

2002-03

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

## NOTICE PAPER

No. 123

THURSDAY, 4 DECEMBER 2003

*The Senate meets at 9.30 am*

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

## BUSINESS OF THE SENATE

### Notices of Motion

*Notice given 3 December 2003*

- \*1 **Minister for Local Government, Territories and Roads (Senator Ian Campbell):** To move—That, upon their introduction in the House of Representatives, the provisions of the following bills be referred to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report on 1 March 2004:
- Military Rehabilitation and Compensation Bill 2003; and
  - Military Rehabilitation and Compensation (Consequential and Transitional Provisions) Bill 2003.
- \*2 **Senator Greig:** To move—That—
- (1) The following matters be referred to the Legal and Constitutional References Committee for inquiry and report by 30 June 2004:
    - (a) an examination of provisions contained in the Sexuality and Gender Identity Discrimination Bill 2003; and
    - (b) investigation of alternatives for recognising significant relationships, including same-sex relationships, within Commonwealth law.
  - (2) The committee, in considering these matters, call for public submissions and hold public hearings.
- \*3 **Senators Nettle and Greig:** To move—That the provisions of the Disability Discrimination Amendment Bill 2003 be referred to the Legal and Constitutional Legislation Committee for inquiry and report by 25 March 2004.

### Orders of the Day

- 1 **Economics References Committee**  
Report to be presented on whether the *Trade Practices Act 1974* adequately protects small business.
  - 2 **Foreign Affairs, Defence and Trade References Committee**  
Report to be presented on an examination of the Government's foreign and trade policy strategy.
  - 3 **Economics Legislation Committee**  
Report to be presented on the provisions of the Taxation Laws Amendment (Superannuation Contributions Splitting) Bill 2003 and associated regulations. (*Referred pursuant to Selection of Bills Committee report.*)
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## GOVERNMENT BUSINESS

### Notices of Motion

*Notice given 3 December 2003*

- \*1 **Minister for Local Government, Territories and Roads (Senator Ian Campbell):** To move—That the following bill be introduced: A Bill for an Act to amend the *Australian Crime Commission Act 2002*, and for related purposes. *Australian Crime Commission Amendment Bill 2003.*
- \*2 **Minister for Local Government, Territories and Roads (Senator Ian Campbell):** To move—That the following bill be introduced: A Bill for an Act to integrate the Australian Protective Service into the Australian Federal Police, and for other purposes. *Australian Federal Police and Other Legislation Amendment Bill 2003.*
- \*3 **Minister for Local Government, Territories and Roads (Senator Ian Campbell):** To move—That the following bill be introduced: A Bill for an Act to amend legislation about fisheries, and for related purposes. *Fisheries Legislation Amendment (Compliance and Deterrence Measures and Other Matters) Bill 2003.*
- \*4 **Minister for Local Government, Territories and Roads (Senator Ian Campbell):** To move—That the following bill be introduced: A Bill for an Act to amend the law relating to Norfolk Island, and for related purposes. *Norfolk Island Amendment Bill 2003.*
- \*5 **Minister for Local Government, Territories and Roads (Senator Ian Campbell):** To move—That, on Thursday, 4 December 2003:
  - (a) the hours of meeting shall be 9.30 am to 6.30 pm and 7.30 pm to adjournment;
  - (b) consideration of general business and consideration of committee reports, government responses and Auditor-General's reports under standing order 62(1) and (2) not be proceeded with;
  - (c) the routine of business from not later than 4.30 pm shall be government business only;
  - (d) divisions may take place after 6 pm; and
  - (e) the question for the adjournment of the Senate shall not be proposed till after the Senate has finally considered the bills listed below and any messages from the House of Representatives:
    - Higher Education Support Bill 2003 and the Higher Education Support (Transitional Provisions and Consequential Amendments) Bill 2003
    - ASIO Legislation Amendment Bill 2003
    - Financial Services Reform Amendment Bill 2003
    - Workplace Relations Amendment (Improved Protection for Victorian Workers) Bill 2003.
- \*6 **Minister for Local Government, Territories and Roads (Senator Ian Campbell):** To move—That the provisions of paragraphs (5), (6) and (8) of standing order 111 not apply to the Designs (Consequential Amendments) Bill 2003, allowing it to be considered during this period of sittings.

## Orders of the Day

- 1 **Higher Education Support Bill 2003**  
**Higher Education Support (Transitional Provisions and Consequential Amendments) Bill 2003**  
In committee (3 December 2003).
- \*2 **ASIO Legislation Amendment Bill 2003**  
In committee (3 December 2003).  
(Bill exempted on 3 December 2003 from the provisions of paragraphs (5), (6) and (8) of standing order 111—see *Orders of the Senate—Legislation*)
- 3 **Financial Services Reform Amendment Bill 2003**—(Minister for Local Government, Territories and Roads, Senator Ian Campbell)  
Second reading—Adjourned debate (*adjourned, Senator Crossin, 24 November 2003*).
- 4 **Workplace Relations Amendment (Improved Protection for Victorian Workers) Bill 2003**—(Minister for Family and Community Services, Senator Patterson)  
Second reading—Adjourned debate (*adjourned, Senator Mackay, 1 December 2003*).
- 5 **Family Law Amendment Bill 2003**  
In committee (2 December 2003).
- 6 **Age Discrimination Bill 2003**  
**Age Discrimination (Consequential Provisions) Bill 2003**  
In committee (3 December 2003).
- \*7 **Trade Practices Legislation Amendment Bill 2003**  
Consideration in committee of the whole of message no. 467 from the House of Representatives (3 December 2003).
- \*8 **Taxation Laws Amendment Bill (No. 5) 2003**  
Consideration in committee of the whole of message no. 471 from the House of Representatives (3 December 2003).
- 9 **Aboriginal Land Grant (Jervis Bay Territory) Amendment Bill 2003**—  
(Minister for Local Government, Territories and Roads, Senator Ian Campbell)  
Second reading—Adjourned debate (*adjourned, Senator Ludwig, 28 November 2003*).
- 10 **Commonwealth Electoral Amendment (Members of Local Government Bodies) Bill 2002**—(Minister for Local Government, Territories and Roads, Senator Ian Campbell)  
Second reading—Adjourned debate (*adjourned, Senator Ludwig, 28 November 2003*).
- 11 **Customs Legislation Amendment Bill (No. 2) 2003**—(Minister for Family and Community Services, Senator Patterson)  
Second reading—Adjourned debate (*adjourned, Senator Mackay, 1 December 2003*).

- 12 **Social Security Amendment (Further Simplification) Bill 2003**—(*Minister for Fisheries, Forestry and Conservation, Senator Ian Macdonald*)  
Second reading—Adjourned debate (*adjourned, Senator Buckland, 27 November 2003*).
- 13 **Health Legislation Amendment (Medicare and Private Health Insurance) Bill 2003**—(*Minister for Local Government, Territories and Roads, Senator Ian Campbell*)  
Second reading—Adjourned debate (*adjourned, Senator Mackay, 17 June 2003*).
- 14 **Taxation Laws Amendment (Superannuation Contributions Splitting) Bill 2003**—(*Minister for Local Government, Territories and Roads, Senator Ian Campbell*)  
Second reading—Adjourned debate (*18 September 2003*).
- 15 **Workplace Relations Amendment (Compliance with Court and Tribunal Orders) Bill 2003**—(*Minister for Family and Community Services, Senator Patterson*)  
Second reading—Adjourned debate (*adjourned, Senator Mackay, 14 August 2003*).
- 16 **Workplace Relations Amendment (Transmission of Business) Bill 2002**  
Consideration in committee of the whole of message no. 368 from the House of Representatives (*20 August 2003*).
- 17 **Workplace Relations Amendment (Improved Remedies for Unprotected Action) Bill 2002**—(*Minister for Local Government, Territories and Roads, Senator Ian Campbell*)  
Second reading—Adjourned debate (*adjourned, Senator Mackay, 11 September 2003*).
- 18 **Family and Community Services (Closure of Student Financial Supplement Scheme) Bill 2003**  
**Student Assistance Amendment Bill 2003**  
Adjourned debate on the motion of the Minister representing the Minister for Communications, Information Technology and the Arts—That this bill be now read a second time.  
*And on the amendment moved by Senator Nettle*—At the end of the motion, add “but the abolition of the Student Financial Supplement Scheme be opposed until such time as the Commonwealth moves to improve student financial support measures to meet the need this scheme currently addresses and that the Commonwealth move to improve current financial support measures in the following ways:
- (a) that the Commonwealth Government replace Youth Allowance and Austudy with one simple payment that incorporates the following measures:
    - (i) the age of independence be reduced to 18,
    - (ii) the eligibility criteria should not be based upon previous personal earnings,
    - (iii) the personal income threshold (currently set at \$236 per fortnight, without affecting benefit payments) should be increased to a more realistic figure,

- (iv) the parental income test cut-off threshold should be increased to allow greater access to higher education,
- (v) that same sex couples be recognised as de facto relationships for the purposes of income support measures including student income support,
- (vi) all postgraduate awards be redefined as ‘approved courses’ for the purposes of rent assistance,
- (vii) as a minimum, students be provided with benefits consistent with the Henderson poverty line, and
- (viii) that these benefits be indexed to the Consumer Price Index, with reference to the Henderson poverty line; and

further, that Abstudy be maintained as a separate scheme, and that within this payment structure:

- (b) all supplementary benefits, allowances and payments available under the Abstudy scheme be maintained;
- (c) all payment structures be endorsed and approved by Indigenous community organisations;
- (d) any future rationalisation of the Abstudy allowances only occur after sustained and authentic dialogue with Indigenous communities across Australia; and
- (e) the changes made to Abstudy in the 1997-98 Commonwealth Budget should be reversed”—(*Minister for Family and Community Services (Senator Patterson), in continuation, 26 November 2003*).

