australia doesn't have chemical or biological or nuclear weapons and we don't want them. We don't have them, and we don't think countries, other than those authorised by international agreement should have them': what concerns has the Government expressed about the spread of nuclear weapons to Israel.

(9) What steps does the Australian Government propose to take to disarm Israel of nuclear weapons.

(10) What analysis has the Government prepared of the implications for world peace of the pre-emptive use of nuclear weapons in an attack on Iraq.

(11) What analysis has the Government prepared of the implications for world peace and progress on international treaties such as the Nuclear Non-Proliferation Treaty of the US move to group nuclear weapons with conventional weaponry.

Notice given 7 February 2003

1155 **Senator Harris:** To ask the Minister for Communications, Information Technology and the Arts—

(a) Was the commencement date for Telstra's changeover from 008 to the 1800 prefix 1 September 1993; and (b) at that time was Optus in fact leasing and/or using floor space in the corner of Telstra's exchanges for Optus' own 1800 exchange equipment.

(a) Was the Minister previously aware of the many 1800 prefix systemic faults that affected a substantial number of both Telstra and Optus subscribers' businesses nationally; and (b) can the Minister advise what the settlement arrangements or terms of settlement were between Optus and Telstra over the 1800 prefix faults in Telstra's exchanges and computer software that apparently not only caused Telstra's 1800 network not to be fit for purpose, but also caused Optus' 1800 network not to be fit for purpose.

(3) Have Telstra or Optus yet notified the subscribers affected by these 008 to 1800 and ten digit number problems of the fact that both Optus' and Telstra's 1800 networks were not fit for use, and that, unless their subscriber customers dialled 008 instead of 1800 during the double trunking period of the 2-year changeover period or until fixed, their 1800 customers would not have been able to reach the subscriber's 1800 number being dialled, despite the fact the subscriber was unaware of the systemic faults and reasons for loss in incoming business.

Notice given 10 February 2003

1156 **Senator Nettle:** To ask the Minister for Family and Community Services—With reference to the Deed of Agreement between Centrelink and its agents:

(1) Can the Minister specify the intended purpose of the 'specified personnel' clause in the deed.

(2) Is the Minister aware that a Centrelink officer has the discretionary power to remove agency employees from the 'specified personnel' list.

(3) Is there any right of appeal against a decision, made by a Centrelink officer, to remove an employee from the 'specified personnel' list; if so; please specify the rights of appeal.

(4) If there is no right of appeal, can the Minister explain why a Centrelink officer has the sole discretionary power to remove Centrelink funding from agency employees.

Notice given 12 February 2003

1157 **Senator Marshall:** To ask the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs—With reference to detainees being held at the Baxter Detention Centre:

(1) Have there been any recent cases of self-harm; if so, how many.

(2) ny detainees currently on hunger strikes; if so, how many.

(3) Is the Minister satisfied that the Baxter Detention Centre is a suitable environment for asylum seekers given that it is a high security establishment.

(4) How many detainees are currently being held in the area known as Blue III

(5) Have handcuffs been used on any of these detainees; if so, why.

(6) Have there been any cases of self-harm or hunger striking amongst the Blue III detainees; if so, how many.

(7) What medical and psychological support is available to the detainees in Blue III.

(8) Are the detainees in Blue III able to make and receive telephone calls and to receive parcels and visitors; if not, why not.

(9) Was the manager of the Baxter Detention Centre, Mr Greg Wallace, formerly at the Curtin Detention Centre.

(10) Is the Minister satisfied that management practices at Baxter Detention Centre have not led to any breaches of the human rights of the detainees or any breaches of Australia's obligations under international human rights instruments; if so, on what basis is the Minister satisfied.

Notice given 13 February 2003

1158 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the information provided by each major airport about the infrastructure costs of implementing the Government's Increased Quarantine Intervention Program, for each major airport: (a) what is the estimated implementation cost provided by the airport, including any caveats or qualifications placed upon the estimate; (b) what date was the information provided; (c) in what form was the information provided; (d) to which Commonwealth officer was the information provided; (e) what was the actual amount that the Commonwealth budgeted for each airport; (f) where works have been completed or are underway, what was the cost of the works; and (g) where works have commenced, what was the current estimated costs.

1159 **Senator Lees:** To ask the Minister for Defence—

(1) Have Australia's defence personnel been informed about the risks of operating in areas of Iraq contaminated as a result of the use, by the United States of America and Britain, of ammunition containing depleted uranium during the previous Gulf War.

(2) In the event of war, will the Minister guarantee that Australian soldiers will not be deployed in those areas where there is contamination.

(3) Will Australian troops be: (a) working alongside other allied forces using ammunition containing depleted uranium; or (b) using it themselves.

(4) What, if any, alternatives to ammunition containing depleted uranium are now used or being developed.

Notice given 14 February 2003

Senator Brown: To ask the Ministers listed below (Question Nos 1160-1162)—With reference to Australia's possible involvement in a war on Iraq:

(1) What steps have been taken to ensure that the estimated 10 000 to 100 000 archaeological and cultural sites in Iraq are protected from damage, Specifically, how do these steps apply to bombing and to activities of ground troops.

(2) Will Australian forces observe the 1954 Hague Convention.

(3) What information about the location, value and sensitivity of archaeological and cultural sites in Iraq has been provided to Australian forces.

(4) What plans are in place to protect archaeological and cultural sites from looting, illegal excavation or other damage after the conflict.

(5) Who is responsible for protecting archaeological and cultural sites during, and after, any war in which Australia is involved.

1160 Minister representing the Minister for Foreign Affairs

1161 Minister representing the Minister for Foreign Affairs

1162 Minister representing the Minister for Foreign Affairs

Notice given 17 February 2003

1163 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) With reference to the Minister's media release of 19 July 2001 announcing a 3-year project to examine the feasibility of segregating genetically-modified products across their entire production chains: what are the specific stated objectives of this study.

(2) Does the study deal with issues of food safety and food quality; if so, how.

(3) Does the study deal with making sure that products are identified to meet labelling laws and to preserve the identity of products in the market place; if so, how.

(4) How specifically do the objectives of the study announced on 19 July 2001 differ from those of the four case studies announced on 10 February 2003.

1164 **Senator O'Brien:** To ask the Minister representing the Minister for Science—

(1) On what date was the bid for the Cooperative Research Centre (CRC) for Tree Technologies (CRC-TT) received by the CRC Committee.

(2) (a) Which CRC expert panels assessed the bid; and (b) on what day did each expert panel receive the bid for consideration.

(3) Under the selection process described on the CRC website (www.crc.gov.au), on what day did the CRC-TT bid pass from what is described as: (a) 'Stage 1 – eligibility' to 'Stage 2 – shortlisting'; and (b) 'Stage 2 – shortlisting' to 'Stage 3 – interview'.

(4) On what days were the 'Stage 3 – interviews' conducted with the applicants in the CRC-TT bid.

(5) Where were the interviews conducted.

(6) Which members of the CRC Committee attended the interviews.

(7) (a) Which CRC expert panels were represented at the interviews; and (b) whom from each CRC expert panel attended.

(8) With reference to the members of the CRC Committee and the CRC expert panels, what was the total cost to the Commonwealth in conducting the interviews, in terms of: (a) transport; (b) accommodation: (c) meals; and (d) other costs.

(9) With reference to the members of the CRC-TT bidding syndicate, what was the total cost to the Commonwealth in conducting the interviews, in terms of: (a) transport; (b) accommodation; (c) meals; and (d) other costs.

(10) On what day did the Commonwealth Scientific and Industrial Research Organisation Division of Forestry and Forest Products withdraw from the CRC-TT bid.

1165 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) Is the department currently conducting, or has it commissioned, research into methods of controlling Diabolical Weed.

(2) In the event that the department has commissioned research into methods of controlling Diabolical Weed: who is conducting the research.

(3) What methods of Diabolical Weed pest control are being researched.

(4) In the event that the department is currently conducting research, or has commissioned research, into methods of controlling Diabolical Weed: (a) when did the research start; and (b) when will such research be completed.

(5) How much funding has the Commonwealth budgeted for this research.

(6) What amount of funding has the Commonwealth expended to date on this research.

(7) Can details be provided of the specific objectives of such research.

1166 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's media release of 10 February 2003, announcing that Tasmanian Quality Assured Ltd will conduct four case studies of quality management systems for segregating genetically-modified (GM) agricultural products:

(1) Is the Tasmanian Quality Assured Ltd mentioned in the Minister's media release the same organisation as Tasmanian Quality Assured Inc. of 13A Brisbane Street, Launceston, Tasmania.

(2) Which is the correct name of the organisation conducting the four case studies.

(3) On what basis was Tasmanian Quality Assured awarded the contract to complete the four case studies of quality management systems for segregating GM agricultural products.

(4) Which other organisations submitted tenders for, or in some other way expressed an interest in, conducting these four case studies.

(5) When will each case study begin.

(6) When will each case study be completed.

(7) At what location will each case study be conducted.

(8) How much will each case study cost.

(9) Will the costs be fully met by the department; if not, who else will contribute funding to each case study and in what quantity.

(10) What are the specific stated objectives of each case study.

(11) How will the effectiveness of each case study be measured against the specific stated objectives of each case study.

(12) Will the audit tool referred to in the Minister's media release, which will result from these case studies, become the standard for the use of the Australian Quarantine and Inspection Service when issuing export certification in relation to the GM status of Australian agricultural produce.

1167 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) On what date was the last regional forum about gene technology for farmers and regional communities conducted by Biotechnology Australia.

(2) Where was the forum held.

(3) How many members of the public attended this forum.

(4) With reference to each of the eight rural forums conducted: (a) how much did each cost; (b) how many members of the public attended; and (c) on what basis were the locations selected.

(5) What programs is Biotechnology Australia currently undertaking to advise farmers and regional communities about the potential implications of gene technology on the Australian rural sector.

(6) What was the cost of these programs over the 2001-02 financial year.

(7) What programs is Biotechnology Australia developing to advise farmers and regional communities about the potential implications of gene technology on the Australian rural sector.

(8) What is the budget and estimated expenditure to date for these programs over the 2002-03 financial year.

1168 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's joint statement of 11 February 2003, reference AFFA03/023WTJ, regarding the $5.3 million water saving pilot program in the Murrumbidgee Valley:

(1) What are the specific stated objectives of the pilot program as presented to the Commonwealth by Pratt Water and upon which Commonwealth funding was approved.

(2) Can a copy be provided of the Pratt Water proposal upon which Commonwealth funding was approved; if not, why not.

(3) What is the total budgeted cost of the pilot program.

(4) Which Commonwealth departments are contributing to the funding of the pilot program; and (b) how much will each department contribute.

(5) Which non-government organisations or individuals are contributing to the pilot program and what is their budgeted contribution.

(6) (a) When will the pilot program commence; and (b) when is it due to be completed.

(7) In relation to the joint media statement, which quotes Mr Pratt as saying that his 'company has contributed significant resources to get the proposal to its current stage of development and is contributing key staff to manage

the project': (a) what is the quantum and exact type of resources Mr Pratt is referring to; (b) what is the number of staff Pratt Water will contribute to the management of this project; and (c) what are the names and qualifications of those staff.

(8) Where exactly in the Murrumbidgee Valley the pilot program will be conducted.

(9) (a) What consultations have been undertaken with residents within the Murrumbidgee Valley; and (b) who will be affected by the pilot program.

(10) If no consultations have yet taken place: (a) when will these consultations take place; and (b) how will these consultations be conducted.

1169 **Senator Brown:** To ask the Minister representing the Minister for Trade—

(1) What is the current Export Finance Insurance Corporation (EFIC) exposure in Papua New Guinea (PNG).

(2) To what specific facilities does this correspond, including: status, company name, date of facility, type of facility and name of project.

(3) What has been the total exposure of EFIC in PNG to date.

(4) Given that, although there are details of facilities available in the annual reports, there appear to be contradictions in relation to the reporting of EFIC facilities in PNG: can a listing be provided of all short-, medium- and long-term facilities signed for PNG on both the commercial and national interest account, including, status, company name, date of facility, type of facility and name of project.

(5) (a) Has EFIC ever been involved in the use of sovereign guarantees in PNG; and (b) to what specific facilities does this correspond, including: status, company name, date of facility, type of facility and name of project.

(6) (a) Has any debt been generated through the use of sovereign guarantees in PNG; and (b) to what specific facilities does this correspond, including: status, company name, date of facility, type of facility and name of project.

Notice given 19 February 2003

1170 **Senator Harris:** To ask the Minister representing the Minister for Transport and Regional Services—

(1) Does the year of manufacture of a vehicle determine what Australian Design Rules are applicable to that vehicle and, indeed, whether or not the *Motor Vehicle Standards Act 1989* applies to that vehicle.

(2) Does the department nominate a year of manufacture for each vehicle for which an import approval is issued.

(3) Why does the department have no formal guidelines to check this date is correct.

(4) If this year of manufacture is incorrect, is not the department guilty of issuing a false and misleading document (certificate).

(5) Does the import approval nominate the compliance plate approval (CPA) holder who has agreed to comply that vehicle.

(6) Is this agreement binding on both the vehicle importer and CPA holder.

(7) What procedures does the department have in place to ensure the CPA holder can abide by this agreement.

(8) What compensation will the department offer to those who have imported vehicles, based on an agreement confirmed by the department, which is not able to be fulfilled.

(9) (a) Why has the department never issued warnings that details on the import approvals it issues may be incorrect and should not be relied on; and (b) why have departmental officers issued contrary advice that import approvals cannot be changed once issued and that details contained therein must be abided by.

(10) Given that two of the most important details on an import approval (year of manufacture and CPA holder) may be incorrect, why does the department bother issuing these documents.

Notice given 20 February 2003

1171 **Senator Evans:** To ask the Minister for Defence—

(1) What are the targets for enlistments to the Reserves for each of the following financial years: (a) 2002-03; (b) 2003-04; and (c) 2004/05.

(2) Does the Government want to increase the size of the Reserves from its current strength; if so, why; if not, why.

(3) What is the Government's estimate of the annual cost of the Reserves; and (b) can an explanation be provided of what costs are calculated in the global figure and the methodology of calculation.

(4) How much of the annual expenditure on the Reserves is spent on: (a) Army Reserves; (b) Navy Reserves; and (c) Air Force Reserves.

(5) Is the greater cost of Army Reserves simply proportional to the greater number of Army Reservists, or are there other reasons for the higher amount of spending on the Army Reserves.

(6) Are there any cost implications of the new categories of Reserve service introduced by the Defence Personnel Regulations 2002.

Notice given 21 February 2003

1172 **Senator Allison:** To ask the Minister for Defence—

(1) Has the date for public comment on the draft Portsea Defence Land Community Master Plan been extended to 28 February 2003, as requested.