**19 Migration Agents Registration Application Charge Amendment Bill 2003**

**Migration Legislation Amendment (Migration Agents Integrity Measures) Bill 2003**—(*Minister for the Arts and Sport, Senator Kemp*)

Second reading—Adjourned debate (*8 October 2003*).

**20 Workplace Relations Amendment (Codifying Contempt Offences) Bill 2003**—(*Minister representing the Minister for Communications, Information Technology and the Arts*)

Second reading—Adjourned debate (*adjourned, Senator Mackay, 20 August 2003*).

**21 Superannuation Legislation Amendment (Family Law) Bill 2002**—(*Minister for Local Government, Territories and Roads, Senator Ian Campbell*)

Second reading—Adjourned debate (*adjourned, Senator Mackay, 15 May 2003*).

**22 Australian Human Rights Commission Legislation Bill 2003**—(*Special Minister of State, Senator Abetz*)

Second reading—Adjourned debate (*adjourned, Senator Mackay, 11 August 2003*).

**\*23 Trade Practices Amendment (Personal Injuries and Death) Bill 2003**

Consideration in committee of the whole of message no. 468 from the House of Representatives (*3 December 2003*).

**24 Broadcasting Services Amendment (Media Ownership) Bill 2002 [No. 2]**—(*Minister for Finance and Administration, Senator Minchin*)

Second reading—Adjourned debate (*adjourned, Senator Buckland, 2 December 2003*).

- 25 **Migration Legislation Amendment (Identification and Authentication) Bill 2003**—(Minister for Family and Community Services, Senator Patterson)  
Second reading—Adjourned debate (*adjourned, Senator Mackay, 7 October 2003*).
- 26 **Communications Legislation Amendment Bill (No. 2) 2003**—(Minister for Local Government, Territories and Roads, Senator Ian Campbell)  
Second reading—Adjourned debate (*adjourned, Senator Moore, 19 August 2003*).
- 27 **Taxation Laws Amendment Bill (No. 7) 2003**  
Consideration in committee of the whole of message no. 428 from the House of Representatives (*15 October 2003*).
- 28 **Energy Grants (Cleaner Fuels) Scheme Bill 2003**  
**Energy Grants (Cleaner Fuels) Scheme (Consequential Amendments) Bill 2003**—(Minister for Local Government, Territories and Roads, Senator Ian Campbell)  
Second reading—Adjourned debate (*18 September 2003*).
- 29 **Migration Legislation Amendment Bill (No. 1) 2002**—(Minister for Justice and Customs, Senator Ellison)  
Second reading—Adjourned debate (*adjourned, Senator Buckland, 5 February 2003*).
- 30 **Workplace Relations Amendment (Protecting the Low Paid) Bill 2003**—(Special Minister of State, Senator Abetz)  
Second reading—Adjourned debate (*adjourned, Senator Crossin, 6 March 2003*).
- 31 **Criminal Code Amendment (Terrorist Organisations) Bill 2003**—(Minister for Revenue and Assistant Treasurer, Senator Coonan)  
Second reading—Adjourned debate (*adjourned, Minister for Justice and Customs (Senator Ellison), 16 June 2003*).
- 32 **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*).
- 33 **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).*

**34 Budget statement and documents 2003-04**

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, Leader of The Nationals in the Senate (Senator Boswell), 15 May 2003*).

**35 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*).

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

**Orders of the Day relating to Committee Reports and Government Responses**

**\*1 National Capital and External Territories—Joint Standing Committee—Report—Quis custodiet ipsos custodes? Inquiry into governance on Norfolk Island**

Adjourned debate on the motion of the chair of the committee (Senator Lightfoot)—That the Senate take note of the report (*Senator Hogg, in continuation, 3 December 2003*).

**2 Foreign Affairs, Defence and Trade References Committee—Report—Voting on trade: The General Agreement on Trade in Services and an Australia-US free trade agreement**

Adjourned debate on the motion of the chair of the committee (Senator Cook)—That the Senate take note of the report (*Senator Nettle, in continuation, 27 November 2003*).

**3 Environment, Communications, Information Technology and the Arts Legislation Committee—Report—Plastic Bag Levy (Assessment and Collection) Bill 2002 [No. 2] and the Plastic Bag (Minimisation of Usage) Education Fund Bill 2002 [No. 2]**

Adjourned debate on the motion of Senator Brown—That the Senate take note of the report (*Senator Lundy, in continuation, 26 November 2003*).

**4 Employment, Workplace Relations and Education References Committee—Report—Hacking Australia’s future: Threats to institutional autonomy, academic freedom and student choice in Australian higher education**



Adjourned debate on the motion of Senator Stott Despoja—That the Senate take note of the report (*Leader of the Australian Democrats (Senator Bartlett), in continuation, 24 November 2003*).

**5 Medicare—Select Committee—Report—Medicare – healthcare or welfare?**

Adjourned debate on the motion of the chair of the committee (Senator McLucas)—That the Senate take note of the report (*Senator Humphries, in continuation, 30 October 2003*).

**6 Treaties—Joint Standing Committee—55th report—Treaties tabled on 9 September 2003**

Adjourned debate on the motion of Senator Crossin—That the Senate take note of the report (*adjourned, Senator Buckland, 30 October 2003*).

**7 Finance and Public Administration References Committee—Report—Staff employed under the *Members of Parliament (Staff) Act 1984***

Adjourned debate on the motion of the chair of the committee (Senator Forshaw)—That the Senate take note of the report (*Senator Moore, in continuation, 30 October 2003*).

**8 Environment, Communications, Information Technology and the Arts References Committee—Report—Libraries in the online environment**

Adjourned debate on the motion of the chair of the committee (Senator Cherry)—That the Senate take note of the report (*Senator Lundy, in continuation, 30 October 2003*).

**9 Employment, Workplace Relations and Education References Committee—Report—Order for production of documents on university finances**

Adjourned debate on the motion of Senator Carr—That the Senate take note of the report (*adjourned, Senator Buckland, 30 October 2003*).

**10 National Capital and External Territories—Joint Standing Committee—Report—Not a town centre: The proposal for pay parking in the Parliamentary Zone**

Adjourned debate on the motion of the chair of the committee (Senator Lightfoot)—That the Senate take note of the report (*Senator Hogg, in continuation, 30 October 2003*).

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

**1 Auditor-General—Audit report no. 10 of 2003-04—Performance audit—Australian Defence Force recruiting contract: Department of Defence**

Adjourned debate on the motion of Senator Hogg—That the Senate take note of the document (*Senator Hogg, in continuation, 30 October 2003*).

**2 Auditor-General—Audit report no. 13 of 2003-04—Performance audit—ATSI Law and Justice Program: Aboriginal and Torres Strait Islander Services**

Consideration (*24 November 2003*).

**3 Auditor-General—Audit report no. 11 of 2003-04—Performance audit—Annual performance reporting**

Consideration (*24 November 2003*).

**4 Auditor-General—Audit report no. 12 of 2003-04—Performance audit—The administration of telecommunications grants: Department of Communications, Information Technology and the Arts; Department of Transport and Regional Services**

Consideration (*24 November 2003*).

**5 Auditor-General—Audit report no. 14 of 2003-04—Performance audit—Survey of fraud control arrangements in APS agencies**

Consideration (*1 December 2003*).

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## GENERAL BUSINESS

### Notices of Motion

*Notice given 14 February 2002*

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

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

*Notice given 11 March 2002*

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

- (a) notes that:
  - (i) it is the 100th anniversary of the execution of Harry 'Breaker' Morant and Peter Handcock, killed by firing squad during the Boer War for following the orders, take no prisoners,
  - (ii) the court case held for Morant and Handcock was a sham, set up by Lord Kitchener, the giver of the orders Morant and Handcock followed,
  - (iii) the injustice to Breaker and Handcock has plagued Australia's conscience since their execution on 27 February 1902,
  - (iv) in 1902 the then Federal Parliamentarian and later first Governor-General of Australia, Issac Issacs, raised the matter of the execution

in Parliament stating that this issue was agitating the minds of the people of this country in an almost unprecedented degree, and questioned the validity of the decision,

- (v) the reason we need to go back 100 years to now right this wrong, is because Breaker Morant is one of the fathers of our ANZAC tradition; a friend of Banjo Patterson and an inspiration for much of his poetry and described as a man of great courage who would never betray a mate; and a man of whom many of the young ANZACs in World War I had heard and on whom they modelled themselves, and
- (vi) Lord Kitchener was the Commander-in-Chief of the British Military who made the decision to commit troops to Gallipoli and is responsible for that disastrous campaign;
- (b) calls on the Government to petition directly the British Government for a review of the case, with the aim to quash the harsh sentence of death for Harry 'Breaker' Morant and Peter Handcock; and
- (c) take action to include the names of these two Australians on the Roll of Honour at the Australian War Memorial.

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

- (a) notes that the Ministerial Code in the United Kingdom includes a system which deals with acceptance of appointments for ministers after leaving office; and
- (b) calls on the Government to:
  - (i) implement an advisory committee on business appointments, from which a minister would be required to seek advice before accepting business appointments within 5 years from the date from which he or she ceased to be a minister, and
  - (ii) ban any minister from taking an appointment that is directly related to his or her portfolio for 5 years from the date of resignation.

*Notice given 16 May 2002*

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

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

- (h) hopes that the lessons learned from the bushfire inquiry will be shared to other state governments so all Australians can avoid such an unnecessary disaster.

*Notice given 26 June 2002*

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 24 September 2002*

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

- (a) notes:
- (i) the commitment of the Government and Mr John Loy, Chief Executive Officer (CEO) of Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), to a demonstrated store for radioactive waste by 2005,

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

*Notice given 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 18 March 2003*

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

- (a) notes, with concern, the serious hardship facing coffee producers of the developing world as a result of low coffee prices and, in particular, that:
  - (i) many coffee farmers are being forced to abandon their livelihoods and sell their land at a loss,
  - (ii) the financial strain on coffee farming families reduces their capacity to meet their basic needs, including schooling, food and medicines,
  - (iii) a lack of money in coffee-producing communities, together with overburdened health-care systems, threatens the stability of already vulnerable economies, and
  - (iv) intensive farming methods, adopted by reason of financial necessity, seriously damage the natural environment;
- (b) acknowledges the financial support provided by the Government through AusAid to rural development and other assistance for coffee producing nations; and
- (c) requests that the Government provide further political and economic support for:
  - (i) the International Coffee Organisation's Coffee Quality Scheme, which aims to restrict coffee exportation on the basis of quality,
  - (ii) the destruction of lowest quality coffee stocks, and
  - (iii) direct poverty alleviation programs targeted at coffee producing communities.

*Notice given 8 September 2003*

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

- (a) notes the current impasse in negotiations between Papua New Guinea and Australia regarding Australian aid to Papua New Guinea;
- (b) recognises the importance of ensuring that Australia's aid to Papua New Guinea is appropriately allocated and administered, and that it is subject to proper accountability mechanisms;
- (c) notes that there is widespread concern in Papua New Guinea regarding evidence that 80 per cent of Australian aid is ultimately paid to Australian consulting companies, construction companies and individuals earning the aid the name 'Boomerang aid'; and
- (d) calls on the Australian Government:
  - (i) to ensure that there is a review of Australia's aid to Papua New Guinea, incorporating an assessment of Australian policies regarding the allocation of such aid, as well as any issues associated with its administration by Papua New Guinea, and
  - (ii) to ensure a bilateral relationship with Papua New Guinea founded upon respect for Papua New Guinea's interests and the democratic rights of its people, and to guard against any form of undue pressure in its dealings with Papua New Guinea.

*Notice of motion altered on 10 September 2003 pursuant to standing order 77.*

*Notice given 10 September 2003*

575 **Leader of the Opposition in the Senate (Senator Faulkner):** To move—That the Senate notes with grave concern:

- (a) the leaking of an Office of National Assessment (ONA) document dated December 2002 and classified top-secret AUSTEO;
- (b) that material from the ONA classified report was published in an article by Mr Andrew Bolt in the *Herald Sun* of 23 June 2003;
- (c) the failure to ensure immediate and thorough investigation of the circumstances surrounding this unprecedented leak; and
- (d) the failure of the Prime Minister (Mr Howard) and other ministers to fully explain their involvement in this matter.

*Notice given 16 September 2003*

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

- (a) notes reports in the British press that the United States of America and Britain have decided to delay indefinitely the publication of a full report into Iraq's weapons of mass destruction (WMD) because the efforts of the Iraq survey group, an Anglo-American team of 1 400 scientists, have so far failed in its task to locate WMDs; and
- (b) calls on the Prime Minister (Mr Howard) to apologise to the Australian people for misleading them on the reasons for going to war with Iraq.

*Notice given 15 October 2003*

657 **Senator Conroy:** To move—That the Senate—

- (a) notes that the Government's draft Corporate Law Economic Reform Program (Audit Reform and Corporate Disclosure) Bill 2003 needs to go further in order to create a robust regulatory framework which firstly, ensures that boards are accountable and secondly, ensures that shareholders are empowered;
- (b) condemns the Government for its failure to crack down on corporate greed; and
- (c) expresses its concern that the self-regulatory approach of the Howard Government in relation to executive remuneration has failed.

*Notice of motion altered on 15 October 2003 pursuant to standing order 77.*

*Notice given 27 October 2003*

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

- (a) rejects the intemperate anti-Semitic remarks made by outgoing Malaysian Prime Minister, Dr Mahathir; and
- (b) calls on the incoming Prime Minister of Malaysia to repudiate Dr Mahathir's anti-Jewish tirade.

*Notice given 24 November 2003*

692 **Senator Ludwig:** To move—That the following bill be introduced: A Bill for an Act to amend the *Crimes Act 1914*, and for related purposes. ***Racial and Religious Hatred Bill 2003.***

*Notice given 25 November 2003*

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

- (a) notes the clear fell logging for woodchips in Tasmania's Styx Valley, which has the world's tallest hardwood forests and is habitat for

Commonwealth-listed rare and endangered species such as the spotted-tailed quoll, Tasmanian wedge tailed eagle and white goshawk; and

- (b) calls on the Government to:
  - (i) protect such habitats, and
  - (ii) review the potential of the valley to provide more jobs and long-term local investment through tourism.

*Notice given 26 November 2003*

721 **Senator Harris:** To move—

- (1) That a select committee, to be known as the Select Committee on the Lindeberg Grievance, be appointed to inquire into and report on the following matters:
  - (a) whether any false or misleading evidence was given to the Select Committee on Public Interest Whistleblowing, the Select Committee on Unresolved Whistleblower Cases or the Committee of Privileges in respect of its 63rd and 71st reports;
  - (b) whether any contempt was committed in that regard, having regard to previous inquiries by Senate committees relating to the shredding of the Heiner documents, the fresh material that has subsequently been revealed by the Dutney Memorandum, and Exhibits 20 and 31 tabled at the Forde Commission of Inquiry into the Abuse of Children in Queensland Institutions, and any other relevant evidence; and
  - (c) whether this matter should be taken into account in framing the proposed legislation on whistleblower protection recommended by the Select Committee on Public Interest Whistleblowing.
- (2) That the committee consist of 7 senators, 2 nominated by the Leader of the Government in the Senate, 2 nominated by the Leader of the Opposition in the Senate, 1 nominated by the Leader of the Australian Democrats, 1 nominated by the One Nation Party and 1 nominated by the Australian Greens or Senator Harradine.
- (3) That the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.
- (4) That:
  - (a) the chair of the committee be elected by and from the members of the committee;
  - (b) in the absence of agreement on the selection of a chair, duly notified to the President, the allocation of the chair be determined by the Senate;
  - (c) the deputy chair of the committee be elected by and from the members of the committee immediately after the election of the chair;
  - (d) the deputy chair act as chair when there is no chair or the chair is not present at a meeting; and
  - (e) in the event of the votes on any question before the committee being equally divided, the chair, or deputy chair when acting as chair, have a casting vote.
- (5) That the quorum of the committee be a majority of the members of the committee.



- (6) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings and the evidence taken, and such interim recommendations as it may deem fit.
- (7) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any such subcommittee any of the matters which the committee is empowered to consider, and that the quorum of the subcommittee be a majority of the members appointed to the subcommittee.
- (8) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint investigative staff and persons, including senior counsel, with specialist knowledge for the purposes of the committee, with the approval of the President.
- (9) That the committee have access to, and have power to make use of, the evidence and records of the Select Committee on Public Interest Whistleblowing, the Select Committee on Unresolved Whistleblower Cases and the Committee of Privileges in respect of its 63rd and 71st reports.
- (10) That the committee be empowered to print from day to day such documents and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

*Notice given 2 December 2003*

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

- (a) notes that:
  - (i) the Province of Manitoba in Canada has mandated the use, by 2005, of 10 per cent ethanol blends in 85 per cent of gasoline sold and has established a tax preference for ethanol that is produced and used in Manitoba, and
  - (ii) Manitoba will also establish an Agri-Energy Office, a ‘one-stop-shop’ for information on agri-energy initiatives such as ground bio-diesel, manure methane capture, wind power and ground source heat pumps, and will promote public awareness and education on the environmental benefits of increased ethanol use; and
- (b) urges the Federal Government to consider mandating the use of ethanol and other alternative fuels.