(2) Will the Government accept the advice of the consultants who prepared the draft master plan that private residential land-use be excluded and that the site remain in public ownership; if not, why not.

(3) Why have real estate agents been appointed to develop a marketing and sales program for the land ahead of finalisation of the master plan.

(4) Can a copy of the brief provided to Colliers International be made available; if not, why not.

(5) What is the current status of discussions with the Victorian State Government over the clean-up of the site.

(6) By what process, and on what basis, was permission given to Portsea landowner, Mr Lindsay Fox, to land his helicopter in the Norris Barracks area at Point Nepean throughout the summer.

(7) What are the terms of this arrangement.

(8) Was local government consulted over the decision; if not, why not.

(9) Were local residents consulted over the decision; if not, why not.

1173 **Senator Bartlett:** To ask the Minister representing the Minister for Foreign Affairs—

(1) With reference to the view expressed by the Minister recently that Saddam Hussein's behaviour is 'intolerable': (a) is it not the case that when, in the 1980s, Saddam Hussein's regime was gassing Kurds and Iranians, the West increased its aid and support to Iraq; and (b) if Saddam Hussein's behaviour is intolerable now, why was it not intolerable then.

(2) Is it not the case that Saddam Hussein was assisted by the United States of America (US) with intelligence, satellite imagery, arms and weapons of mass destruction at that time.

(3) Is it not the case that the US declared itself to be 'neutral' in the war between Iraq and Iran, while covertly assisting Iraq in that war.

(4) (a) Does the Government agree with US Senator John McCain, who has stated that it was 'foolish' for people to protest on behalf of the Iraqi people, because the Iraqis live under Saddam Hussein 'and they will be far, far better off when they are liberated from his brutal, incredibly oppressive rule'; and (b) what advice has the US Government provided about the plan to liberate Iraq.

(5) Given that France, Germany and other members of the Security Council have questioned the urgent rationale for war now, saying that there is a chance that continued inspections under military pressure might accomplish the disarmament of Iraq peacefully: Does the Government agree; if not, why not.

(6) With the Minister urging that there be a United Nations (UN) resolution authorising an attack on Iraq, what are the implications for Australia's relations with France, Germany, Russia and China now that these countries have argued for continued inspections.

(7) (a) Is the Government aware that foreign ministers for 22 Arab nations, meeting in Cairo recently, called on all Arab countries to 'refrain from offering any kind of assistance or facilities for any military action that leads to the threat of Iraq's security, safety and territorial integrity'; and (b) what are the implications of this statement in the event of an attack on Iraq.

(8) Given that, in his latest report, the Executive Chairman of the UN Monitoring, Verification and Inspection, Dr Blix, indicated that weapons inspectors were making noteworthy progress in forcing Iraq to make concessions on everything from allied surveillance flights to giving inspectors greater access to Iraqi weapons scientists, and also said Iraq was still not cooperating like a state that truly wanted to disarm, but there had been progress: Why does the Government claim that Saddam Hussein is playing a 'cat and mouse' game and that there has been no progress on disarmament.

(9) Given that US Secretary of State, Mr Powell, recently promised new intelligence on connections between Iraq and Al Qaeda, but then did not publicly provide it: Has that information been provided to the Australian Government; if so, when will it be released publicly.

(10) Given that Dr Blix pointed out recently, that the satellite images Mr Powell brought before the Council were shot 2 weeks apart and did not necessarily show Iraqi deception: What are the implications of this advice for Australia's position.

(11) What response has the Minister made to the argument of the French Foreign Minister, Mr de Villepin, that no one has convincingly argued that

immediate war would be shorter and more effective in disarming Iraq than continued UN weapons inspections under the threat of force.

(12) What response has the Minister made to French intelligence agencies finding that there was no support for the US claim of a strong connection between Baghdad and Osama bin Laden's terrorism network.

(13) What advice has been sought from the British Prime Minister, Mr Blair, with regard to revelations that the United Kingdom's latest intelligence white paper was found to have been plagiarized from Internet sources.

(14) Given that recent reports from Israel, suggest that the date of attack depends only on logistical considerations, when the deployment of US troops is complete, and that the war will begin at the end of February 2003 or the beginning of March 2003: Is this the Government's understanding of the situation.

(15) Given that Israeli Major-General Gilad, Coordinator of Government Activities in the West Bank and Gaza, is quoted as saying on Saturday, 15 February 2003, that a US-led attack on Iraq would remove the Iraqi threat, and would be an example for 'the removal of other dictators closer to us who use violence and terror': What is the Government's understanding of this statement.

1174 **Senator Bartlett:** To ask the Minister for Defence—

(1) (a) What legal advice does the Government have to suggest that the threat and/or use of force against Iraq, without United Nations (UN) Security Council authorisation, would not constitute a crime of aggression and a breach of international law; and (b) can a copy of that advice be provided.

(2) With reference to the statement by the Minister for Foreign Affairs in September 2002 that, 'We have no intention, as Australians, of playing any part in anything which would be illegal in breach of the law … Australia has no intention of doing anything which is in breach of international law': How does the Government explain the change in approach leading to the Prime Minister's comments on the Australian Broadcasting Corporation's *7.30 Report*, on 23 January 2003, that, 'Until I know and the Government knows what has come out of the UN Security Council position – I mean you could have a situation where you have a resolution carried 13-2, and one of the two is a permanent member and the permanent member says "I am going to veto the resolution". Now in those circumstances we would have to make a decision, the Americans would have to make a decision, and potentially others. And I know there are other countries that would in those circumstances regard such a veto as capricious and regard a vote of 13-2 in favour of action as being Security Council endorsement and they wouldn't allow that capricious veto to hold them back'.

(3) Why will the Government proceed to take action against Iraq if one or more UN Security Council members vetoes action, as has been suggested by the Prime Minister.

(4) What criteria will the Government use to determine if a UN Security Council veto on Iraq is 'capricious'.

(5) Given that the United States of America (US) is the only country to have vetoed a UN Security Council resolution calling on states to obey international law: In the Government's view, was this capricious; if not, why not.

(6) Does the Government intend to push for a change to the UN Security Council's processes to take away the right of the five permanent members of the council to veto resolutions; if so, what steps has it taken to do so.

(7) Does the Government acknowledge that Iraq had chemical and biological weapons during the Gulf War in 1991 but chose not to use them.

(8) Has the US Administration explained why Saddam Hussein would be more inclined to use chemical and biological weapons now than in 1991.

(9) Does the Government agree with the proposition that Saddam Hussein would be more likely to use chemical and biological weapons if his personal survival was at stake and he had nothing left to lose; if so, what role would Australia's dispatching of troops play in threatening Saddam Hussein's survival.

(10) Has the Government been provided with an analysis by the US Administration of the current strength of Iraq's armed forces and the state of Iraq's industry and equipment, bearing in mind the effect of UN sanctions, no-fly zones in the north since 1991 and the south since 1993, political isolation and damage to infrastructure, including power and water reticulation systems; if so, can a copy of this analysis be provided.

(11) (a) What evidence has been provided to the Government by the US Administration of Iraq's involvement in terrorist acts such as those on the World Trade Centre in New York and in Bali; and (b) can a copy of this evidence be provided.

(12) With reference to the statement by US Administration official, Mr Armitage, that he is in no doubt that Iraq would pass weapons of mass destruction on to terrorists: What evidence has the US administration provided to the Government of this assertion.

(13) (a) Can the Government explain why the US and the United Kingdom (UK) continued to supply Iraq with weapons of mass destruction for 18 months after Saddam Hussein's attack, on 17 March 1988, against the Kurdish city of Halabja in which 5 000 citizens were killed by deadly chemical weapons; and (b) has the Government raised this question with the US Administration; if not, why not.

(14) Has the US Administration indicated why it continued to treat Saddam Hussein as an ally and trading partner long after the 1988 attack on Halabja.

(15) Has the US Government advised why, in 1989, President George H Bush authorised new loans to Saddam Hussein in order to achieve the goal of increasing US exports and putting the US in a better position to deal with Iraq regarding its human rights record.

(16) Has the US Administration advised why Mr Kelly, US Assistant Secretary of State, flew to Baghdad in February 1989 – 11 months after the attack on Halabja – to tell Saddam Hussein that 'you are a source for moderation in the region, and the United States wants to broaden her relationship with Iraq'.

(17) With reference to the US Senate Banking Committee reports which indicate that the 'United States provided the government of Iraq with "dual use" licensed materials which assisted in the development of Iraqi chemical, biological and missile-system programs' and that this assistance included 'chemical warfare agent precursors; chemical warfare-agent production facility plans and technical drawings; chemical warfare-filling equipment; biological warfare related materials; missile fabrication equipment and missile system guidance equipment': Is the Government aware that this

assistance was provided up until December 1989, 20 months after the attack on Halabja.

(18) Is the Government aware that private American suppliers provided Iraq with biological materials, including Bacillus Anthracis, Clostridium, Botulinum, Histoplasma Capsulatam, Brucella Melitensis and other toxic agents, and that, according to a US Senate committee report, 'these biological materials were not attenuated or weakened and were capable of reproduction'.

(19) Is the Government aware of a US Senate committee report which stated in relation to these biological materials that, 'these microorganisms exported by the United States were identical to those the United Nations inspectors found and removed from the Iraqi biological warfare program'.

(20) Has the Government sighted Iraq's 12 000 page declaration of its weapons program in the form in which it was presented; if not, why not.

(21) Can the Government confirm that around 150 European, US and Japanese companies provided the components and know-how needed by Saddam Hussein to build atomic bombs, chemical and biological weapons.

(22) Can a list of the countries involved in supplying those weapons of mass destruction to Iraq be provided.

(23) (a) Can the Government confirm that an International Institute of Strategic Studies report found that Saddam Hussein is much less dangerous now than in the past when he was backed by the West; and (b) does the Government agree with the report; if not, why not.

(24) Why is it that, when Iraq released its 12 000 page inventory of arms programs, the US obtained agreement from the President of the Security Council that the document be handed over to the US to analyse and copy.

(25) (a) Is it the case that the US excised the 9-page table of contents, chapters on procurements in Iraq's nuclear program and relations with companies, representatives and individuals for its chemical weapons program from Iraq's inventory of arms programs before the distribution of the inventory to Russia, China, France and Great Britain; (b) if the Government is unable to provide an answer to (a), has it sought clarification from the US Administration since those reports in December 2002; if not, why not; (c) why is it that the 10 non-permanent members of the UN Security Council were given a scaled down, 3 000 page document instead of the full inventory; and (d) given that former UN weapons inspector, Mr Albright, said in December 2002, as reported in the *Guardian*, that there would be widespread embarrassment if the extent to which British, French, German and other Western companies had supplied Iraq's weapons build-up was known, what steps has the Government taken to establish whether or not this is the case.

(26) With reference to the claim made by historian Gabriel Kolko in 2002 that, 'the United States supplied Iraq with intelligence throughout the war with Iran and provided it with more than $US5 billion in food credits, technology and industrial products, most coming after it began to use mustard, cyanide and nerve gases against both Iranians and dissident Iraqi Kurds': can the Government confirm that this is the case.

(27) (a) Can the Government confirm that Iraq's invasion of Iran in the 1980s was actively supported by the US with intelligence and weaponry; and (b) if this is the case, what explanation has been offered to Australia by the

US Administration about the need to now take action against Iraq for its attack on Iran.

(28) (a) Is it the case that Iraq's use of chemical weapons against Iran was not raised by the US with the UN or with Saddam Hussein at the time; and (b) what explanation does the US offer for this lack of action.

(29) Has the Government been informed by the US as to why Iraq has been singled out for attack when, for instance, Egypt fought six wars between 1948 and 1973 and played a key role in starting four of them, and Israel initiated wars on three occasions and has conducted innumerable air strikes and commando raids against its various Arab adversaries.

(30) In the Government's judgment, how does Iraq now rate as a brutal regime compared with, for instance, that of Indonesia's General Suharto.

(31) How, in the Government's judgment, do Iraq's attacks on Iran and Halabj a compare in terms of human rights abuses with Indonesia's occupation of East Timor, South Africa's occupation of Namibia, Turkey's occupation of northern Cyprus or Israel's occupation of Palestine.

(32) Given the fact that Mr Richard Butler withdrew weapons inspectors from Iraq on the advice of the US Administration just prior to the attack on Iraq by the US and the UK on 16 to 19 December 1998, why did the Prime Minister claim in the *Australian* on 1 January 2003 that 'Hussein effectively expelled weapons inspectors during 1998'.

(33) (a) Can the Government advise which states have assisted Israel to develop nuclear weapons; and (b) does the Government regard these states as being responsible for proliferation of weapons of mass destruction.

(34) (a) Can the Government advise which states have assisted North Korea in building its nuclear stockpile; and (b) does the Government regard these states as being responsible for proliferation of weapons of mass destruction?

(35) Has the Government considered the implications under international law of Australia's threat to use force in the form of dispatching troops prior to authorisation by the UN Security Council of action against Iraq; if so, what are those implications.

(36) Given that Article 51 of the UN Charter requires very strong evidence that specific, grave and imminent threats are present before pre-emptive action is taken: (a) Has the Government been provided with evidence from the US Administration to this effect; and (b) can a copy of this evidence be provided.

(37) What led the Prime Minister to say recently 'if the United Nations Security Council doesn't rise to its responsibilities on this occasion it will badly weaken its credibility'.

(38) What led to the Minister for Foreign Affairs saying recently that the UN Security Council will 'look meaningless and weak, completely ineffectual'.

(39) (a) Does the Government agree with remarks made by Mr Woolcott, former Australian Ambassador to the UN, in early February 2003 that, 'for 40 years the Security Council was paralysed by the Cold War and by repeated Soviet and American vetoes. But it survived, and whatever position it takes this month, it will survive the present crisis. It is simply an overstatement to suggest that if it does not come in behind the Anglo-American pressure it will become irrelevant'; if not, why not.

(40) In the Government's assessment, to what extent has Israel's consistent non-compliance with UN Security Council resolutions calling for its withdrawal from occupied territories weakened the UN Security Council's credibility.

(41) What difference does it make, in terms of the Security Council's credibility, that Israel is a democracy and that Iraq is not.

(42) Is the Government aware that Israel would not permit the UN to conduct inspections of its research institute at Nes Ziona near Tel Aviv, which produces chemical and biological weapons and holds a stockpile of chemical agents.

(43) Is the Government considering retrospective amendments to international law to legitimise threatening or using force against Iraq.

(44) What, in the Government's assessment, would be the implications of such changes for Pakistan, India, North Korea and South Korea.

(45) Does the Government agree with claims by President Bush that Iraqi actions amount to a threat of nuclear blackmail; if so, why.

(46) With reference to the Prime Minister's recent statement that he believes that Iraq's 'aspiration to develop a nuclear capacity' might be a sufficient reason for Australia to join in pre-emptive action, claiming 'there is already a mountain of evidence in the public domain': Can a copy of that evidence be tabled.

(47) Can the Government confirm that the US vetoed 22 draft UN Security Council resolutions on Palestine and seven relating to Israel's invasion of Lebanon in the 1980s.

(48) Would these vetoes be regarded as capricious in the Government's criteria.

(49) (a) What advice has the Government received from the US Administration about the suggestion that Iraqi dissidents have promised to cancel all existing oil contracts awarded to firms that do not assist the US to remove Saddam Hussein from power; and (b) was this taken into account in the decision to dispatch Australian troops to Iraq.

(50) Does the Government agree with the statement made by Mr Woolcott, that, 'The fundamental role of the [UN] Security Council is to preserve the peace, not to authorise war'.

(51) Given that Mr Woolcott also said, 'War is not, in fact, being "forced" on the US, as Bush said in his State of the Union address. The truth is that an unnecessary war is being forced on Iraq': Does the Government agree; if not, why not.

(52) Given that Mr Scott Ritter, former UN weapons inspector says in his book, *War on Iraq*, that Iraq cannot be given a 'clean bill of health' in terms of weapons of mass destruction, but says that in 1998 nuclear infrastructure and facilities had been 100 per cent eliminated; and that scientists there still have the knowledge to reconstruct but this would be a very gradual process and not possible while weapons inspectors are there, for example, the centrifuges needed to enrich uranium are readily detectable: What evidence has the US Administration provided the Government about Iraq's access to nuclear weapons.

(53) Given that, according to Mr Ritter's book, Iraq produced three nerve agents in the past: Sarin, Tabun and VX at the Mathanna State chemical factory: Is the Government aware that this factory was bombed during the Gulf War and then weapons inspectors completed the task of eliminating the facility.

(54) Is the Government aware that Sarin and Tabun have a shelf life of 5 years and VX agent would also have degraded by now; if so, what evidence has the US Administration provided the Government about the existence of these weapons in Iraq.

Notice given 24 February 2003

1175 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—Can a copy of the Livestock Export Accreditation Program Rules of Accreditation be provided; if not, why not.

1176 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—Has the Australian Government received representations from the Kuwaiti Government or the Livestock Transport & Trading Co. (LT&T) in relation to the decision to suspend the live export licence of the LT&T wholly-owned subsidiary Rural Export & Trading (WA) Pty Ltd; if so: (a) when were these representations received; and (b) what was the nature of the Government's response.

1177 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) Can a table be provided of all live export reportable mortality incidents since March 2000, including the following details: (a) export licence holder; (b) month; (c) year; (d) origin; (e) destination; (f) animal type; (g) number exported; (h) mortality number; and (i) mortality rate.

(2) Can details be provided of the total number of live export shipments for each of the following financial years: (a) 1999-2000; (b) 2000-01; (c) 2001-02; and (d) 2002-03.

1178 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) Was Rural Export & Trading (WA) Pty Ltd accredited under the Livestock Export Accreditation Program when its export licence was suspended in January 2003.

(2) Is Rural Export & Trading (WA) Pty Ltd currently accredited under the Livestock Export Accreditation Program.

(3) Was Sampak Pty Ltd accredited under the Livestock Export Accreditation Program when its export licence was cancelled in November 2002.

(4) Is Sampak Pty Ltd currently accredited under the Livestock Export Accreditation Program.

1179 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) Did the livestock vessel *Al Shuwaikh* depart Portland, on or about 9 January 2003, carrying livestock bound for a foreign destination; if so: (a) when did the vessel depart; and (b) what was its destination.

(2) Which company owns and operates the vessel.

(3) Which company held the export licence for the transit of these livestock.

(4) Is this company a partly- or wholly-owned subsidiary of Livestock Transport & Trading Co.

1180 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

(1) Can details be provided of the mechanism for the collection of mortality data in relation to live animal exports.

(2) How is the data collected.

(3) How is the data verified.

(4) What protocols exist for the transmission of the data to the Department of Agriculture, Fisheries and Forestry.

(5) Why did the department reject recommendation nine of the investigation into excessive livestock mortality aboard the MV *Kalymnian Express* (voyage 07/99), namely that: 'The method of calculating the mortality rate for a voyage should take into account all livestock which perished as a result of undertaking the voyage including animals which are destroyed after discharge or die as a result of injuries suffered in the course of the voyage.'

1181 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Australian Quarantine and Inspection Service (AQIS) bulletin no. 1, February 2003:

(1) What activities did AQIS undertake in relation to the recent US Navy battle group visit to Fremantle.

(2) How many staff provided these services.

(3) On what days were these services provided.

(4) What was the full cost of delivering these services.

(5) Did staff costs include overtime costs; if so, can details be provided of the overtime costs incurred.

(6) Were any costs recovered from the US Navy for the provision of these services.

(7) Did AQIS officers supervise the collection, transport and burial of waste from these vessels; if so: (a) what waste was generated; and (b) when and where was it buried.

1182 **Senator Evans:** To ask the Minister for Defence—With reference to Project Sea 1390, the project to upgrade the Adelaide Class Guided Missile Frigates (FFGs):

(1) What is the latest estimate of the delay with this project.

(2) Can an update be provided of the problems that are being experienced with the combat system software.

(3) What are the latest estimates of when the first ship will commence the upgrade program and when the last ship will be finished.

(4) Is the Minister confident that the delay will not increase beyond 2 years.

(5) What action has the Minister taken to ensure that the delay will not increase beyond 2 years.

(6) What are the proposed commencement and completion dates for the each of the ships that will be upgraded.

(7) With reference to evidence given to the Foreign Affairs, Defence and Trade Legislation Committee estimates hearing on 12 February 2003 (*Hansard*, p. 47): When is it expected that HMAS *Sydney* and HMAS *Newcastle* will next be deployed to the Gulf

(8) Will the proposed deployment of HMAS *Sydney* to the Gulf alter the date on which it is proposed that the ship will commence its upgrade.

(9) How much will it cost to upgrade each of the FFGs.

(10) Given the claim, in the response to question on notice W13(a) from the Foreign Affairs, Defence and Trade Legislation Committee estimates hearings, on 21 November 2002, that a 2-year delay did not warrant a reconsideration of the viability of the project: If the delays increase further, at what point would the viability of the project be reconsidered.

(11) (a) Which of the FFGs have been in the Gulf since the contract for the upgrade project was signed in June 1999; and (b) what were the dates of each of these deployments.

(12) With reference to the answer to question on notice no. 1041 which indicates that 'the overall combat system performance [of the FFGs] does not meet current capability requirements': What are the implications of this statement for HMAS *Darwin* which is currently stationed in the Gulf.

(13) Is HMAS *Darwin* more vulnerable to attack given the inadequacies of its combat system.

(14) With reference to the answer to question on notice no. 324 (Senate *Hansard*, 19 August 2002, p. 3191), which indicates that the presence of the FFGs in the Gulf would be reviewed 'should [the] environment change', and in view of these and other comments about the deficiencies in the combat system software and the 'environment change' that has occurred in the Gulf: Has the presence of the FFGs in that region been reviewed; if so, what was the outcome of this review; if not, why not.

(15) Given the deficiencies in its combat system software was the option of recalling HMAS *Darwin* and not deploying any of the other FFGs to the Gulf considered; if so, what was the outcome; if not, why not.

(16) Were the inadequacies in the combat system software on HMAS *Sydney* and HMAS *Newcastle* considered before it was decided to deploy these ships to the Gulf later in 2003; if so, why was it decided to proceed with the deployments; if not, why not.

(17) What is the latest estimate of the total budget for this project.

(18) With reference to page 62 of the *Portfolio Additional Estimates Statements 2002*-03, which states that the forecast expenditure on the project in the 2002-03 financial year is $208 million, and the response to question on notice W18(a) from the Foreign Affairs, Defence and Trade Legislation Committee estimates hearings on 21 November 2002, which suggested that $175 million was to be spent in the 2002-03 financial year: (a) why are these figures different; (b) what is the correct forecast for expenditure in the the 2002-03 financial year; and (c) can a breakdown be provided of forecast expenditure in the 2002-03 financial year.

(19) How much of the budget for the 2002-03 financial year will be paid to ADI Limited.

(20) (a) How much of the $642 million that had been paid to ADI Limited by the end of the 2001-02 financial year was subsequently paid to subcontractors; and (b) can details be provided for all the financial years since the project commenced, including the name of the contractor, the amount paid and the basis of payment.

(21) (a) Which organisation has the contract to develop the combat system software; and (b) is ADI Limited confident that there will not be any further slippage in the development of this element.

(22) Given the response to question on notice W21(a) from the Foreign Affairs, Defence and Trade Legislation Committee estimates hearings on

21 November 2002, which indicated that the question of liability for delays had yet to be finalised, and given that the same response was provided in the answer to question on notice no. 342 (Senate *Hansard*, 19 August 2002, p. 3191): (a) has this issue been resolved yet; if not, why is it taking so long to be resolved; and (b) when is it expected that the matter will be resolved.

(23) Can a copy of the liquidated damages clause in the contract with ADI Limited be provided.

(24) Given the response to question on notice W21(c) from the Foreign Affairs, Defence and Trade Legislation Committee estimates hearings on 21 November 2002, which indicated that liquidated damages clauses are used to address 'performance shortcomings': Is a 2-year delay in a contract considered to be a performance shortcoming; if so, has the liquidated damages clause in the contract with ADI been invoked; if not, why not.

(25) If a 2-year delay is not enough for the damages clause to be invoked: (a) at what point will this occur; and (b) why is this the case.

1183 **Senator Evans:** To ask the Minister for Defence—With reference to the JP 2062 project in the Defence Capability Plan (DCP):

(1) Can an outline be provided of all of the phases of this project.

(2) Did former Minister John Moore's announcement on 1 March 1999 relate to phase one of the project.

(3) Was there a request for tender (RFT) issued for phase one of this project; if so: (a) when was the request for tender issued; (b) how many organisations submitted tenders; (c) what were the names of those organisations; and (d) on what basis was the deal with the United States Air Force chosen.

(4) If no RFT was issued: (a) why not; (b) on what basis was the deal with the US Air Force chosen without a tender round.

(5) What was the original budget for phase one of the project.

(6) What is the cost of phase one of the project to date.

(7) What was the original timing on phase one of the project.

(8) (a) Has phase one now concluded; and (b) when did it conclude.

(9) (a) What was the original timing for phase two of the project; and (b) what is the current timing.

(10) (a) Why was a spokeswomen from the Minister's office quoted on page 5 of the *Australian* of 7 February 2003, warning that, 'cost blowouts associated with the Global Hawk program might delay any final purchase decision'; and (b) what did the spokeswoman mean by the statement.

(11) What are the 'cost blowouts' that have been experienced with the project.

(12) (a) What implications do the spokeswoman's comments have for phase two of the project; (b) is the timing specified in the DCP still on target (for year of decision and delivery date); if not, why not; and (c) what is the new timing for the year of decision.

(13) Is the budget for phase two still in the order of $100 to $150 million, as specified in the DCP; if not, why is this the case.

(14) How would any delays with this project impact on future capability.

1184 **Senator Evans:** To ask the Minister for Defence—With reference to the answer to question on notice no. 964 (Senate Hansard, 4 February 2003, p. 210), which indicated that the Government had not responded to any of the recommendations

of the Review of Australian Defence Force Remuneration 2001 ('the Nunn Review'), and given that the former Minister Assisting the Minister for Defence, Mr Scott, indicated on 5 October 2001 that the Government had 'decided to set aside the recommendations concerning accommodation in Chapter 8 of the Review':

(1) Have the recommendations concerning accommodation in Chapter 8 of the review been set aside or are the recommendations still under consideration, despite the former Minister's assurance that they had been set aside.

(2) If these recommendations are still being considered by the Government, why did the former Minister announce on 5 October 2001 that they had been set aside.

1185 **Senator Evans:** To ask the Minister for Defence—With reference to Defence asset sales:

(1) What progress has been made in selling the $722 million worth of assets that were forecast to be sold in the *Portfolio Additional Estimates Statements 2002-03*.

(2) Does the $560 million worth of proposed sales that has been carried over from previous years form part of the $722 million for the 2002-03 financial year.

(3) What are the receipts from asset sales that have occurred so far in the 2002-03 financial year.

(4) (a) Can a list be provided of assets that have been disposed of so far in the 2002-03 financial year, including the sale price of each of these assets; and (b) when did each of these assets first come up for sale.

(5) Has the department subsequently leased back any of these assets; if so: (a) what are the lease arrangements; and (b) what rent is being paid.

(6) (a) Can a list, including relevant dates, be provided of Defence property that has been sold and leased back since the 1995-96 financial year; and (b) can details be provided of all of the leases, including the rent being paid for each of these properties.

(7) (a) Can a list be provided of assets that the department expects will be disposed of before the end of the 2002-03 financial year; and (b) when did each of these assets first come up for sale.

(8) Does the department intend to lease back any of these properties.

1186 **Senator Evans:** To ask the Minister for Defence—With reference to the Minister's letter, dated 12 February 2003, advising that a response to question on notice no. 769 concerning the use of professional services providers (PSP) by the Defence Materiel Organisation (DMO) had been withdrawn, and given the attempts by the DMO to correct its evidence to a public hearing on 15 November 2002 of the Foreign Affairs, Defence and Trade References Committee's inquiry into materiel acquisition and management in defence:

(1) Why has the DMO been unable to provide information on the number of PSP contracts in place, and the value of those contracts, in a timely and accurate manner.

(2) How much has been spent by the department in each of the financial years since 1995-96, and for the 2002-03 financial year to date, on: (a) consultants; and (b) professional services.

(3) How much has been spent by the DMO in each of the financial years since it was established, and for the 2002-03 financial year to date, on: (a) consultants; and (b) professional services.

(4) How many PSP contracts have been entered into by the DMO in each of the financial years since it was established, and for the 2002-03 financial year to date.

(5) (a) Is it expected that the number of PSP contracts entered into, and expenditure on these contracts, will continue to increase; (b) why; and (c) what are the implications of this for the permanent workforce.

(6) (a) How many PSP contracts are currently in place in the DMO; and (b) what is the total value of these contracts.

1187 **Senator Evans:** To ask the Minister for Defence—

(1) Must all recruits to the new commando company, announced on 19 December 2002, come from within existing Army ranks, or can they be deployed from outside the Australian Defence Force (ADF).

(2) Will the company have any counter-terrorist skills that, prior to its raising, the ADF did not have.

(3) Precisely what, if any, capabilities will the new company have which are different to those of the Incident Response Regiment (IRR).

(4) Do the company and the IRR seek recruits with similar skill sets.

(5) (a) Has the company been raised; (b) what are the target numbers for: (i) key capability, and (ii) support staff; and (c) can a list be provided of: (i) the total target number, and (ii) the target for each year until the company is expected to be fully operational.