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

- (a) notes that on 14 October 2003 the Western Australia Farmers Federation Grains Council passed a resolution recommending to the Primary Industries Ministerial Council that:
  - (i) the Gene Technology Grains Committee be restructured to provide proportionate representation of both genetically-modified (GM) and non-GM growers,
  - (ii) no costs or liabilities be imposed on a sector of the agricultural industry without the involvement and approval from that industry,
  - (iii) no sector of agricultural industry be faced with unmanageable problems,

- (iv) prior to the introduction of GM crops, the Gene Technology Grains Committee must demonstrate widespread accurate and unbiased industry education of the canola stewardship principles and protocols and proof of widespread acceptance of these principles and protocols,
  - (v) research be undertaken to gauge market tolerance levels of GM grain prior to acceptance of 1 per cent of adventitious presence, and
  - (vi) legislative changes be implemented to ensure that compliance with management plans is a legal requirement, not voluntary as proposed, to ensure that the GM industry is responsible for the containment of their GM product; and
- (b) calls on the Minister for Agriculture, Fisheries and Forestry (Mr Truss) to ensure that these resolutions are debated at the next Primary Industries Ministerial Council, in recognition of the widespread concern in the grains industry about the introduction of genetically-modified crops and the cost implications for farmers.

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

- (a) notes that:
  - (i) Macquarie Broadcasting (the owners of Sydney radio stations 2GB and 2CH) and Southern Cross Broadcasting (the owners of 2UE) have announced that their newsrooms and other elements of their sales and administration departments will be merged,
  - (ii) 2UE and 2GB are the two largest commercial radio news providers in the country, with news services syndicated to dozens of other stations; and that the merging of their services represents a significant reduction in diversity of opinions in radio, and
  - (iii) the proposed arrangement appears to be contrary to the objectives of the *Broadcasting Services Act 1992* that promote diversity, and may breach the 'two station' control rule in the Act; and
- (b) calls on the Australian Broadcasting Authority to conduct a thorough review of the proposed arrangement to ensure that the objectives and provisions of the Act have been fully complied with.

740 **Senator Brown:** To move—That the Senate calls on the Prime Minister (Mr Howard) and the Leader of the Opposition (Mr Latham) to promote reform policies to halt logging of the Tarkine, which contains Australia's largest temperate rainforest.

*Notice given 3 December 2003*

\*741 **Chair of the Employment, Workplace Relations and Education References Committee (Senator George Campbell):** To move—That the time for the presentation of the report of the Employment, Workplace Relations and Education References Committee on the exposure draft of the Building and Construction Industry Improvement Bill 2003 be extended to 13 May 2004.

\*742 **Chair of the Economics References Committee (Senator Stephens):** To move—That the time for the presentation of the report of the Economics References Committee on whether the *Trade Practices Act 1974* adequately protects small business be extended to 11 February 2004.

\*743 **Senator Ridgeway:** To move—That the Senate—

- (a) congratulates musician and entertainer, Mr Jimmy Little, on receiving the prestigious Red Ochre Award (2003) from the Australia Council for his outstanding contribution to the national and international recognition of Aboriginal and Torres Strait Islander arts;
- (b) notes that some of Jimmy Little's contributions include:
  - (i) a musical career that spans more than 50 years,
  - (ii) being Australia's first Aboriginal pop star, recording his first popular release record in 1956, which reached the 'top ten' in the popular music chart,
  - (iii) achieving a number one hit in 1963 with the song 'Royal Telephone', which sold more than 75 000 copies and achieved 'gold' status twice,
  - (iv) many years as a mentor/teacher for Indigenous adult students at Eora College in Redfern,
  - (v) being named Aboriginal of the Year at the 1989 National Aboriginal and Islander Day Observance Committee awards; elevated to the Australian Country Music Role of Renown in Tamworth in 1994; and inducted into the Australian Record Industry Association Australian Music Hall of Fame in 1999, and
  - (vi) continuing his role as an ambassador for the National Literacy and Numeracy Strategy in Indigenous education; and
- (c) recognises that Jimmy Little is as much a statesman as a musician, who has been an outstanding advocate for his people and a true gentleman and family man.

\*744 **Senator Forshaw:** To move—That the order of the Senate of 20 June 2001, as amended on 27 September 2001, 18 June 2003 and 26 June 2003, for the production of documents relating to departmental and agency contracts, be amended as follows:

Paragraph (5), omit "within 6 months after each day mentioned in paragraph (1)", insert "by not later than 30 September each year".

\*745 **Senator Ridgeway:** To move—That the Senate—

- (a) notes that:
  - (i) currently, only G-rated material can be broadcast between 4.30 pm and 7.30 pm on weekdays and from 6 am to 7.30 pm on weekends,
  - (ii) the draft for the revision of the commercial television industry's code of practice proposes a drastic reduction in G-rated television programming, from 57 hours weekly to 22 hours,
  - (iii) if the draft proposals are adopted, the afternoon G-rated period would be cut to one hour, from 4 pm to 5 pm, and on weekends to two hours, from 6.30 am to 8.30 am, and
  - (iv) the Australian Parents Council, which represents hundreds of thousands of parents, has written to the Office of Film and Literature Classification, the Australian Broadcasting Authority and the Federal Attorney-General, condemning these proposals; and
- (b) calls on the Government to ensure that the G-rated viewing times remain at current levels.

\*746 **Senators Humphries and Stott Despoja:** To move—That the Senate—

- (a) expresses concerns over reports of the continued imprisonment of people including religious leaders, on matters of conscience in the Socialist Republic of Vietnam;
- (b) notes that:
  - (i) the International Covenant on Civil and Political Rights applies to the treatment of Buddhist practitioners worldwide, and
  - (ii) the Republic of Vietnam still requires religious organisations to be affiliated with state-sponsored umbrella organisations;
- (c) expresses its support for a formal, open and effective dialogue between Australia and Vietnam on human rights issues; and
- (d) calls on the Government of Vietnam to:
  - (i) unconditionally release Patriarch Thich Huyen Quang, Most Venerable Thich Quang Do, Venerables Thich Tue Sy, Thich Vien Dinh, Thich Nguyen Ly and other religious leaders in Vietnam from house custody and administrative detention,
  - (ii) recognise that the practice of religion should not form the basis of the incarceration of any individual, and
  - (iii) remove restrictions placed on officially sanctioned religions, and the prohibition on church-led private education and charitable work.

\*747 **Senator Brown:** To move—That the Senate—

- (a) notes that:
  - (i) the current Deed of Grant for the Regional Arts Fund expires on 30 June 2004 and that the fund can not operate properly in 2004 without an immediate commitment from the Government, and
  - (ii) more than one million people in regional Australia have participated in the funds' programs and that almost 2 300 artists have gained employment through the scheme; and
- (b) calls on the Government to immediately commit to establishing the Regional Arts Fund as a permanent recurrent fund with an increased allocation of funds.

\*748 **Senator Brown:** To move—That the Senate calls on the Government to halt the destruction caused by clear fell logging for woodchip in the old-growth forest of Tasmania's northeast highlands, including the Blue Tier.

## Orders of the Day relating to Government Documents

### 1 **Aboriginal Land Commissioner—Report for 2002-03**

Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 30 October 2003*).

### 2 **Gene Technology Regulator—Quarterly report for the period 1 April to 30 June 2003**

Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 30 October 2003*).

### 3 **Indigenous Land Corporation—Report for 2002-03**

Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 30 October 2003*).