(6) How many personnel have enlisted to the company so far.

(7) (a) When is the company expected to be fully operational; and (b) what definition is being used for 'fully operational'.

(8) (a) How does the new Special Operations Command, announced by the Prime Minister on 19 December 2002, change the way our special forces are given their instructions (i.e. what differences are there in practice flowing from this new command structure).

(9) What are the terms of reference of the request by the Prime Minister to the Chief of the Defence Force to develop proposals for an expanded role for the Reserves, as referred to in the Prime Minister's counter-terrorist announcement of 19 December 2002.

(10) (a) What is the nature of the additional involvement by Reserves in domestic counter-terrorist response being considered; and (b) in particular, is any proposal being considered or developed for the Reserves to be involved in responding to a terrorist threat against state assets, without prior request from the state for Defence assistance.

(11) Are there thought to be any gaps in domestic security arrangements in light of which proposals for an expanded role for Reserves are being considered.

(12) Are the proposals under development for an expanded role for the Reserves for them to assist only after a terrorist attack in Australia (i.e. as part of response operations), or are any proposals being developed for their call-up before an attack.

(13) What is the timetable for development of, and reporting to Government on, the proposal relating to a counter-terrorist role for the Reserves .

(14) Will any proposals for an expanded Reserves role be put to Cabinet.

(15) Is any consultation on the proposals being considered occurring: (a) with any Reserves bodies; if so, can a list be provided; and (b) with sections of the community; if so, can details be provided.

(16) How many Reserves are expected to be given counter-terrorist training under the Prime Minister's initiative.

(17) Will additional equipment need to be purchased in order to give the Reserves a counter-terrorist capability; if so, can details be provided of what the costs of any additional equipment will be.

(18) (a) Will the Reserves' powers need to be expanded in order for them to act in counter-terrorist roles; and (b) is any consideration being given to Reserves (or a Reserves category) being given powers of arrest.

(19) Are any changes to the notice requirement for Reserve service being considered.

1188 **Senator Evans:** To ask the Minister for Defence—

(1) (a) How many Reservists have been raised to date under the new categories of service created under the Defence Personnel Regulations 2002; and (b) can a list be provided for each category in the Army, Air Force and Navy.

(2) Have all Reservists been transferred to one of the new categories; if not, when is transfer of all Reservists expected to occur.

(3) Have the training commitment, conditions, call-out obligations or any other aspects of Reserve service changed as a result of the introduction of new categories of service; if not: (a) why were the new categories introduced; and (b) what changes do they effect.

(4) Can a copy be provided of the policy that sets out the training commitment, conditions and call-out obligations for each new category, or alternatively, can a description be provided of each of these aspects for each category.

(5) Have the Service Chiefs decided to raise Reservists in each category.

(6) If any of them have decided not to raise Reservists from a new category, have they indicated why not.

(7) (a) What capability are Standby Reservists assessed as providing to the Australian Defence Force (ADF); and (b) can details be provided of the capability the Government calculates the Standby Reservists specifically to provide, for example, what type of operational capability or counter-terrorist capability etc.

(8) (a) How is an individual Standby Reservist's capability calculated; and (b) is it ever re-assessed; if so, how often.

(9) Is a Standby Reservist paid anything; if so, how much.

(10) Can a Standby Reservist be called out.

(11) Can an Australian who has never been a member of the ADF apply to join the Standby Reserves; if so, what conditions, if any, must they first satisfy.

(12) With respect to the transition from old to new categories, do existing General Reservists have to undergo any tests before it is determined whether they should be in the Active or Standby Reserves.

(13) Have any persons who, before the commencement of the new Regulations, were classified as inactive Army Reservists transferred to the new Active

Reserve category; if so: (a) did they need to undergo any test or suitability procedures; and (b) how many have transferred from inactive to active.

1189 **Senator Evans:** To ask the Minister for Defence—

(1) How many suicides of Australian Defence Force (ADF) personnel, including cadets, have there been in each year since 1995.

(2) Can a breakdown be provided of these annual figures, listing: (a) the age that the person was when they committed suicide; (b) which service they were in; (c) how many years they had served in the ADF; and (d) which bases the deceased were serving at when they committed suicide.

(3) How many claims have been made since 1995 for compensation for the death by suicide of ADF members, including cadets, under the *Safety, Rehabilitation and Compensation Act 1988.*

(4) How many such claims have been successful.

(5) In respect of claims under the Act relating to ADF personnel who have committed suicide, what must a claimant establish to be successful.

(6) Is the rate of suicide by ADF members higher at some bases than others.

(7) Has there been any investigation into the reasons for higher suicide rates at some bases than others; if so: (a) when; and (b) what were the findings.

(8) (a) Has the department or the ADF investigated the common reasons for, and circumstances leading to, the suicide of its members; if so, what did any such investigations find; and (b) can copies be provided of any relevant reports.

(9) Has there been any investigation into the reported suicides of three Royal Australian Air Force members at Williamtown in 2002.

(10) What procedure is followed upon the suspected suicide of an ADF member; for instance, is there always an inquiry, are there common terms of reference for all such inquiries, who conducts the inquiry, and to whom do they report.

(11) (a) In what circumstances does a state coronial inquiry happen on the death of an ADF member; and (b) does the ADF ever refer an apparent suicide or death to a coroner.

(12) For each year since 1995, how many coronial inquiries have occurred in relation to the suspected suicide of an ADF member.

(13) (a) Does the ADF have any internal coronial procedures; and (b) in what cases have they been triggered.

(14) (a) How much has been spent by the department to date defending or handling the various administrative actions brought by Ms Susan Campbell on behalf of her deceased daughter, Cadet Sergeant Eleanore Tibble; and (b) can a breakdown be provided of this total sum, listing: (i) the cost of legal advice, including any in-house legal advice, (ii) administrative costs, (iii) salary costs, and (iv) travel costs of the officials involved.

1190 **Senator Evans:** To ask the Minister for Defence—With reference to the sale and leaseback of the National Storage and Distribution Centre at Moorebank:

(1) When was the decision taken to sell and leaseback the centre.

(2) When was it sold.

(3) Which organisation purchased the property.

(4) What was the sale price for the property.

(5) (a) What rent is being paid by the department for the first year of the lease; and (b) what rent will be paid in the second and subsequent years of the lease.

(6) (a) What is the total value of all building works that have been carried out at the site over the past 5 financial years; and (b) can a full breakdown of these works be provided.

1191 **Senator Evans:** To ask the Minister for Defence—In relation to the sale and leaseback of Russell Offices, Canberra:

(1) Has a property sales consultant been engaged to manage the sale process.

(2) (a) Who is the property sales manager; and (b) what are the terms of the contract with that consultant, including details of remuneration.

(3) Has the sale itself been advertised; if so, how many organisations have expressed an interest in buying the property.

(4) When is it expected that the sale will occur.

(5) Has any thought been given to the future lease or rent arrangements.

(6) What is the status of the consideration of security issues associated with the sale of Russell Offices.

1192 **Senator Evans:** To ask the Minister for Defence—

(1) Has the department received any complaints from recruits at the No. 1 Recruit Training Unit at RAAF Base Edinburgh regarding offensive behaviour or harassment by non-commissioned officers; if so, what action has been taken to deal with the complaints and remedy any problems within the unit.

(2) Have there been staff shortages at the unit in the past year; if so: (a) in what areas; and (b) to what extent.

(3) Has the department received any complaints from recruits or other personnel in the unit about unsafe work practices; if so, what action has been taken to ensure that the unit complies with occupational health and safety standards.

1193 **Senator O'Brien:** To ask the Minister for Health and Ageing—With reference to the media release of 8 November (reference GTR10/02), which stated that the Office of the Gene Technology Regulator (OGTR) had 'stopped the clock' in relation to the applications of Monsanto Australia Ltd (Monsanto) and Bayer Crop Science Australia (Bayer) for the commercial release of genetically-modified canola (the applications):

(1) Which specific sections of the Gene Technology Regulations 2001 or the *Gene Technology Act 2000* allow this to occur.

(2) What meetings has the OGTR conducted with the Australian Quarantine and Inspection Service (AQIS) in relation to the applications by Monsanto and Bayer.

(3) (a) When were these meetings conducted; (b) what specifically was discussed at each meeting; (c) what was the outcome of each meeting; (d) what records were kept of each meeting; and (e) who attended each meeting.

(4) What meetings has the OGTR conducted with the Minister for the Environment and Heritage or his department in relation to the applications by Monsanto and Bayer.

(5) (a) When were these meetings conducted; (b) what specifically was discussed at each meeting; (c) what was the outcome of each meeting; (d) what records were kept of each meeting; and (e) who attended each meeting.

(6) Can details be provided of actions taken by the OGTR to inform canola growers and regional communities of the progress and implications of the applications, in relation to: (a) the commencement date and duration of each action; (b) the cost of each action; (c) the media used for each action; (d) the method of monitoring the OGTR has used to assess the effectiveness of these actions in advising canola growers and regional communities of the progress and implications of the applications; and (e) the results of monitoring carried out on these actions.

1194 **Senator O'Brien:** To ask the Minister for Health and Ageing—With reference to the work done by Acumen Alliance on the introduction of full cost recovery by the Office of the Gene Technology Regulator (OGTR):

(1) (a) How much was Acumen Alliance paid by the Commonwealth to conduct this work; (b) who are the principals of Acumen Alliance; (c) how was Acumen Alliance selected for this work; (d) what other organisations or individuals expressed an interest in performing this work; and (e) can a list be provided of stakeholders consulted by Acumen Alliance as part of the work.

(2) Can a copy be provided of the recommendations made by Acumen Alliance to the OGTR.

(3) Has the Minister received recommendations from the OGTR stemming from the study by Acumen Alliance into the introduction of full cost recovery within the OGTR; if so: (a) on what day did the Minister receive this advice; and (b) when does the Minister expect to finalise her consideration of that advice.

(4) What communications and consultations are planned between the OGTR and stakeholders in implementing the recommendations the OGTR has made to the Minister on the issue of full cost recovery, between the time when all or part of those recommendations are approved by the Minister and 1 July 2003.

(5) To date, how much have the current applications by Monsanto and Bayer for the commercial release of genetically-modified canola cost the OGTR to process.

(6) What is the expected total cost to the OGTR of processing these applications.

(7) To date, what is the quantum of fees and charges which have been levied on each of Monsanto and Bayer by the OGTR in relation to these applications.

(8) What is the expected total of fees and charges that will be levied upon each of Monsanto and Bayer by the OGTR in relation to these applications.

(9) What modelling has been conducted or commissioned by the OGTR on the effect of full cost recovery on the seed price paid by canola growers who may wish in future to purchase seed for genetically-modified canola currently the subject of the applications of Bayer and Monsanto being considered by the OGTR.

(10) Can a summary be provided of the Grains Council of Australia's opposition to the introduction of full cost recovery within the OGTR.

1195 **Senator O'Brien:** To ask the Minister representing the Minister for Trade—

(1) Since October 2001, what briefings has the Australian Trade Commission (Austrade) provided to the Minister for Agriculture, Fisheries and Forestry on the imposition of the 'snap-back' provision whereby Japan will impose an increased tariff on imported Australian beef.

(2) Were the briefings written or oral.

(3) In the case of oral briefings: (a) when did these briefings occur; (b) who attended each briefing; and (c) what records were kept of each briefing.

(4) If the advice was written, can a copy be provided.

(5) Since October 2001, what briefings has Austrade provided to the Department of Agriculture, Fisheries and Forestry on the imposition of the snap-back.

(6) Were the briefings written or oral.

(7) In the case of oral briefings: (a) when did these briefings occur; (b) who attended each briefing; and (c) what records were kept of each briefing.

(8) If the advice was written, can a copy be provided.

(9) Since October 2001, what advice has Austrade provided to members of the Australian beef industry, beef producer peak bodies or beef exporters in relation to the snap-back.

(10) Was the advice written or oral.

(11) In the case of written advice, can a copy of the advice be provided.

(12) In the case of oral advice: (a) when was the advice given; and (b) was the advice delivered face to face or by telephone or some other means.

(13) In the case of face-to-face advice: (a) who attended each meeting; and (b) what records were kept of each meeting.

(14) In the case of advice delivered by telephone or by some other means: (a) when was this advice given; (b) to whom was this advice given; and (c) what records were kept of each briefing.

(15) Since October 2001, has Austrade met with officials from the United States of America, Canada, or New Zealand with a view to acting in conjunction with these nations in attempting to prevent the imposition by Japan of the snap-back.

(16) (a) When were these meetings conducted; (b) where were these meetings conducted; (c) what was the cost to the Commonwealth of these meetings; (d) what specifically was discussed at each meeting; (e) what was the outcome of each meeting; and (f) what records were kept of each meeting.

(17) Since October 2001, has the Minister met with his counterparts from America, Canada, or New Zealand with a view to acting in conjunction with these nations in attempting to prevent the imposition by Japan of the snap-back.

(18) (a) When were these meetings conducted; (b) where were these meetings conducted; (c) what was the cost to the Commonwealth of these meetings; (d) what specifically was discussed at each meeting; (e) what was the outcome of each meeting; and (f) what records were kept of each meeting.

(19) Since October 2001, has Austrade offered any briefing to the Minister for Agriculture, Fisheries and Forestry which was not accepted; if so, what was the reason given by the Minister for Agriculture, Fisheries and Forestry.

(20) Since October 2001, has the Minister offered any briefing to the Minister for Agriculture, Fisheries and Forestry which was not accepted; if so, what was the reason given by the Minister for Agriculture, Fisheries and Forestry.

1196 **Senator Bishop:** To ask the Minister for Defence—

(1) How many personnel from each of the services were assigned to Operation Blazer in 1991.

(2) (a) Was the purpose of Operation Blazer to go to Iraq to destroy and remove weapons of mass destruction; and (b) why was the operation cancelled.

(3) Was the operation to be under the direction of Mr Richard Butler.

(4) Can the Minister confirm that each member of the operation was vaccinated at least 24 times over a 4-week period against anthrax, typhoid, plague, meningococcal, and tetanus.

(5) What other vaccinations were given.

(6) Was an investigation made into: (a) the supplier of the vaccines; and (b) whether each vaccine was approved for human application, and in combination with other vaccines.

(7) (a) Was the supplier of the anthrax vaccine CAMR, a United Kingdom company; and (b) has this company been closed due to breaches of health regulations.

(8) Do records of the vaccination program exist within the department.

(9) Has any study been done of the health of each member of the operation; if not, why not.

(10) How many of the team are still serving, and what compensation claims have been lodged as a result of their training for the operation.

1197 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—

(1) Were the 20 members of Operation Blazer included in the study of the Health of Gulf War veterans; if not, why not.

(2) (a) How many claims for compensation have been received from members of Operation Blazer; (b) at what level; and (c) for what disabilities.

(3) During the study of the health of Gulf War veterans, was research conducted into the vaccination record of all those included in the sample population, and in the control group.

(4) Has the health study reported on the effect of combined vaccinations within a fixed time frame.

(5) What research has been conducted by the department, separately or in concert with the Department of Defence, into the effect of multiple vaccinations of the kind given to the Operation Blazer team.

Notice given 25 February 2003

1198 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Commonwealth commitment of $2.65 million to the Murrumbidgee Valley Water Efficiency Feasibility Project:

(1) When will this funding be expended.

(2) Will the Commonwealth provide other resources to the project; if so, can details be provided.

(3) Is it the case that the New South Wales Government will make a contribution of $2.65 million to the project.

(4) What contribution of funding and resources will Pratt Water make to the project.

(5) Is it the case that the New South Wales Minister for Land and Water Conservation, Mr Aquilina, announced the project funding arrangements, including the Commonwealth contribution, on 19 December 2002.

(6) Why did the Minister re-announce the project on 11 February 2003.

(7) How will the project complement the Commonwealth's 'broader discussions and consultations' on water property rights.

Senator O'Brien: To ask the Ministers listed below (Question Nos 1199-1200)—Does the department hold an original copy of the Dairy Structural Adjustment Program application pack, including an application book and guide incorporating an application form; if so, can a copy be provided; if not, why not.

1199 Minister representing the Minister for Transport and Regional Services

1200 Minister representing the Minister for Agriculture, Fisheries and Forestry

1201 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—Can details be provided of the benchmarks against which the department will measure the efficiency of the collection mechanism for the government's new sugar tax/levy.

1202 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the department's evidence to the Rural and Regional Affairs and Transport Committee on 10 February 2003 concerning under-reporting of executive remuneration in the department's 2000-01 and 2001-02 financial statements:

(1) On what day did the department seek advice from the Australian National Audit Office (ANAO) about whether the under-reporting constituted a 'material breach'.

(2) Which officer sought that advice.

(3) Was the request oral or written.

(4) On what day did the ANAO provide advice to the department.

(5) Which officer provided this advice.

(6) What was the content of this advice.

(7) Was this advice oral or written.

(8) If oral, can confirmation of this advice be provided; if not, why not.

(9) If written, can a copy of this advice be provided.

(10) Has the department sought advice from the ANAO on whether it is necessary to issue a corrigendum to the 2000-01 and 2001-02 financial statements: (a) if so: (i) on what day was this advice sought, (ii) which officer sought this advice, and (iii) was the request for this advice oral or written; and (b) if not, (i) from which agency was this advice sought, (ii) which officer sought this advice, and (iii) was the request oral or written.

(11) On what day was advice on the matter of the corrigendum received.

(12) What was the content of this advice.

(13) Was this advice oral or written.

(14) Which officer and agency provided this advice.

(15) What specific change to departmental procedures has occurred since the under-reporting of executive remuneration was revealed in November 2002.

1203 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the department's portfolio additional estimates statements for the 2002-03 financial year:

(1) Why has the estimate of revenue from the all milk levy increased by $5 509 000 from $30 000 000 to $35 509 000.

(2) Can the data for the revised estimate be provided.

1204 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's media statement AFFA03/033WT:

(1) To what time period does the expenditure in the 'EC Expenditure' column relate.

(2) Can an explanation of the figures, including a state and financial year breakdown, be provided.

1205 **Senator O'Brien:** To ask the Minister representing the Prime Minister—With reference to evidence given to the Rural and Regional Affairs and Transport Legislation Committee estimates hearing on 20 November 2002 that accounts of the Department of Agriculture, Fisheries and Forestry were qualified by the Australian National Audit Office (ANAO) in the 1999-2000 financial year because a payment made in that year breached the Australian Constitution:

(1) Did the ANAO qualify the Department of Agriculture, Fisheries and Forestry accounts; if so: (a) on what date did the ANAO become aware of the breach; (b) what are the details of the breach; (c) on what date did the ANAO qualify the department's accounts; and (d) what were the consequences of that action.

(2) Have any other Commonwealth departments had accounts qualified by the ANAO in the past 3 financial years; if so, can details be provided.

1206 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) What was the volume and value of exports of blueberries from Australia in the past 3 financial years.

(2) What was the volume and value of exports of blueberries from Australia to Japan in the past 3 financial years.

(3) From which regions in Australia are blueberry exports sourced.

(4) Can details be provided of the alleged incident in November 2002 involving two shipments of blueberries to Japan containing high levels of the insecticide malathion, including: (a) when the shipments were made; (b) the origin and destination of the shipments; (c) the name of the blueberry company and, if applicable, the export company concerned; (d) the details of maximum allowable residue levels in blueberry exports to Japan; (e) the details of the detected residue and level of residue present in each of these shipments; (f) the details of the general inspection regime, if any, for exports of blueberries to Japan; (g) the details of the pre-export inspection, if any, of these two shipments; (h) when the unacceptable residue level was detected by the Japanese authorities; (i) the action taken by the Japanese

authorities following the residue detection; (j) the resulting consequences for Australian blueberry exporters and exporters of other agricultural products, including additional testing requirements and loss of market share; and (k) details of action taken by the Minister and/or his department in relation to this matter.

1207 **Senator O'Brien:** To ask the Minister representing the Treasurer—With reference to the drought investment allowance:

(1) (a) Is it the case that the Tax Expenditures Statement 2000 estimated and projected total expenditure on the allowance for the period 1997-98 to 2002-03 at $53 million, and that the Tax Expenditures Statement 2001 estimated and projected total expenditure on the allowance for the period 1997-98 to 2002-03 at $41 million; (b) why do the two expenditure figures differ by $12 million; and (c) do the figures demonstrate a change in government policy between the publication of the Tax Expenditures Statement 2000 on 28 January 2001 and the Tax Expenditures Statement 2001 on 18 December 2001.

(2) (a) Is it the case that the Tax Expenditures Statement 2000 projected total expenditure on the allowance in the period 2000-01 at $10 million, and that the Tax Expenditures Statement 2001 estimated total expenditure on the allowance in the period 2000-01 at $5 million; and (b) why do the two expenditure figures differ by $5 million.

(3) (a) Is it the case that the Tax Expenditures Statement 2000 projected total expenditure on the allowance in the period 2001-02 at $6 million, and that the Tax Expenditures Statement 2001 projected total expenditure on the allowance in the period 2000-01 at $nil; and (b) why do the two expenditure figures differ by $6 million.

(4) (a) Is it the case that the Tax Expenditures Statement 2000 projected total expenditure on the allowance in the period 2002-03 at $1 million, and that the Tax Expenditures Statement 2001 projected total expenditure on the allowance in the period 2002-03 at $nil; and (b) why do the two expenditure figures differ by $1 million.

(5) What was the actual cost of the allowance in each of the following financial years: (a) 1995-96; (b) 1996-97; (c) 1997-98; (d) 1998-99; (e) 1999-2000; and (f) 2000-01.

1208 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—What was the date of formation and what is the composition of the following committees involving departmental staff working on the development of a free trade agreement between the United States of America and Australia: (a) Deputy Secretary-Level Committee; (b) Officials Committee on Agriculture; and (c) Industry-Government Committee.

1209 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) On what date did the department first receive a request from the Department of Finance and Administration (DOFA) for payment of $1 144.64 relating to the Minister's police escort during a 2002 visit to the Philippines.

(2) On what dates have the department and DOFA communicated in relation to this matter.

(3) Has the department complied with the request from DOFA for payment of this account; if so, when was the account paid; if not, why not.

(4) Did the negotiation of heavy traffic facilitated by the police escort enable the Minister to attend his key meetings on time.

1210 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) Can the Minister confirm that the Government's sugar tax/levy does not apply to forward contracts for sugar formed prior to the commencement of the levy on 1 January 2003; if so, can details of the revenue implications of this arrangement be provided.

(2) Can the Minister confirm whether he has instructed his department to waive compliance with the Government's sugar tax/levy for the first 60 days of its operation; if so, can details of the revenue implications of this arrangement be provided.

1211 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—In relation to the administration of Australia's United States (US) beef quota:

(1) Why is it that the US Customs figures do not correspond with export figures maintained by the department for the 2002 quota year.

(2) What are the details of the 5 500 tonne discrepancy for the 2002 quota year, on a month-by-month basis.

(3) When did the department first become aware that the Australian quota would be under-filled for the 2002 quota year.

(4) How will the 5 500 tonnes of quota be allocated.

(5) On what date or dates did the department consult with US authorities on this proposal.

(6) (a) On what date or dates did the department consult with Australian beef exporters on this proposal; and (b) which exporters were consulted.

(7) What action has been taken to ensure the discrepancy between Australian and US export figures does not recur in the 2003 quota year.

1212 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the current *Quarantine Matters!* campaign:

(1) Is the total budget for the 2002-03 financial year $6.894 million.

(2) How much has been expended.

(3) Can a detailed breakdown be provided of the budget and expenditure figures including media, production, talent and non-media costs.

(4) What is the total proposed campaign budget for: (a) metropolitan television; (b) non-metropolitan television; (c) metropolitan radio; (d) non-metropolitan radio; (e) metropolitan newspapers; and (f) non-metropolitan newspapers.

(5) What amount has been expended to date on: (a) metropolitan television; (b) non-metropolitan television; (c) metropolitan radio; (d) non-metropolitan radio; (e) metropolitan newspapers; and (f) non-metropolitan newspapers.

(6) Can a copy of the complete media schedule for the campaign, including that for international in-bound in-flight television, be provided; if not, why not.

(7) Is it the case that the campaign began on 14 December 2002; if not, when did it commence.

(8) Has the campaign concluded; if so, when did it conclude; if not, when will it conclude.

(9) What is the campaign's target audience.

(10) What percentage of the budget has been allocated to communication with overseas audiences.

(11) What assessment was made of the need for the campaign prior to its commencement.

(12) Was benchmark research undertaken prior to the commencement of the campaign.

(13) Assuming that focus group research was conducted into the advertising concept, can a copy of the report from the research company in relation to the outcomes of focus group testing be provided; if not, why not.

(14) Besides the *Quarantine Matters!* campaign, what other concepts were considered and developed.

(15) What performance indicators have been established to measure the effectiveness of this campaign.

(16) How has the effectiveness of the campaign been measured against these indicators.

(17) Is the department undertaking ongoing tracking research; if so, how often are reports received by the department and can copies of the reports received by the department be made available.

(18) When will the overall performance of the campaign be measured.

(19) How will the overall performance of the campaign be measured.

(20) What provision has the campaign made for audiences from non-English speaking backgrounds (NESB).

(21) Was an NESB consultant engaged to advise on the campaign.

(22) Was an advertising agency engaged in relation to the campaign; if so: (a) was the engagement subject to tender; if so, was the tender open or select; if not, why not; (b) which agency was engaged; (c) when was the agency engaged; (d) what is the value of the contract with the agency; (e) can a copy of the contract with the agency be provided; if not, why not.

(23) Was a production agency engaged to produce the television and/or radio advertisements; if so: (a) was the engagement direct or indirect; (b) was the engagement subject to tender; if so, was the tender open or select; if not, why not; (c) which agency was engaged; (d) when was the agency engaged; (e) what is the value of the contract with the agency; and (f) can a copy of the contract with the agency be provided; if not, why not.

(24) Did Mr Steve Irwin and/or a talent agency charge a fee for Mr Irwin's participation in the campaign; if so, what was the fee.

(25) How many shooting days were required to film the television advertisements.

(26) With reference to the Minister's media statement AFFA02/354WT, what 'range of other targeted campaign activities including press and radio advertising, offshore internet activity and stakeholder relations' does the campaign complement.

1213 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) Can details be provided of the full production costs of the publication *Raising the Nation: A History of Commonwealth Departments of Agriculture, Fisheries and Forestry*.

(2) How many copies have been produced.

(3) How many copies have been distributed at no cost to recipients.

(4) What is the procedure adopted by the department to ensure the production was subject to apolitical co-ordination.

1214 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—In relation to discretionary payment right determinations under the Supplementary Dairy Assistance (SDA) scheme:

(1) Can details be provided of matters taken into account when determining whether an eligible dairy leasing arrangement exists.

(2) Which specific matters, including but not limited to the assessment of dairy leasing arrangements, were taken into account in relation to the assessment of SDA applications from Fiona Wilson, Leanne Berboon and Phillip Stoll.

1215 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—What contribution has the Australian Quarantine and Inspection Service made in the past 12 months to the Government's consideration of quarantine issues in relation to cabotage.

1216 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) Has the Minister received the first monthly report from the Country Women's Association (CWA) in relation to expenditure of $1 million in public drought funding: (a) if so, (i) when was the report received, (ii) how much has been expended, (iii) what amount has been expended by state, (iv) on what date was the first grant made, (v) what is the value of the smallest grant, and (vi) what is the value of the largest grant; and (b) if not, when will the first report be received.

(2) What details does the Commonwealth require the CWA to include in the expenditure reports.

1217 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the National Food Industry Strategy:

(1) Can copies of program guidelines, performance indicators and budget details, including actual and approved expenditure, by year and by state (where applicable), be provided for the following programs: (a) Food Innovation Grants Program; (b) Food Centres of Excellence Initiative; (c) Technical Market Access Program; (d) International Food Standards Initiative; (e) Food Export Program; (f) Food Chains Program; and (g) Food Safety and Quality Initiative.

(2) When will an evaluation of the programs be undertaken.

(3) Which programs will be delivered by the department.

(4) Which programs will be delivered by National Food Industry Strategy Limited (NFIS Ltd).

(5) How are NFIS Ltd's administrative costs funded and reported.

(6) Can a copy of the NFIS Ltd constitution, and the contract between NFIS Ltd and the Commonwealth, be provided; if not, why not.

Notice given 26 February 2003

1218 **Senator Allison:** To ask the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs—With reference to the practice of 'trafficking' in people:

(1) Is it not the case that there are women who were deceived at every stage of the trafficking process, who have gone to the department and are willing to testify, but the department has not responded to their offers.

(2) (a) On how many occasions have women made such representation to the department in the past 3 years; and (b) can details of these representations be provided.

(3) With reference to the evidence given by the First Assistant Secretary, Border Control and Compliance Division, Mr Moorhouse, to the Legal and Constitutional Legislation Committee estimates hearings in February 2003, that consent to prostitution effectively ruled out trafficking: is it not the case that under the United Nations protocol on trafficking, which the Government signed on 11 December 2002, consent is irrelevant in trafficking cases.

(4) Did Mr Moorhouse deliberately mislead the committee or was he unfamiliar with this protocol.

(5) With reference to evidence given by Mr Moorhouse which referred to the death of a woman, but dismissed her case because she was a 'frequent drug user' (Legal and Constitutional Legislation Committee *Hansard*, 11 February 2003, pp 156-7): (a) was the women concerned Ms Puongton Simplee; and (b) why is the claim the woman was a 'frequent drug user' relevant to the case.