- 4 **Aboriginal Hostels Limited—Report for the period 24 June 2001 to 28 June 2003**  
Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 30 October 2003*).
- 5 **Torres Strait Regional Authority—Report for 2002-03**  
Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 30 October 2003*).
- 6 **Department of the Prime Minister and Cabinet—Report for 2002-03**  
Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 30 October 2003*).
- 7 **Australian National Training Authority—Report for 2002-03**  
Adjourned debate on the motion of Senator George Campbell—That the Senate take note of the document (*adjourned, Senator Crossin, 30 October 2003*).
- 8 **Australian National Training Authority—Australia’s vocational education and training system—Report for 2002—Volume 1: National overview and Volume 2: Commonwealth, state and territory reports**  
Adjourned debate on the motion of Senator George Campbell—That the Senate take note of the document (*adjourned, Senator Crossin, 30 October 2003*).
- 9 **Australian National Training Authority—Australia’s vocational education and training system—Report for 2002—Volume 3: Report on the key performance measures for the Australian Vocational Education and Training System**  
Adjourned debate on the motion of Senator George Campbell—That the Senate take note of the document (*adjourned, Senator Crossin, 30 October 2003*).
- 10 **Australian Research Council—Report for 2002-03**  
Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 30 October 2003*).
- 11 **National Gallery of Australia—Report for 2002-03**  
Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 30 October 2003*).
- 12 **National Occupational Health and Safety Commission—Report for 2002-03**  
Adjourned debate on the motion of Senator Marshall—That the Senate take note of the document (*adjourned, Senator Crossin, 30 October 2003*).
- 13 **Cotton Research and Development Corporation and Cotton Research and Development Corporation Selection Committee—Reports for 2002-03**  
Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 30 October 2003*).
- 14 **Department of Education, Science and Training—Report for 2002-03**  
Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 30 October 2003*).
- 15 **Department of the Environment and Heritage—Report for 2002-03, including reports on the operation of the *Environment Protection and Biodiversity Conservation Act 1999*, the *Fuel Quality Standards Act 2000*, the *Hazardous Waste (Regulation of Exports and Imports Act) 1989*, the *Product Stewardship***

***(Oil) Act 2002, the Protection of Movable Cultural Heritage Act 1986 and the Ozone Protection Act 1989***

Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 30 October 2003*).

**16 Supervising Scientist—Report for 2002-03 on the operation of the Environment Protection (Alligator Rivers Region) Act 1978**

Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 30 October 2003*).

**17 Director of National Parks—Report for 2002-03**

Adjourned debate on the motion of Senator Crossin—That the Senate take note of the document (*Senator Crossin, in continuation, 30 October 2003*).

**18 Department of Immigration and Multicultural and Indigenous Affairs—Report for 2002-03, including reports pursuant to the Immigration (Education) Act 1971 and the Australian Citizenship Act 1948**

Adjourned debate on the motion of the Leader of the Australian Democrats (Senator Bartlett)—That the Senate take note of the document (*adjourned, Senator Crossin, 30 October 2003*).

**19 Employment Advocate—Report for 2002-03**

Adjourned debate on the motion of the Senator Hutchins—That the Senate take note of the document (*adjourned, Senator Crossin, 30 October 2003*).

**20 Equal Opportunity for Women in the Workplace Agency—Report for 1 June 2002 to 31 May 2003**

Adjourned debate on the motion of Senator Mackay—That the Senate take note of the document (*adjourned, Senator Crossin, 30 October 2003*).

**21 Wet Tropics Management Authority—Report for 2002-03**

Adjourned debate on the motion of the Leader of the Australian Democrats (Senator Bartlett)—That the Senate take note of the document (*Senator Bartlett, in continuation, 30 October 2003*).

**22 Grains Research and Development Corporation and Grains Research and Development Corporation Selection Committee—Reports for 2002-03**

Adjourned debate on the motion of Senator O'Brien—That the Senate take note of the document (*Senator O'Brien, in continuation, 28 October 2003*).

**23 Department of Transport and Regional Services—Australian Transport Safety Bureau—Supplementary investigation report 200002157-A—Piper PA31-350 Chieftain VH-MZK Spencer Gulf SA, 31 May 2000**

Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*Senator Buckland, in continuation, 28 October 2003*).

**24 Department of Communications, Information Technology and the Arts—Report for 2002-03**

Consideration (*30 October 2003*).

**25 Australian Broadcasting Corporation—Report for 2002-03**

Consideration (*30 October 2003*).

**26 Australia Business Arts Foundation Ltd—Report for 2002-03**

Consideration (*30 October 2003*).

- 27 **Public Lending Right Committee—Report for 2002-03**  
Consideration (30 October 2003).
- 28 **Telstra Corporation Limited—Report for 2002-03**  
Consideration (30 October 2003).
- 29 **Australian Heritage Commission—Report for 2002-03**  
Consideration (30 October 2003).
- 30 **Great Barrier Reef Marine Park Authority—Report for 2002-03**  
Consideration (30 October 2003).
- 31 **National Oceans Office—Report for 2002-03**  
Consideration (30 October 2003).
- 32 **Australian Prudential Regulation Authority—Report for 2002-03**  
Consideration (30 October 2003).
- 33 **National Native Title Tribunal—Report for 2002-03**  
Consideration (30 October 2003).
- 34 **Office of Film and Literature Classification—Classification Board and  
Classification Review Board—Reports for 2002-03**  
Consideration (30 October 2003).
- 35 **Industrial Relations Court of Australia—Report for 2002-03**  
Consideration (30 October 2003).
- 36 **Australian Centre for International Agricultural Research—Report for  
2002-03**  
Consideration (30 October 2003).
- 37 **Australian Institute of Family Studies—Report for 2002-03**  
Consideration (30 October 2003).
- 38 **Indigenous Business Australia—Report for 2002-03**  
Consideration (30 October 2003).
- 39 **Australian Federal Police—Report for 2002-03**  
Consideration (30 October 2003).
- 40 **National Capital Authority—Report for 2002-03**  
Consideration (30 October 2003).
- 41 **Private Health Insurance Ombudsman—Report for 2002-03**  
Consideration (30 October 2003).
- 42 **Department of Health and Ageing—Report for 2002-03**  
Consideration (30 October 2003).
- 43 **Australian Institute of Marine Science—Report for 2002-03**  
Consideration (30 October 2003).
- 44 **Australian Submarine Corporation Pty Limited—Report for 2002-03**  
Consideration (30 October 2003).

- 45 **Veterans' Review Board—Report for 2002-03**  
Consideration (24 November 2003).
- 46 **Australian Government Solicitor—Report for 2002-03**  
Consideration (24 November 2003).
- 47 **Office of the Federal Privacy Commissioner—Report for 2002-03 on the operation of the *Privacy Act 1988***  
Consideration (24 November 2003).
- 48 **CrimTrac Agency—Report for 2002-03**  
Consideration (24 November 2003).
- 49 **Migration Review Tribunal—Report for 2002-03**  
Consideration (24 November 2003).
- 50 **Refugee Review Tribunal—Report for 2002-03**  
Consideration (24 November 2003).
- 51 **Department of Defence—Report for 2002-03**  
Consideration (24 November 2003).
- 52 **Health Services Australia Ltd (HSA)—Report for 2002-03**  
Consideration (24 November 2003).
- 53 **Aboriginal and Torres Strait Islander Commission—Report for 2002-03**  
Consideration (24 November 2003).
- 54 **Commonwealth Ombudsman—Report for 2002-03, including a report of the Defence Force Ombudsman and a report pursuant to the *Complaints (Australian Federal Police) Act 1981***  
Consideration (24 November 2003).
- 55 **Administrative Appeals Tribunal—Report for 2002-03**  
Consideration (24 November 2003).
- 56 **Federal Police Disciplinary Tribunal—Report for 2002-03**  
Consideration (24 November 2003).
- 57 **Australian Law Reform Commission—Report for 2002-03 (Report no. 97)**  
Consideration (24 November 2003).
- 58 **Family Court of Australia—Report for 2002-03**  
Consideration (24 November 2003).
- 59 **Office of Parliamentary Counsel—Report for 2002-03**  
Consideration (24 November 2003).
- 60 **Federal Court of Australia—Report for 2002-03**  
Consideration (24 November 2003).
- 61 **Federal Magistrates Court—Report for 2002-03**  
Consideration (24 November 2003).
- 62 **Commonwealth Director of Public Prosecutions—Report for 2002-03**  
Consideration (25 November 2003).



- 63 **Inspector-General of Intelligence and Security—Report for 2002-03**  
Consideration (25 November 2003).
- 64 **Australian Wine and Brandy Corporation—Report for 2002-03**  
Consideration (25 November 2003).
- 65 **Sugar Research and Development Corporation—Report for 2002-03**  
Consideration (25 November 2003).
- 66 **National Standards Commission—Report for 2002-03**  
Consideration (25 November 2003).
- 67 **Air Passenger Ticket Levy (Collection) Act 2001—Report for the period 1 April 2002 to 31 March 2003**  
Consideration (25 November 2003).
- 68 **Airservices Australia—Equity and diversity program—Report for 2002-03**  
Consideration (25 November 2003).
- 69 **Australian Sports Drug Agency—Report for 2002-03**  
Consideration (25 November 2003).
- 70 **Health Insurance Commission—Report for 2002-03**  
Consideration (25 November 2003).
- 71 **Professional Services Review [Medical and pharmaceutical services]—Report for 2002-03**  
Consideration (25 November 2003).
- 72 **Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 April to 30 June 2003**  
Consideration (25 November 2003).
- 73 **Alcohol Education and Rehabilitation Foundation Ltd—Report for 2002-03**  
Consideration (25 November 2003).
- 74 **Australian Research Council—Report for 2002-03—Corrigendum**  
Consideration (25 November 2003).
- 75 **Bankstown Airport Limited—Report for 2002-03**  
Consideration (25 November 2003).
- 76 **Camden Airport Limited—Report for 2002-03**  
Consideration (25 November 2003).
- 77 **Hoxton Park Airport Limited—Report for 2002-03**  
Consideration (25 November 2003).
- 78 **Australian Securities and Investments Commission—Report for 2002-03**  
Consideration (25 November 2003).
- 79 **Army and Air Force Canteen Service Board of Management (trading as Frontline Defence Services)—Report for 2002-03, including a report of its equal employment opportunity program for 2002-03**  
Consideration (25 November 2003).

- 80 **Australian Dairy Corporation—Report for 2002-03 [Final report]**  
Consideration (25 November 2003).
- 81 **Forest and Wood Products Research and Development Corporation and Forest and Wood Products Research and Development Corporation Selection Committee—Reports for 2002-03**  
Consideration (25 November 2003).
- 82 **Regional Forest Agreement between the Commonwealth and Victoria—Report for 2001**  
Consideration (25 November 2003).
- 83 **Regional Forest Agreement between the Commonwealth and Victoria—Report for 2002**  
Consideration (25 November 2003).
- 84 **United Nations—International Covenant on Civil and Political Rights—Human Rights Committee—**  
**Communication No. 776/1997—Decision**  
**Communication No. 937/2000—Decision**  
**Communication No. 983/2001—Views**  
**Communication No. 987/2001—Decision**  
**Communication No. 1053/2003—Decision**  
Consideration (25 November 2003).
- 85 **Telstra Corporation Limited—Equal employment opportunity program—Report for 2002-03**  
Consideration (25 November 2003).
- 86 **Department of Employment and Workplace Relations—Report for 2002-03—Corrigendum**  
Consideration (25 November 2003).
- 87 **Indigenous education and training—National report to Parliament 2002**  
Consideration (25 November 2003).
- 88 **Australian Landcare Council—Report for 2002-03**  
Consideration (25 November 2003).
- 89 **Civil Aviation Safety Authority—Report for 2002-03**  
Consideration (25 November 2003).
- 90 **Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 July to 30 September 2003**  
Consideration (25 November 2003).
- 91 **Australia and the International Financial Institutions—Reports for 2002-03**  
Consideration (25 November 2003).
- 92 **Financial Reporting Council and Australian Accounting Standards Board—Reports for 2002-03**  
Consideration (25 November 2003).
- 93 **Migration Agents Registration Authority—Report for 2002-03**

- Consideration (25 November 2003).
- 94 **Administrative Review Council—Report for 2002-03**  
Consideration (25 November 2003).
- 95 **Australian Industrial Relations Commission and Australian Industrial Registry—Reports for 2002-03**  
Consideration (25 November 2003).
- 96 **Coal Mining Industry (Long Service Leave Funding) Corporation—Report for 2002-03**  
Consideration (25 November 2003).
- 97 **United Nations—International Convention on the Elimination of all Forms of Racial Discrimination—Report of the Australian Government under Article 9—Combined 13th and 14th periodic report for the period 1 July 1998 to 30 June 2002**  
Consideration (25 November 2003).
- 98 **Backing Australia's ability: Real results real jobs—The Commonwealth Government's innovation report 2002-03**  
Consideration (2 December 2003).
- 99 **Copyright Agency Limited—Report for 2002-03**  
Consideration (2 December 2003).
- 100 **Audio-Visual Copyright Society Ltd (Screenrights)—Report for 2002-03**  
Consideration (2 December 2003).
- 101 **Maritime Industry Finance Company Limited—Report for 2002-03**  
Consideration (2 December 2003).
- 102 **Productivity Commission—Report no. 26—Review of TCF assistance, 31 July 2003**  
Consideration (2 December 2003).
- 103 **Australian Public Service Commission—State of the service—Report for 2002-03**  
Consideration (2 December 2003).
- 104 **Defence Housing Authority—Report for 2002-03**  
Consideration (2 December 2003).
- 105 **National Institute of Clinical Studies Limited—Report for 2002-03**  
Consideration (2 December 2003).
- 106 **Backing Australia's ability: Real results real jobs—The Australian Government's innovation report 2003-04**  
Consideration (2 December 2003).
- 107 **Corporations and Markets Advisory Committee—Report for 2002-03**  
Consideration (2 December 2003).
- 108 **Takeovers Panel—Report for 2002-03**  
Consideration (2 December 2003).

- 109 **Higher Education Funding Act 1988—Report on determinations made under the Act in respect of 1999, 2000, 2001 and 2002**  
Consideration (2 December 2003).
- 110 **Australian Electoral Commission—2003 redistribution of Queensland into electoral divisions—Report, together with maps and compact disc**  
Consideration (2 December 2003).
- 111 **Australian Broadcasting Corporation—Equity and diversity program—Report for 1 September 2002 to 31 August 2003**  
Consideration (2 December 2003).
- 112 **Australian Land Transport Development Programme—Progress report for 2002-03**  
Consideration (2 December 2003).
- 113 **Australian Rail Track Corporation Limited (ARTC)—Report for 2002-03**  
Consideration (2 December 2003).
- 114 **List of multilateral treaty actions under negotiation, consideration or review by the Australian Government, 2 December 2003**  
Consideration (2 December 2003).
- 115 **Bilateral treaty—Text, together with the national interest analysis and annexures—Exchange of letters constituting an Agreement between the Government of Australia and the Government of the Italian Republic on the Civil Registry Documentation to be Submitted by Australian Citizens Wishing to Marry in Italy, done at Rome on 10 February and 11 April 2000**  
Consideration (2 December 2003).
- 116 **Multilateral treaty—Text, together with the national interest analysis and annexures—Agreement Establishing an International Foot and Mouth Disease Vaccine Bank, done at London on 26 June 1985**  
Consideration (2 December 2003).
- \*117 **Torres Strait Protected Zone Joint Authority—Report for 2001-02**  
Consideration (3 December 2003).
- \*118 **Australia-Japan Foundation—Report for 2002-03**  
Consideration (3 December 2003).
- \*119 **Australian Security Intelligence Organisation—Report for 2002-03**  
Consideration (3 December 2003).
- \*120 **Australian Federal Police—Report—A review of professional standards in the Australian Federal Police, February 2003**  
Consideration (3 December 2003).
- \*121 **Pharmaceutical Benefits Pricing Authority—Report for 2002-03**  
Consideration (3 December 2003).
- \*122 **Medical Training Review Panel—Report for 2002-03**  
Consideration (3 December 2003).

- \*123 **General practice education and training—An initiative of the Commonwealth Government’s Department of Health and Ageing—Report for the period 5 March 2001 to 30 June 2002**  
Consideration (3 December 2003).
- \*124 **Australian Rail Track Corporation Limited (ARTC)—Statement of corporate intent 2003-04**  
Consideration (3 December 2003).
- \*125 **Telecommunications Act 1997—Funding of consumer representation grants and research in relation to telecommunications—Report for 2002-03**  
Consideration (3 December 2003).
- \*126 **Multilateral treaty—Text of the proposed treaty action together with the national interest analysis, the regulation impact statement and annexures—Protocol of 1997 to Amend the International Convention for the Prevention of Pollution from Ships of 2 November 1973, as Modified by the Protocol of 17 February 1987 (London, 26 September 1997)**  
Consideration (3 December 2003).
- \*127 **Multilateral treaty—Text of the proposed treaty action together with the national interest analysis and annexures—United Nations Convention Against Transnational Organized Crime (New York, 15 November 2000)**  
Consideration (3 December 2003).
- \*128 **Multilateral treaty—Text of the proposed treaty action together with the national interest analysis and annexures—Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (New York, 15 November 2000)**  
Consideration (3 December 2003).
- \*129 **Multilateral treaty—Text of the proposed treaty action together with the national interest analysis and annexures—Protocol against the Smuggling of Migrants by Land, Sea and Air (People Smuggling Protocol), supplementing the United Nations Convention against Transnational Organized Crime (New York, 15 November 2000)**  
Consideration (3 December 2003).

## 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 **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*).
- 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 (*Senator Heffernan, in continuation, 27 November 2003*)—(*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*).
- 24 **Parliamentary Commission of Inquiry (Forest Practices) Bill 2002—(Senate bill)—(Senator Brown)**  
Second reading—Adjourned debate (*Senator Brown, in continuation, 20 June 2002*).
- 25 **Family Law Amendment (Joint Residency) Bill 2002—(Senate bill)—(Senator Harris)**  
Second reading—Adjourned debate (*Senator Harris, in continuation, 20 June 2002*).
- 26 **ASEAN Inter-Parliamentary Organisation (AIPO)—Report of the Australian parliamentary delegation to the 22nd AIPO General Assembly, Thailand, 2 to 5 September 2001; Visits and briefings, Bangkok, 6 to 8 September 2001; and Bi-lateral visit to Singapore, 9 to 13 September 2001**  
Adjourned debate on the motion of Senator Calvert—That the Senate take note of the document (*Senator Calvert, in continuation, 27 June 2002*).
- 27 **Family and Community Services—Family tax benefits**  
Adjourned debate on the motion of Senator Ludwig—That the Senate—
- (a) condemns the Howard Government's decision to strip, without warning, the tax returns of Australian families who have been overpaid family payments as callous and unfair to parents trying to survive under increasing financial pressures;
  - (b) notes that this is not consistent with the statement of the Minister for Family and Community Services (Senator Vanstone) in July 2001 in which she assured families that, 'The Government has also decided that it would

be easier for any family who still had an excess payment to have it recovered by adjusting their future payments, rather than taking it from their tax refund. This is because people may have earmarked their refund for use for specific things’;

- (c) considers that the Government’s 2-year-old family payments system is deeply flawed, given that it delivered average debts of \$850 to 650 000 Australian families in the 2001-02 financial year and continues to punish families who play by the rules; and
- (d) condemns the Howard Government and its contemptible attack on Australian families (*Senator Tierney, in continuation, 22 August 2002*).