(6) Is it not the case that the coronial inquiry into Ms Simplee's death is scheduled to occur from 12 March to 14 March 2003 and that it has not been established that drug use contributed to her death.

(7) Is it not the case that Ms Simplee was a victim of trafficking for prostitution and may have been brought into the country as a child.

(8) Is it not the case that Ms Simplee informed Australasian Correctional Management and the department that she had been a victim of trafficking, for which the department took no action.

(9) Why did the department take no action and why did it ignore the signs that Ms Simplee was a victim of violence.

(10) Can the department explain why it was that when Ms Simplee entered the detention centre she weighed 38 kilos and died less than 3 days later weighing only 31 kilos.

(11) Does this case, and do other similar cases, raise questions about the appropriateness of mandatory detention for potentially trafficked women.

Notice given 27 February 2003

*1219 **Senator McLucas:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

(1) (a) Can a list be provided of meetings in which the Government and/or the department discussed the financial situation facing the South Johnstone sugar mill in far north Queensland including dates and who was present; and (b) can a copy of the department's minutes of the meetings be provided.

(2) (a) What due diligence or any other analysis of the financial situation facing South Johnstone Mill Limited did the Government undertake prior to

agreeing to provide $3 375 000 in finance to the mill; and (b) can a copy of this analysis be provided.

(3) (a) What safeguards did the Government put in place prior to lending this money to ensure that taxpayers' money would be repaid; and (b) can an outline of the terms of the financial agreement be provided.

(4) How much money was finally provided to finance South Johnstone Mill Limited; (b) when were these monies paid; (c) how much has been repaid and when did this occur; and (d) what is the Government doing to recoup outstanding monies.

(5) What action did the Government take when notified by CJ Cooper and Associates, solicitors for the Canegrowers Organisation, by facsimile on 5 July 2000 that advertising under the Cane Supply and Processing Agreement, dated 26 May 2000, had not been undertaken correctly as required under the Queensland *Sugar Act 1999*; and (b) what involvement did the Government have in this advertisement.

(6) As a creditor to South Johnstone Mill Limited, what involvement did the Government have in the sale of the mill to Bundaberg Sugar Limited; and (b) can a list be provided of meetings at which the sale of the South Johnstone mill was discussed, including dates and attendees.

(7) What proposals and options were considered prior to the sale of the South Johnstone sugar mill to Bundaberg Sugar.

(8) What involvement did the Government have in the March 2001 novation and amendment deed between South Johnstone Mill Limited, Canegrowers South Johnstone Mills Suppliers' Committee, South Johnstone Mill Negotiating Team and Bundaberg Sugar Limited.

(9) Is the repayment of the Government finance to South Johnstone Mill dependent on the validity of this deed.

(10) Can copies of any advice, legal or other, received in relation to this deed be provided.

*1220 **Senator McLucas:** To ask the Minister representing the Minister for Education, Science and Training—(a) What increases in Commonwealth spending are contained within the Budget forward estimates for higher education; and (b) can a year-by-year breakdown of increase by program be provided, indicating whether the spending on the program will have peaked by the end of the forward estimates, including the date and forum of any announcements of these spending increases by Commonwealth ministers or departments.

Senator Brown: To ask the Ministers listed below (Question Nos *1221-*1222)—

(1) When persons who have been detained on the island of Nauru have been persuaded to return voluntarily to Afghanistan, have they been promised that they may safely do so.

(2) Has any effort been made to ensure the safety of those returning to Afghanistan, or to determine whether they have been able to successfully resettle; if so, can the Minister attest that most have safely and successfully returned to Afghanistan.

(3) Have those returning to Afghanistan been provided with any warm clothing and footwear, particularly when being returned in the Northern Hemisphere winter.

*1221 Minister representing the Minister for Foreign Affairs

*1222 Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs

*1223 **Senator Brown:** To ask the Minister representing the Minister for Transport and Regional Services—

(1) Is the Minister aware of any evidence that the mandatory spraying inside the cabins of aircraft arriving in Australia causes distress to persons sensitive to the chemicals used.

(2) Will the Government give consideration to requiring airlines to provide masks and protective coverings to those passengers who wish to use them.

*1224 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—

(1) Can the Minister confirm that Origin Energy plans to build a gas plant within 5 kilometres of the township of Nyora in South Gippsland, Victoria.

(2) Were the people of Nyora consulted prior to approval being given for the plant.

(3) Is the Minister aware of claims by residents of Nyora that, given the prevailing winds and the relatively high rainfall of the area, toxic pollution will be deposited on the town and its inhabitants.

(4) Has there been any scientific study undertaken to investigate the likely health and environmental impact upon the township.

*1225 **Senator Brown:** To ask the Minister representing the Treasurer—

(1) Will the Treasurer ensure that the Energy Grants Credit Scheme (EGCS), which is to be introduced on 1 July 2003, has a substantial environmental component and that payments under the scheme are made only in respect of vehicles that meet strict environmental standards.

(2) Given that pollution from old diesel trucks is a major problem, particularly in the workplace, and that a growing number of companies are now demanding that delivery vehicles entering warehouse areas comply with Australian Design Rule 80/00 (low emission), with the Truck Industry Council attaching a large logo to all ADR 80/00 trucks identifying them as low emission vehicles): Will the Treasurer ensure that the EGCS supports the use of such vehicles.

*1226 **Senator Brown:** To ask the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs—

(1) Can the Minister confirm that on 1 March 2003 the savings threshold for self-funded retirees immigrating to Australia will be increased from $200 000 to $1 million.

(2) Has there been any investigation of the extent to which such a large increase will exclude persons who could contribute to the community without requiring assistance and being a burden on government resources.

(3) Has the Government advertised this change to the immigration rules.

(4) How will the change be effected.

*1227 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the attack on Elsye Rumbiak Bonai and her 12-year old daughter, Mariana, in West Papua on 28 December 2002:

(1) (a) When was the Minister informed of the attack; and (b) was the Minister aware that Ms Bonai is the wife of the director of the Institute for Human Rights Study and Advocacy, Johannes Bonai.

(2) What was the involvement of the Indonesian Army in this attack.

(3) How was the attack carried out and who else was involved.

(4) What has the Australian Government done to help bring the attackers involved to justice, including ensuring a full and independent inquiry into the atrocity.

*1228 **Senator Brown:** To ask the Minister for Justice and Customs—Can a list be provided of names of the people who boarded the vessel known as SIEV X, indicating which of those people died.

*1229 **Senator Brown:** To ask the Minister for Justice and Customs—

(1) Is the Indonesian Justice Minister correct in saying that the Minister has not approached Indonesia to extradite Abu Quessai to Australia; if so, why did the Minister not approach the Indonesian Government.

(2) Why has the Commissioner of the Australian Federal Police, Mr Keelty, not issued warrants as previously stated.

(3) Does Mr Keelty know: (a) the name of the vessel known as SIEV X; and (b) the names of the victims who died in the sinking of SIEV X.

*1230 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—Will the Meander River in Tasmania be unaffected by the proposed Meander dam; if not, what effect will there be.

*1231 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—

(1) (a) What is the Government's assessed cost of the proposed Meander dam in Tasmania; and (b) what contribution will come from taxpayers.

(2) (a) What alternatives are there to the proposed dam; and (b) would these alternatives cost more or less than the dam.

*1232 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—Is the proposed Meander dam in Tasmania consistent with national water policy; if not, in what way is it not.

*1233 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—Has the proposed Meander dam in Tasmania, been assessed as having no environmental impact; if not: (a) what impact will it have; and (b) what are the assessed economic and social costs.

*1234 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the proposed Meander dam in Tasmania: (a) What approaches have been made by the Tasmanian Minister for the Environment, Mr Green, to the Federal Minister; (b) what requests has Mr Green made; and (c) what information has Mr Green supplied and when.

*1235 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—How many farmers or other interested parties have signed contracted obligations to be serviced by the proposed Meander dam in Tasmania.

*1236 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the proposed Meander dam in Tasmania:

(1) (a) What is the status of the spotted-tail quoll in Australia; and (b) what will be the impact of the dam on this species.

(2) Are there any other species affected by the dam; if so, if any are rare or endangered, what is their outlook if the dam is built.

Senator O'Brien: To ask the Ministers listed below (Question Nos *1237-*1238)—Can details of the department's expenditure on fisheries management and/or enforcement be provided, for each of the following financial years: (a) 2000-01; (b) 2001-02; and (c) 2002-03 to date.

*1237 Minister for Defence

*1238 Minister for Justice and Customs

Notice given 3 March 2003

*1239 **Senator Sherry:** To ask the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs—With reference to the Migration Review Tribunal and the Refugee Review Tribunal:

(1) Does each tribunal maintain lists of the number of cases determined by each member; if so, can a copy of these lists be provided.

(2) (a) Has the Remuneration Tribunal determined a special remuneration payable to the principal member of the two tribunals only while Mr Karas occupies those positions; and (b) is this the result of a special arrangement between Mr Karas and the Minister.

(3) What are the total costs to the Commonwealth: (a) of the Sydney apartment provided for Mr Karas; and (b) for travel between Brisbane for Mr Karas and his wife.

(4) (a) What is the frequency of Mr Karas' travel between Sydney and Brisbane; and (b) what was his shortest stay in Sydney when travel was funded by the Commonwealth.

*1240 **Senator Allison:** To ask the Minister for Health and Ageing—

(1) What is the current number of nursing home type patients in public hospitals; (b) what is the breakdown of this number by state; and (c) what is the median and average length of stay after classification as a nursing home patient before the patient leaves the hospital.

(2) What is the current number of nursing home type patients in private hospitals; (b) what is the breakdown of this number by state; and (c) what is the median and average length of stay after classification as a nursing home patient before the patient leaves the hospital.

(3) Of the 121 divisions of general practice, how many have on their boards of directors: (a) an allied health professional; (b) a non-medical practitioner hospital representative; (c) a non-medical practitioner community health representative; and (d) a consumer organisation representative.

(4) Of the state-based organisations for divisions of generals practice, how many have on their boards of directors: (a) an allied health professional; (b) a non-medical practitioner hospital representative; (c) a non-medical practitioner community health representative; and (d) a consumer organisation representative.

(5) What is the professional representation of the board of the Australian Divisions of General Practice (ADGP); and (b) does it include: (i) an allied health professional, (ii) a non-medical practitioner hospital representative, (iii) a non-medical practitioner community health representative, and (iv) a consumer organisation representative.

(6) Are there other decision-making bodies (i.e. not advisory bodies) within the structure of the divisions and ADGP; if so, what is the professional representation on these bodies.

(7) For each of the following financial years: 2000-01 and 2001-02, and for the 2002-03 financial year to date, what sums of Commonwealth money have been allocated under the More Allied Health Services (MAHS) program and to which divisions.

(8) In how many cases in each of the above time periods has Commonwealth money under the MAHS program been allocated to practices or to medical practitioners for a practice nurse.

(9) In each case, what was the MAHS funding amount allocated for the services of a practice nurse.

(10) Was the practice nurse in each of these cases salaried; if so, in each case what was the (pro-rated) annual salary; if not, in each case what was the funding arrangement for the nurse.

(11) Of the practice nurses funded through MAHS, in how many cases did the funding go to a practice which, or a practitioner who, did not actually increase the number of nurse positions (i.e. funding went to an existing nurse).

(12) In how many instances where a practice nurse was funded through MAHS was there a formal consultation process by the division with community representatives, canvassing community needs.

(13) In how many instances where a practice nurse was funded through MAHS was there a report of the consultation process by the division with community representatives, canvassing community needs of health services.

(14) (a) Which body has the decision-making power to allocate funds under MAHS; and (b) is this body required to take into account a community needs assessment in determining MAHS funding: if not, why not.

(15) In how many divisions where other allied health services were funded through MAHS was there a formal consultation process by the division, canvassing community needs of health services.

(16) In how many instances where other allied health services were funded through MAHS was there a report of the consultation process by the division with community representatives, canvassing community needs of health services.

*1241 **Senator Murray:** To ask the Minister representing the Treasurer—If the Western Australian State Government does not reform its current retail trading hours regulations, exactly what portion of the $75 million of ongoing annual competition payments from the National Competition Council will be withheld.

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 2003 be scheduled as follows:

2002-03 additional estimates:

Monday, 10 February and Tuesday, 11 February and, if required, Friday, 14 February (*Group A*)

Wednesday, 12 February and Thursday, 13 February and, if required, Friday, 14 February (*Group B*).

2003-04 Budget estimates:

Monday, 26 May to Thursday, 29 May and, if required, Friday, 30 May (*Group A*)

Monday, 2 June to Thursday, 5 June and, if required, Friday, 6 June (*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, 19 March 2003 in respect of the 2002-03 additional estimates, and

Thursday, 19 June 2003 in respect of the 2003-04 Budget estimates.

(*Agreed to 11 December 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 private meetings otherwise than in accordance with standing order 33(1) during sittings of the Senate.

(*Agreed to 12 November 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*.)

Meeting of Senate

6 **Meeting of Senate**

That the days of meeting of the Senate for 2003 shall be as follows:

Summer sittings:

Tuesday, 4 February to Thursday, 6 February

Autumn sittings:

Monday, 3 March to Thursday, 6 March
Tuesday, 18 March to Thursday, 20 March
Monday, 24 March to Thursday, 27 March

Budget sittings:

Tuesday, 13 May to Thursday, 15 May

Winter sittings:

Monday, 16 June to Thursday, 19 June
Monday, 23 June to Thursday, 26 June

Spring sittings:

Monday, 11 August to Thursday, 14 August
Monday, 18 August to Thursday, 21 August
Monday, 8 September to Thursday, 11 September
Monday, 15 September to Thursday, 18 September
Tuesday, 7 October to Thursday, 9 October
Monday, 13 October to Thursday, 16 October
Monday, 27 October to Thursday, 30 October
Monday, 3 November and Tuesday, 4 November
Monday, 24 November to Thursday, 27 November
Monday, 1 December to Thursday, 4 December.

(*Agreed to 12 November 2002*.)

7 **Adjournment debate on Tuesdays—Temporary order**

(1) On the question for the adjournment of the Senate on Tuesday, a senator who has spoken once subject to the time limit of 10 minutes may speak again for not more than 10 minutes if no other senator who has not already spoken once wishes to speak, provided that a senator may by leave speak for not more than 20 minutes on one occasion.

(2) This order shall cease to have effect at the conclusion of the last sitting day in 2003.

(*Agreed to 19 November 2002 upon adoption of recommendations in the Procedure Committee's second report of 2002*.)

Orders for production of documents

8 **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.*)

9 **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.*)

10 **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.*)

11 **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.*)

12 **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.*)

13 **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.*)

14 **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.*)

15 **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".

(*Agreed to 18 September 2002*.)

16 **Transport—Ethanol—Order for production of documents**

That there be laid on the table, no later than immediately after motions to take note of answers on Monday, 21 October 2002:

(a) all documents relating to the meeting between the Minister for Agriculture, Fisheries and Forestry (Mr Truss) and the Executive Director of the Australian Institute of Petroleum on 21 August 2002, including but not limited to:

(i) papers prepared for the meeting by the Department of Agriculture, Fisheries and Forestry, the Department of the Prime Minister and Cabinet, the Department of Industry, Tourism and Resources, and/or Mr Truss' office,

(ii) any agenda or attendance papers,

(iii) any notes made by departmental officers and/or ministerial advisers at the meeting, including but not limited to hand-written notes, and

(iv) any papers that document the outcome of the meeting, including but not limited to file notes prepared by departmental officers and/or ministerial advisers;

(b) all records of communications between:

- Mr JT Honan, Chairman of Manildra and/or other Manildra managers and staff, and
- the Prime Minister, Treasurer, Minister for Trade, Minister for Industry, Tourism and Resources, Minister for Agriculture, Fisheries and Forestry, Assistant Treasurer, and/or departmental officers and ministerial advisers,

concerning the Government's consideration of an ethanol excise and production subsidy, including but not limited to correspondence, telephone records and file notes;

(c) all records of any meetings between:

- Mr JT Honan, Chairman of Manildra and/or other Manildra managers and staff, and
- the Prime Minister, Treasurer, Minister for Trade, Minister for Industry, Tourism and Resources, Minister for Agriculture, Fisheries and Forestry, Assistant Treasurer, and/or departmental officers and ministerial advisers,

concerning the Government's consideration of an ethanol excise and production subsidy, including but not limited to hand-written file notes;

(d) all records of communications between:

- Mr Bob Gordon, Executive Director of the Australian Biofuels Association and/or other Australian Biofuels Association staff, and
- the Prime Minister, Treasurer, Minister for Trade, Minister for Industry, Tourism and Resources, Minister for Agriculture, Fisheries and Forestry, Assistant Treasurer, and/or departmental officers and ministerial advisers,

concerning the Government's consideration of an ethanol excise and production subsidy, including but not limited to correspondence, telephone records and file notes;

(e) all records of any meetings between:

- Mr Bob Gordon, Executive Director of the Australian Biofuels Association and/or other Australian Biofuels Association staff, and
- the Prime Minister, Treasurer, Minister for Trade, Minister for Industry, Tourism and Resources, Minister for Agriculture, Fisheries and Forestry, Assistant Treasurer, and/or departmental officers and ministerial advisers,

concerning the Government's consideration of an ethanol excise and production subsidy, including but not limited to hand-written file notes; and

(f) all analysis by the Treasury, the Department of Finance, Department of the Prime Minister and Cabinet, Department of Industry, Tourism and Resources and Department of Agriculture, Fisheries and Forestry concerning the projected budgetary impact of the decision to impose excise on ethanol and grant a 12-month ethanol production subsidy.

(*Agreed to 16 October 2002*.)

17 **Environment—Queensland—Nathan Dam—Order for production of documents**

That there be laid on the table, no later than 2 pm on 19 November 2002:

(a) all documents from 2002 relating to any approaches made by Sudaw Developments Ltd (or its agents) to the Government seeking funding or other support for the Nathan Dam on the Fitzroy River in Queensland;

(b) any documents or comments provided to Environment Australia in response to the referral, Ref. No. 2002/770—Sudaw Developments Ltd—Water management and use—Dawson River—QLD—Nathan Dam, central Queensland;

(c) any report or document prepared by Environment Australia in response to referral 2002/770; and

(d) the report, *Literature review and scoping study of the potential downstream impacts of the proposed Nathan Dam on the Dawson River, Fitzroy River and offshore environments*, prepared by the Australian Centre for Tropical Freshwater Research.

(*Agreed to 11 November 2002*.)

18 **Trade—General Agreement on Trade in Service—Order for production of documents**

That there be laid on the table by the Minister representing the Minister for Trade, no later than immediately after motions to take note of answers on Monday, 18 November 2002:

(a) all requests received by the Australian Government for increased access to Australian services markets by other nations, lodged under negotiations, under the General Agreement on Trade in Services (GATS);

(b) any documents analysing the likely impact of any requests made of Australia in negotiations under GATS; and

(c) any requests lodged by Australia of other countries under negotiations on GATS.

(*Agreed to 14 November 2002*.)

19 **Environment—Oceans policy—Order for production of document**

That there be laid on the table at the end of taking note of answers to questions without notice on Tuesday, 19 November 2002, the 'Review of the Implementation of Oceans Policy: Final report' by TFG International, dated 25 October 2002.

(*Agreed to 18 November 2002*.)

20 **Superannuation—Insurance and Superannuation Commission—Order for production of documents**

That there be laid on the table, in accordance with their respective ministerial responsibilities, by the Minister representing the Treasurer (Senator Minchin) and the Minister for Revenue and Assistant Treasurer (Senator Coonan), by 2 December 2002, the following documents:

(a) the Treasury files, as described in paragraph 10.1.4 of the report to Messrs Corrs Chambers Westgarth from John Palmer, FCA, entitled 'Review of the role played by the Australian Prudential Regulation Authority and the Insurance and Superannuation Commission in the collapse of the HIH Group of Companies' and provided as a witness statement to the HIH Royal Commission;

(b) the files of the Insurance and Superannuation Commission in relation to the application of FAI Insurance Limited for an authority to carry on insurance business following the proclamation of the *Insurance Act 1973* containing the application and all correspondence and documentation relating to the consideration of the application and leading to and including the company's eventual authorisation;

(c) the files of the Insurance and Superannuation Commission in relation to the application of Fire and All Risks Insurance Company Limited for an authority to carry on insurance business following the proclamation of the *Insurance Act 1973* containing the application and all correspondence and documentation relating to the consideration of the application and leading to and including the company's eventual authorisation;

(d) the files of the Insurance and Superannuation Commission in relation to the application of Car Owners' Mutual Insurance Company Limited for an authority to carry on insurance business following the proclamation of the *Insurance Act 1973* containing the application and all correspondence and documentation relating to the consideration of the application and leading to and including the company's eventual authorisation; and

(e) the files of the Insurance and Superannuation Commission in relation to the application of Australian and International Insurance Limited for an authority to carry on insurance business following the proclamation of the *Insurance Act 1973* containing the application and all correspondence and documentation relating to the consideration of the application and leading to and including the company's eventual authorisation.

(*Agreed to 19 November 2002*.)

21 **Trade—Pharmaceutical Benefits Scheme—Order for production of documents**

That there be laid on the table by the Minister for Health and Ageing (Senator Patterson) and the Minister representing the Minister for Trade (Senator Hill), no later than 4 pm on 4 December 2002, all documents relating to the possible inclusion of the Pharmaceutical Benefits Scheme as an item for discussion in negotiations for an Australia-United States free trade agreement, including but not

limited to correspondence between the Australian and United States governments, recommendations to the Australian government and/or any Commonwealth government minister, and any Australian government response to those recommendations.

(*Agreed to 3 December 2002*.)

22 **Minister for Revenue and Assistant Treasurer—Ministerial responsibility—Order for production of documents**

That there be laid on the table, no later than immediately after motions to take note of answers on Thursday, 12 December 2002, all documents relating to the inquiries undertaken by the Department of the Prime Minister and Cabinet into the possible conflict of interest between the ministerial responsibilities of the Minister for Revenue and Assistant Treasurer (Senator Coonan) and the commercial activities of Endispute Pty Ltd (including, but not limited to, a copy of the report of those inquiries furnished to the Prime Minister (Mr Howard) and referred to by him during question time in the House of Representatives on Tuesday, 3 December 2002).

(*Agreed to 10 December 2002*.)

23 **Environment—Tasmania—Logging—Order for production of documents**

That there be laid on the table by the Minister for Fisheries, Forestry and Conservation, no later than noon on Thursday, 12 December 2002, all documents relating to the answers to question on notice no. 404 (Senate *Hansard*, 14 October 2002, p. 5089).

(*Agreed to 11 December 2002*.)

24 **Science and Technology—Genetically-modified food—Order for production of documents**

That there be laid on the table by the Minister representing the Minister for Foreign Affairs and representing the Prime Minister (Senator Hill), no later than 4 pm on 4 February 2003:

All communications in the period June 2001 to the present between:

(a) the Department of Foreign Affairs and Trade or the Prime Minister's office and Food Standards Australia New Zealand;

(b) the Department of Foreign Affairs and Trade or the Prime Minister's office and the National Farmers Federation;

(c) the Department of Foreign Affairs and Trade or the Prime Minister's office and the Department of Health and Ageing; and

(d) the Prime Minister's office and the Department of Foreign Affairs and Trade,

relating to genetically-modified food in the context of the current free trade agreement negotiations with the United States and of the labelling of genetically modified and genetically engineered food, including communications to or from organisations formed or created under the auspices of any of the above agencies, officers of departments.

(*Agreed to 12 December 2002*.)

25 **Environment—National Radioactive Waste Repository—Order for production of documents**

That there be laid on the table, no later than 4 pm on Thursday, 6 February 2003, the submission or submissions made by the Department of Defence to the

Environment Impact Assessment for a National Radioactive Waste Repository in South Australia.

(*Agreed to 5 February 2003.*)

26 **Environment—National Radioactive Waste Repository—Order for production of documents**

That there be laid on the table, no later than 4 pm on Monday, 3 March 2003, all documents relating to the records and communications between the Department of Defence and the Department of Education, Science and Training concerning the Government's consideration of a National Radioactive Waste Repository in South Australia.

(*Agreed to 5 February 2003.*)

Orders for production of documents still current from previous parliaments

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

Date of order	Subject	Addressed to
23.08.2001	Environment—Great Barrier Reef—Water quality control	Leader of the Government in the Senate (Senator Hill)
19.09.2001	Transport—Ansett Australia	Minister representing the Minister for Transport and Regional Services
20.09.2001	Transport—Ansett Australia	Minister representing the Prime Minister

CONTINGENT NOTICES OF MOTION

Auditor-General's reports—Consideration

1 **Leader of the Opposition in the Senate (Senator Faulkner)**
Leader of the Australian Democrats (Senator 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.

TEMPORARY CHAIRS OF COMMITTEES

Senators Bolkus, Brandis, Chapman, Cherry, 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
Australian Crime Commission (*replaced the Parliamentary Joint Committee on the National Crime Authority with effect from 1 January 2003*)
Broadcasting of Parliamentary Proceedings
Corporations and Financial Services
National Crime Authority
Native Title and the Aboriginal and Torres Strait Islander Land Fund
Public Accounts and Audit
Public Works

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

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

COMMITTEES

A Certain Maritime Incident—Select Committee
(*appointed 13 February 2002; terms of appointment varied 13 March 2002; final report tabled 23 October 2002*)
Members
Senator Cook (*Chair*), Senator Brandis (*Deputy Chair*), Senators Bartlett, Collins, Faulkner, Ferguson, Mason and Murphy
Report presented
Report (*tabled 23 October 2002*)
Erratum (*presented to the Deputy President on 25 October 2002, pursuant to standing order 38(7); tabled 11 November 2002*)

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

36th 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*)

37th report—Administration of parliamentary security (*tabled 18 November 2002*)

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*)

Annual report for 2001-02 (*tabled 2 December 2002*)

Australian Crime Commission—Joint Statutory Committee

(*replaced the Parliamentary Joint Committee on the National Crime Authority with effect from 1 January 2003*)

Members

Mr Baird (*Chair*), Mr Sercombe (*Deputy Chair*), Senators Denman, Ferris, Greig, Hutchins and McGauran and Mr Dutton, Mr Kerr and Mr CP Thompson

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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 Greig (*Deputy Chair*), Senators Barnett, Denman, Heffernan and Hutchins

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, Nettle, Payne, Tierney, Watson and Webber

Senator Allison for matters relating to the Health and Ageing portfolio

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*)

Provisions of the Research Involving Embryos and Prohibition of Human Cloning Bill 2002 (*presented to the President on 24 October 2002, pursuant to standing order 38(7); tabled 11 November 2002*)

Family and Community Services Legislation Amendment (Special Benefit Activity Test) Bill 2002 (*tabled 2 December 2002*)

Community Affairs References Committee

Members

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

Participating members

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

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

Senator Allison for matters relating to the Health and Ageing portfolio

Current inquiries

Operation of the social security breaches and penalties system (*referred 16 October 2002*)

Poverty and financial hardship (*referred 21 October 2002; reporting date: by the last sitting day in June 2003*)

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*)

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

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

Australia's insolvency laws (*adopted 14 November 2002*)

Disclosure of commissions on risk products (*adopted 14 November 2002*)

Reports presented

Regulations and ASIC policy statements made under the *Financial Services Reform Act 2001* (*tabled 23 October 2003*)

Review of the *Managed Investments Act 1998* (*tabled 12 December 2002*)

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

Current inquiry

Provisions of the Corporations Amendment (Repayment of Directors' Bonuses) Bill 2002 (*referred 11 December 2002; reporting date: 19 March 2003*)

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*)

New Business Tax System (Consolidation, Value Shifting, Demergers and Other Measures) Bill 2002 (*presented to the Deputy President on 18 October 2002, pursuant to standing order 38(7); tabled 21 October 2002*)

Excise Tariff Amendment Bill (No. 1) 2002 and Customs Tariff Amendment Bill (No. 2) 2002 (*tabled 22 October 2002*)

New Business Tax System (Consolidation and Other Measures) Bill (No. 1) 2002 (*tabled 18 November 2002*)

Inspector-General of Taxation Bill 2002 (*tabled 3 December 2002*)

Trade Practices Amendment (Liability for Recreational Services) Bill 2002 (*tabled 10 December 2002*)

Financial Sector Legislation Amendment Bill (No. 2) 2002 (*tabled 11 December 2002*)

Economics References Committee

Members

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

Substitute member

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

Participating members

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

Current inquiry

The structure and distributive effects of the Australian taxation system (*referred 12 December 2002; reporting date: last sitting day in June 2004*)

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*)

A review of public liability and professional indemnity insurance (*tabled 22 October 2002*)

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, Mr Melham and Ms Panopoulos

Report presented

The integrity of the electoral roll: Review of ANAO report no. 42 of 2001-02 (*tabled 11 November 2002*)

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, Marshall, Mason, McGauran, Murphy, Nettle, Payne, Santoro, Sherry, Stephens, Watson and Webber

Current inquiry

Provisions of the Workplace Relations Amendment (Termination of Employment) Bill 2002 (*referred 11 December 2002; reporting date 18 March 2003*)

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*)