#### 28 **Health—Medicare—Bulk billing**

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

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

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

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

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

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

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

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

- (a) condemns the Howard Government for establishing an inquiry into regional telecommunications services, the Estens inquiry, which is chaired by a member of the National Party and friend of the Deputy Prime Minister, and has a former National Party MP as one of its members;
- (b) condemns the Government’s decisions that the inquiry will hold no public hearings and must report within little more than 2 months of its commencement; and



(c) calls on the Government to address all issues associated with Telstra's performance, including rising prices, deteriorating service standards and inadequate broadband provision (*Senator Tierney in continuation, 19 September 2002*).

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

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

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

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

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

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

**35 Superannuation**

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

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

**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*).
- 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*).

**50 Great Barrier Reef Marine Park (Protecting the Great Barrier Reef from Oil Drilling and Exploration) Amendment Bill 2003 [No. 2]—(Senate bill)—(Senator McLucas and the Leader of the Australian Democrats, Senator Bartlett)**

Second reading—Adjourned debate (*6 March 2003*).

**51 Late Payment of Commercial Debts (Interest) Bill 2003—(Senate bill)—(Senator Conroy)**

Second reading—Adjourned debate (*Senator Conroy, in continuation, 6 March 2003*).

**52 Islamic Republic of Iran and the Hashemite Kingdom of Jordan—Report of the Australian parliamentary delegation, October to November 2002**

Adjourned debate on the motion of Senator Ferris—That the Senate take note of the document (*Senator Ferris, in continuation, 6 March 2003*).

**53 Taxation—Small business**

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

- (a) calls on the Government to take action to crack down on late payments by big business and government customers to their small business suppliers; and
- (b) notes that:
- (i) late payments by big businesses are a major issue for small businesses as they create cash flow problems,
  - (ii) this comes on top of the cumbersome administrative arrangements of the new tax system, and
  - (iii) the problems faced by small business are being ignored by the Howard Government (*adjourned, 20 March 2003*).

**54 Environment—Rehabilitation of former nuclear test sites at Emu and Maralinga (Australia)—Ministerial statement**

Adjourned debate on the motion of Senator Carr—That the Senate take note of the statement (*Senator Chapman, in continuation, 25 March 2003*).

**55 Building and Construction Industry—Royal Commission—Ministerial statement and documents**

Adjourned debate on the motion of Senator Sherry—That the Senate take note of the documents (*Senator Santoro, in continuation, 26 March 2003*).

**56 Defence Amendment (Parliamentary approval for Australian involvement in overseas conflicts) Bill 2003—(Senate bill)—(Leader of the Australian Democrats, Senator Bartlett, and Senator Stott Despoja)**

Second reading—Adjourned debate (*Senator Bartlett, in continuation, 27 March 2003*).

57 **Electoral Amendment (Political Honesty) Bill 2003**—(*Senate bill*)—(*Senator Murray*)

Second reading—Adjourned debate (*Senator Murray, in continuation, 27 March 2003*).

58 **Sexuality Anti-Vilification Bill 2003**—(*Senate bill*)—(*Senator Greig*)

Second reading—Adjourned debate (*Senator Greig, in continuation, 27 March 2003*).

59 **Governor-General**

Adjourned debate on the motion of the Leader of the Opposition in the Senate (*Senator Faulkner*)—That the Senate—

(a) notes with concern that:

- (i) the Government has failed to respond to evidence of sexual abuse of children in our society and within our public institutions,
- (ii) the independent report of the Diocesan Board of Inquiry found that Dr Peter Hollingworth, while occupying a position of public trust as Archbishop of Brisbane, allowed a priest to remain in the ministry after an admission of sexual abuse, and the Board of Inquiry found this decision to be ‘untenable’,
- (iii) the Governor-General has admitted that he made a serious error in doing so,
- (iv) Dr Peter Hollingworth, through his actions while in the Office of Governor-General, in particular his interview on ‘Australian Story’ and his apparent ‘reconstruction’ of evidence before the Diocesan Board of Inquiry, has shown himself not to be a person suitable to hold the Office of Governor-General,
- (v) members of the House of Representatives, senators, and premiers and members of state parliaments have called upon the Governor-General to resign, or failing that, to be dismissed by the Prime Minister,
- (vi) the Governor-General is now no longer able to fulfil his symbolic role as a figure of unity for the Australian people,
- (vii) the Governor-General is now no longer able to exercise the constitutional powers of the Office in a manner that will be seen as impartial and non-partisan,
- (viii) the Governor-General’s action in standing aside until the current Victorian Supreme Court action is resolved, does not address any of the issues surrounding his behaviour as Archbishop of Brisbane, and is therefore inadequate,
- (ix) the Governor-General has failed to resign and the Prime Minister has failed to advise the Queen of Australia to dismiss him, and
- (x) the Australian Constitution fails to set out any criteria for the dismissal of a Governor-General or a fair process by which this can be achieved; and

(b) urges:

- (i) the Prime Minister to establish a Royal Commission into child sexual abuse in Australia, and
- (ii) the Governor-General to immediately resign or, if he does not do so, the Prime Minister to advise the Queen of Australia to terminate the

Commission of the Governor-General—(*Senator Ludwig, in continuation, 13 May 2003*).

And on the amendment moved by Senator Murphy—Omit all words after “That”, substitute “the Senate—

- (a) notes with concern that:
  - (i) Dr Peter Hollingworth, while in the Office of Governor-General, gave in an interview on ‘Australian Story’, a version of events which have been found by the diocesan Board of Inquiry to be untrue, and
  - (ii) the same Board of Inquiry found that they could not accept Dr Hollingworth had a belief that the child sexual abuse was an isolated incident and that his handling of the matters was untenable;
- (b) finds that:
  - (i) the circumstances that have developed around the Office of Governor-General are doing irreparable damage to the Office and must be resolved,
  - (ii) the conclusions of the report of the Anglican Church clearly demonstrates that Dr Hollingworth failed in his duty as Archbishop,
  - (iii) such failing in a position of significant public trust renders Dr Hollingworth an unsuitable person to fill the Office of Governor-General,
  - (iv) the Governor-General’s action in standing aside until the current Victorian Supreme Court action is resolved does not address any of the issues surrounding his behaviour as Archbishop of Brisbane, and is therefore inadequate,
  - (v) the Governor-General is now no longer able to fulfil his symbolic role as a figure of unity for the Australian people, and
  - (vi) the Governor-General is now no longer able to exercise the constitutional powers of the Office in a manner that will be seen as impartial and non-partisan; and, therefore, in light of these unacceptable circumstances
- (c) urges:
  - (i) the Governor-General to immediately resign or, if he does not do so, the Prime Minister to advise the Queen of Australia to terminate the Commission of Governor-General, and
  - (ii) the Prime Minister to establish a Royal Commission into child sexual abuse in Australia” (*Senator Collins, in continuation, 14 May 2003*).

60 **Textbook Subsidy Bill 2003**—(*Senate bill*)—(*Senator Stott Despoja*)

Second reading—Adjourned debate (*Senator Stott Despoja, in continuation, 18 June 2003*).

61 **Health—Medicare—Bulk billing**

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

- (a) condemns the most damaging effects of the Government’s proposed reforms to Medicare, which will create a user-pays, two-tiered health system in Australia and dismantle the universality of Medicare;
- (b) acknowledges that the first of the damaging effects of the Government’s reform package is to cause bulk-billing rates to decline further, and that these reforms do nothing to encourage doctors to bulk bill any Australians

other than pensioners and concession cardholders but make it clear that the Government considers bulk billing to be a privilege that accrues only to a subset of Australians, not an entitlement that all Australians have as a result of the Medicare charge;

- (c) notes that the second most damaging effect of the Government's proposed changes to Medicare is the facilitation and encouragement of higher and higher co-payments to be charged by medical practitioners, and that a central plank of the Government's package is the facilitation of co-payments to be charged by doctors who currently bulk bill Australian families, as well as to make it easier for doctors who currently charge a co-payment to increase the amount of this co-payment; and
- (d) notes, with concern, that the Government seeks to allow private health funds to offer insurance for out-of-pocket expenses in excess of \$1 000, a measure which, if implemented, would inflate health insurance premiums as well as be a real step towards a user-pays system in Australia where people who can afford co-payments and insurance premiums will be treated when they are sick, whereas those individuals and families on lower incomes will be forced to go without medical assistance (*Senator Eggleston, in continuation, 19 June 2003*)

**62 Freedom of Information Amendment (Open Government) Bill 2003—(Senate bill)—(Senator Murray)**

Second reading—Adjourned debate (*Senator Murray, in continuation, 25 June 2003*).