Workplace Relations Amendment (Improved Protection for Victorian Workers) Bill 2002 (*presented to the President on 15 November 2002, pursuant to standing order 38(7); tabled 18 November 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

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, Santoro, Sherry, Stephens, Watson and Webber

Current inquiries

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: 15 May 2003*)

Labour market skills requirements (*referred 23 October 2002; reporting date: by the last sitting day in June 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*)

Education of students with disabilities (*tabled 10 December 2002*)

Small business employment (*tabled 6 February 2003*)

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, Santoro and Tchen

Substitute members

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

Senator Ridgeway to replace Senator Bartlett for matters relating to the Arts 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 Cherry for matters relating to the Communications portfolio

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*)

Telecommunications Competition Bill 2002 (*presented to the Deputy President on 22 November 2002, pursuant to standing order 38(7; tabled 2 December 2002*)

Renewable Energy (Electricity) Amendment Bill 2002—Interim report (*presented to the Deputy President on 28 November 2002, pursuant to standing order 38(7); tabled 2 December 2002*)

Renewable Energy (Electricity) Amendment Bill 2002 (*tabled 2 December 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

Senator Moore to replace Senator Wong for the committee's inquiries into the Australian telecommunications network and the role of libraries as providers of public information in the online environment

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, Moore, Murphy, Nettle, Payne and Watson

Senator Greig 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

Senator Wong for the committee's inquiry into the Australian telecommunications network

Current inquiries

Environmental performance at the Ranger, Jabiluka, Beverley and Honeymoon uranium operations (*referred 20 June 2002; reporting date: 4 March 2003*)

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: 24 June 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*)

The value of water: Inquiry into Australia's urban water management (*tabled 5 December 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, Lees, 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, Lees, Lundy, Mason, McGauran, Murphy, Murray, Payne, Sherry, Tchen and Tierney

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*)

Recruitment and training in the Australian Public Service (*referred 21 March 2002; reporting date: 27 March 2003*)

Reports presented

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

Departmental and agency contracts: Report on the first year of operation of the Senate order for the production of lists of departmental and agency contracts (*tabled 12 December 2002*)

Foreign Affairs, Defence and Trade—Joint Standing Committee

(*appointed 14 February 2002*)

Members

Senator Ferguson (*Chair*), Mr Brereton (*Deputy Chair*), Senators Bolkus, Cook, Eggleston, Evans, Harradine, Hutchins, Johnston, Sandy Macdonald, O'Brien, Payne and Stott Despoja 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

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*)

Review of the Australian Agency for International Development (AusAID) annual report for 2001-02 (*adopted 16 October 2002*)

Review of the Australian Trade Commission (Austrade) annual report for 2001-02 (*adopted 16 October 2002*)

Review of the Department of Defence annual report for 2001-02 (*adopted 16 October 2002*)

Review of the Department of Foreign Affairs and Trade annual report for 2001-02 (*adopted 16 October 2002*)

Review of Australia-Indonesia Institute annual report for 2001-02 (*adopted 2 December 2002*)

Reports presented

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

Enterprising Australia: Planning, preparing and profiting from trade and investment—A short report on the proceedings of the inquiry (*tabled 16 October 2002*)

Parliament's watching brief on the war on terrorism—Visit to Australian forces deployed to the international coalition against terrorism (*tabled 21 October 2002*)

Parliament's watching brief on the war on terrorism—Review of Australia's preparedness to manage the consequences of a terrorist attack (*statement made, by way of a report, 2 December 2002*)

Review of Australia's relations with the United Nations (*statement made, by way of a report, 9 December 2002*)

Scrutiny of the World Trade Organisation (*statement made, by way of a report, 9 December 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, Bishop, Boswell, Brandis, Carr, Chapman, Coonan, Eggleston, Faulkner, Ferris, Forshaw, Harradine, Harris, Hogg, Hutchins, Johnston, Knowles, Lees, Lightfoot, Mackay, Marshall, Mason, McGauran, Murphy, Nettle, Santoro, 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, Boswell, Brandis, Carr, Chapman, Collins, Coonan, Denman, Eggleston, Evans, Faulkner, Ferguson, Ferris, Forshaw, Harradine, Harris, Knowles, Lees, Lightfoot, Mackay, Mason, McGauran, Murphy, Nettle, Payne, Santoro, Stott Despoja, Tchen, Tierney and Watson

Current inquiries

Materiel acquisition and management in Defence (*referred 13 March 2002; reporting date: last sitting day in March 2003*)

Australia's relationship with Papua New Guinea and other Pacific island countries (*referred 13 March 2002; reporting date: last sitting day in June 2003*)

An examination of the Government's foreign and trade policy strategy (*referred 10 December 2002; reporting date: 14 May 2003*)

Issues involved in the negotiation of the General Agreement on Trade in Services in the Doha Development Round (*referred 12 December 2002; reporting date: 27 November 2003*)

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 President (*Chair*), the Deputy President, Senators Carr, Colbeck, Collins, Lightfoot and Stephens

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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: 20 March 2003*)

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*)

Statutory powers and functions of the Australian Law Reform Commission—Interim report (*tabled 12 December 2002*)

Legal and Constitutional References Committee

Members

Senator Bolkus (*Chair*), Senator Payne (*Deputy Chair*), Senators Greig, Kirk, Scullion and Stephens

Substitute members

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

Senator Crossin to replace Senator Stephens for the committee's inquiry into progress towards national reconciliation

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 inquiry

Progress towards national reconciliation (*referred 27 August 2002; reporting date: 17 June 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*)

Migration zone excision: An examination of the Migration Legislation Amendment (Further Border Protection Measures) Bill 2002 and related matters (*tabled 21 October 2002*)

Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002 and related matters (*tabled 3 December 2002*)

Library—Standing Committee

Members

The President (*Chair*), Senators Kirk, Ludwig, Scullion, Tchen, Tierney and Wong

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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 inquiries

Review of skilled migration (*referred 18 June 2002*)

2003 Review of Migration Regulation 4.31B (*referred 10 December 2002*)

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 Lundy, Scullion and Stott Despoja and Ms Ellis, Mr Johnson, Mr Neville, Mr Snowdon and Mr CP Thompson

Reports presented

Norfolk Island electoral matters (*tabled 26 August 2002*)

Striking the right balance: Draft amendment 39, National Capital Plan (*tabled 21 October 2002*)

National Crime Authority—Joint Statutory Committee

(*replaced by the Parliamentary Joint Committee on the Australian Crime Commission with effect from 1 January 2003*)

Reports presented

Australian Crime Commission Establishment Bill 2002 (*tabled 11 November 2002*)

Examination of the annual report for 2000-01 of the National Crime Authority (*tabled 11 December 2002*)

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

Members

Senator Johnston (*Chair*), Senator McLucas (*Deputy Chair*), Senators Crossin, Lees and Scullion and Mrs Hull, Dr Lawrence, Mrs Ley, Mr Secker and Mr Snowdon

Report presented

Examination of annual reports for 2000-01 in fulfilment of the committee's duties pursuant to s.206(c) of the *Native Title Act 1993*

Privileges—Standing Committee

Members

Senator Ray (*Chair*), Senator Knowles (*Deputy Chair*), Senators Evans, Johnston, Payne and Sherry

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*)

108th report—Person referred to in the Senate (Mr John Hyde Page) (*tabled 15 October 2002*)

109th report—Person referred to in the Senate (Mr Tony Kevin) (*tabled 22 October 2002*)

110th report—Persons referred to in the Senate (Dr Geoffrey Vaughan, Dr Peter Jonson, Professor Brian Anderson) (*tabled 10 December 2002*)

111th report—Persons referred to in the Senate (Mr Bob Moses, on behalf of board and management of National Stem Cell Centre) (*tabled 5 February 2003*)

112th report—Possible unauthorised disclosure of report of Environment, Communications, Information Technology and the Arts Legislation Committee (*tabled 6 February 2003*)

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*)

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*)

Reports presented

First report of 2002—Adjournment debate; Unanswered questions on notice (*tabled 19 June 2002*)

Second report of 2002—Chairs and quorums in committees; Adjournment debate on Tuesdays (*tabled 18 November 2002*)

Public Accounts and Audit—Joint Statutory Committee

Members

Mr Charles (*Chairman*), Ms Plibersek (*Vice Chairman*), Senators Colbeck, Conroy, Lundy, Murray, Scullion and Watson and Mr Ciobo, Mr Cobb, Mr Georgiou, Ms Grierson, Mr Griffin, Ms CF King, Mr PE King and Mr Somlyay

Current inquiries

Management and integrity of electronic information in the Commonwealth (*referred 23 October 2002*)

Review of the draft Financial Framework Legislation Amendment Bill (*referred 12 February 2003*)

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*)

Report 392—Annual report 2001-02 (*tabled 14 November 2002*)

Report 390—Review of Auditor-General's reports 2001-02: First, second and third quarters—Erratum (*tabled 14 November 2002*)

* Report 393—Review of Auditor-General's reports 2001-02: Fourth quarter (*tabled 3 March 2003*)

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*)

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*)

4th report (*tabled 23 October 2002*)

5th report (*tabled 14 November 2002*)

6th report (*tabled 12 December 2002*)

Regulations and Ordinances—Legislative Scrutiny Standing Committee

Members

Senator Tchen (*Chairman*), Senators Bartlett, Marshall, Mason, Moore and Santoro

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*)

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, Santoro, Stephens, Tchen, Tierney and Watson

Senator Greig for matters relating to the Fisheries portfolio

Senator Lees for matters relating to air safety

Senator Allison for matters relating to the Transport portfolio

Current inquiries

Administration of the Civil Aviation Safety Authority (*adopted 22 October 1999; readopted 13 March 2002; reporting date: last sitting day in June 2003*)

Import risk assessment on New Zealand apples (*referred 2 November 2000; readopted 13 March 2002; reporting date: last sitting day in June 2003*)

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 in June 2003*)

Provisions of the Wheat Marketing Amendment Bill 2002 (*referred 5 February 2003; reporting date: 20 March 2003*)

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*)

Egg Industry Service Provision Bill 2002 and Egg Industry Service Provision (Transitional and Consequential Provisions) Bill 2002 (*tabled 23 October 2002*)

Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 1) 2002 (*tabled 12 November 2002*)

The Australian meat industry consultative structure and quota allocation—Second report: Existing government advisory structures in the Australian meat industry (*tabled 12 December 2002*)

Transport Safety Investigation Bill 2002 (*tabled 5 February 2003*)

Rural and Regional Affairs and Transport References Committee

Members

Senator Ridgeway (*Chair*), Senator Heffernan (*Deputy Chair*), Senators Buckland, 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, Lees, Lightfoot, Mason, Sandy Macdonald, Murphy, Payne, Santoro, Tchen, Tierney and Watson

Senator Greig for matters relating to the Fisheries portfolio

Senator Allison for matters relating to the Transport portfolio

Current inquiries

Forestry plantations (*referred 27 June 2002; reporting date: last sitting day in August 2003*)

Rural water resource usage (*referred 21 October 2002; reporting date: by the last sitting day in 2003*)

Scrutiny of Bills—Legislative Scrutiny Standing Committee

Members

Senator McLucas (*Chairman*), Senator Mason (*Deputy Chair*), Senators Barnett, Crossin, Johnston 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*)

No. 11 of 2002 (*tabled 16 October 2002*)

No. 12 of 2002 (*tabled 23 October 2002*)

No. 13 of 2002 (*tabled 13 November 2002*)

No. 14 of 2002 (*tabled 19 November 2002*)

No. 15 of 2002 (*tabled 4 December 2002*)

No. 16 of 2002 (*tabled 11 December 2002*)

No. 1 of 2003 (*tabled 5 February 2003*)

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 (*tabled 15 May 2002*)

No. 5 of 2002 (*tabled 19 June 2002*)

No. 6 of 2002: Application of absolute and strict liability offences in Commonwealth Legislation (*tabled 26 June 2002*)

No. 7 of 2002 (*tabled 26 June 2002*)

Work of the committee during the 39th Parliament, November 1998-October 2001 (*tabled 27 June 2002*)
No. 8 of 2002 (*tabled 21 August 2002*)
No. 9 of 2002 (*tabled 28 August 2002*)
No. 10 of 2002 (*tabled 18 September 2002*)
No. 11 of 2002 (*tabled 25 September 2002*)
No. 12 of 2002 (*tabled 16 October 2002*)
No. 13 of 2002 (*tabled 23 October 2002*)
No. 14 of 2002 (*tabled 13 November 2002*)
No. 15 of 2002 (*tabled 4 December 2002*)
No. 16 of 2002 (*tabled 11 December 2002*)
No. 1 of 2003 (*tabled 5 February 2003*)

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*)
Report no. 10 of 2002 (*presented 16 October 2002*)
Report no. 11 of 2002 (*presented 23 October 2002*)
Report no. 12 of 2002 (*presented 13 November 2002*)
Report no. 13 of 2002 (*presented 4 December 2002*)
Report no. 14 of 2002 (*presented 11 December 2002*)
Report no. 1 of 2003 (*presented 5 February 2003*)

Senators' Interests—Standing Committee

Members

Senator Denman (*Chair*), Senator Lightfoot (*Deputy Chair*), Senators Allison, Forshaw, McGauran, 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*)

Register of senators' interests incorporating current statements of interests, including new statements of interests, and notifications of alterations of interests lodged between 25 June 2002 and 5 December 2002 [2 vols] (*tabled 10 December 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, Lightfoot and Wong

Current inquiries

Planning for retirement (*referred 12 December 2002; reporting date: last sitting day in June 2003*)

Provisions of the Superannuation Industry (Supervision) Amendment Bill 2002 and the Superannuation (Financial Assistance Funding) Levy Amendment Bill 2002 (*referred 5 February 2003; reporting date: 19 March 2003*)

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 Legislation Amendment (Choice of Superannuation Funds) Bill 2002 (*tabled 12 November 2002*)

Superannuation and standards of living in retirement: The adequacy of the tax arrangements for superannuation and related policy (*tabled 12 December 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 Bartlett, Kirk, Marshall, Mason, Santoro, Stephens and Tchen and Mr Adams, Mr Bartlett, Mr Ciobo, Mr Evans, Mr Hunt, Mr PE King and Mr Scott

Current inquiry

Proposed agreement relating to US nationals and the International Criminal Court (*referred 2 December 2002*)

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*)

Report 48—Treaties tabled in August and September 2002 (*tabled 21 October 2002*)

Report 49—The Timor Sea Treaty (*tabled 12 November 2002*)

Report 50—Treaties tabled 15 October 2002 (*tabled 10 December 2002*)

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*).

HARRY EVANS
Clerk of the Senate

MINISTERIAL REPRESENTATION

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

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

A GUIDE TO THE DAILY NOTICE PAPER

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ministerial representation lists Senate ministers and the portfolios they represent.

A GUIDE TO THE FULL NOTICE PAPER

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

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

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