**63 Looking to the Future: A review of Commonwealth fisheries policy—Ministerial statement**

Adjourned debate on the motion of Senator O'Brien—That the Senate take note of the statement (*adjourned, Senator McGauran, 25 June 2002*).

**64 Social Security Amendment (Supporting Young Carers) Bill 2003—(Senate bill)—(Senator Lees)**

Second reading—Adjourned debate (*Senator Lees, in continuation, 26 June 2003*).

**65 National Animal Welfare Bill 2003—(Senate bill)—(Leader of the Australian Democrats, Senator Bartlett)**

Second reading—Adjourned debate (*Senator Bartlett, in continuation, 11 August 2003*).

**66 Transport—Ethanol—Manildra Group**

Adjourned debate on the motion of Senator O'Brien—That the Senate condemns the Prime Minister (Mr Howard) for his ongoing pattern of deceit in relation to his dealings with the chair of the Manildra Group, Mr Dick Honan, prior to a Cabinet decision that delivers direct financial benefits to that company (*Minister for Fisheries, Forestry and Conservation (Senator Ian Macdonald), in continuation, 14 August 2003*).

**67 Regional Australia**

Adjourned debate on the motion of Senator O'Brien—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 (*Senator Colbeck, in continuation, 11 September 2003*).
- 68 **Financial Management and Accountability (Anti-Restrictive Software Practices) Amendment Bill 2003**—(*Senate bill*)—(*Senator Greig*)  
Second reading—Adjourned debate (*Senator Greig, in continuation, 18 September 2003*).
- 69 **Health—Medicare—Bulk billing**  
That the Senate—
- (a) notes, with grave concern, the crisis in Australia's health system, including:
    - (i) bulk billing rates falling by more than 12 per cent since 1996,
    - (ii) 10 million fewer services being bulk-billed each year by general practitioners than in 1996,
    - (iii) the 59 per cent rise since 1996 in the average amount patients are required to pay to see a general practitioner (GP),
    - (iv) the largely unaddressed GP workforce shortage, which government policies have exacerbated,
    - (v) the unaddressed shortages in nurses, dentists, radiographers and other vitally-needed health professionals,
    - (vi) emergency departments in public hospitals being strained by the increasing numbers of patients who could have been attended to by a GP, and
    - (vii) frail aged people being accommodated in acute hospital beds because there is nowhere else for them to go; and
  - (b) calls on the Government to respond to community concerns about its health policies, as evidenced by tens of thousands of petitions, by:
    - (i) addressing the health crisis in co-operation with the states,
    - (ii) strengthening Medicare by taking steps to ensure universal access to bulk-billing, and
    - (iii) ensuring that enough GPs, nurses, dentists, radiographers and other vitally-needed health professionals are trained and retained in the health system—(*Senator Barnett, in continuation, 18 September 2003*).
- 72 **Sexuality and Gender Identity Discrimination Bill 2003**—(*Senate bill*)—(*Senator Greig*)  
Second reading—Adjourned debate (*Senator Greig, in continuation, 25 November 2003*).
- 73 **Racial and Religious Hatred Bill 2003 [No. 2]**—(*Senate bill*)—(*Senator Ludwig*)  
Second reading—Adjourned debate (*Senator Ludwig, in continuation, 1 December 2003*).
- 74 **Sri Lanka and the 49th Commonwealth Parliamentary Conference, Bangladesh—Report of the Australian parliamentary delegation, 1 to 12 October 2003**

Adjourned debate on the motion of Senator Watson—That the Senate take note of the document (*Senator Watson, in continuation, 1 December 2003*).

\*75 **Broadcasting Services (Safeguarding Local Content and Local Audience Needs) Amendment Bill 2003—(Senate bill)—(Senator Lees)**

Second reading—Adjourned debate (*Senator Lees, in continuation, 3 December 2003*).

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## BUSINESS FOR FUTURE CONSIDERATION

### Next day of sitting (10 February 2004)

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

*Notice given 25 June 2003*

- 1 **Senator Tierney:** To move—That the following matter be referred to the Employment, Workplace Relations and Education References Committee for inquiry and report by the last sitting day in June 2004:

Parents as educators in the early childhood years, with particular reference to:

- (a) the extent to which parenting skills and family support are factors in reducing educational and social risks of children in the 3 years and under age group;
- (b) whether current patterns of parental involvement in community and school-based programs are adequate to respond to the challenge of assisting children with early learning and social behaviour problems;
- (c) the current state and territory provisions and programs, whether based on pre-schools, schools, play groups or day-care centres etc, established to assist parents with early childhood learning support;
- (d) best practice in home to school transition programs for children, and an assessment as to whether they can be adapted for national implementation; and
- (e) the most appropriate role for the Commonwealth in supporting national programs for raising parental consciousness and levels of knowledge and competence in relation to the early educational, social and emotional and health needs of children.

#### Government Business—Order of the Day

- 1 **Fisheries Legislation Amendment (High Seas Fishing Activities and Other Matters) Bill 2003—(Senate bill)—(Minister for Local Government, Territories and Roads, Senator Ian Campbell)**

Second reading—Adjourned debate (*28 November 2003*).

#### General Business—Notice of Motion

*Notice given 18 August 2003*

- 542 **Senator Mackay:** To move—That the Senate—

- (a) notes that:



- (i) the Special Minister of State (Senator Abetz) has launched a petition in Tasmania calling on the Australian Broadcasting Corporation (ABC) to overturn its decision to cancel the program *Behind the News*, and
  - (ii) this decision by the ABC was taken in response to insufficient funding to allow the ABC to deliver its full range of services; and
- (b) given the Government's direct responsibility for the lack of funding, calls on Senator Abetz to more usefully use his ministerial influence to lobby his colleagues, the Minister for Communications, Information Technology and the Arts (Senator Alston) and the Prime Minister (Mr Howard), to provide sufficient funding to the ABC to allow the show to be continued.

### On 11 February 2004

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

##### 1 Medicare—Select Committee

Report to be presented on the Government's 'Medicare plus' package.

#### General Business—Notice of Motion

*Notice given 13 October 2003*

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

- (a) notes:
  - (i) that the following motion was adopted unanimously at the National Party of Australia Federal Conference on Sunday, 12 October 2003: 'That as a matter of urgency, this Conference of the National Party of Australia:
    - (a) Endorses the strong Federal Coalition policy on Development incentives for the ethanol industry as taken to the last Federal Election,
    - (b) Supports a 10 year excise exemption for ethanol,
    - (c) Endorses a mandate of 10% Australian-produced ethanol content for fuel sold in Australia to achieve the Federal Government's policy of a target of 350 million litre production of biofuel by 2010, and
    - (d) Notes the ALP and minor parties opposition to ethanol, including their opposition to mandating 10% Australian produced ethanol content for fuel sold in Australia',
  - (ii) the significant benefits derived from alternative fuels in terms of air quality, public health, regional development and energy security, and
  - (iii) the Government's May 2003 budget decision to impose an excise on alternative fuels from 2008;
- (b) corrects the National Party motion with respect to (d), pointing out that the Australian Democrats strongly support alternative fuels, including ethanol, and made a submission in September 2003 to Cabinet calling for targets to be set to increase alternative fuel use in Australia; and
- (c) urges the Government to:
  - (i) reverse its budget decision and not impose an excise on ethanol, other biofuels, LPG, CNG and LNG for at least 10 years, and

- (ii) conduct a review of the timetable and incentives required for industry to meet a mandated level of 10 per cent ethanol content in petrol.

### **On 12 February 2004**

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.

### **On 19 February 2004**

Business of the Senate—Order of the Day

**\*1 Economics Legislation Committee**

Report to be presented on the provisions of the Superannuation Safety Amendment Bill 2003. (*Referred pursuant to Selection of Bills Committee report.*)

### **By the last day in February 2004 (27 February 2004)**

Business of the Senate—Order of the Day

**1 Ministerial Discretion in Migration Matters—Select Committee**

Report to be presented.

### **On 1 March 2004**

Business of the Senate—Orders of the Day

**1 Legal and Constitutional References Committee**

Report to be presented on the State Elections (One Vote, One Value) Bill 2001 [2002].

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

Report to be presented on intelligence information received by Australia's intelligence services in relation to weapons of mass destruction.

General Business—Order of the Day

**13 State Elections (One Vote, One Value) Bill 2001 [2002]—(Senate bill)**

Adjourned debate on the motion of Senator Murray—That this bill be now read a second time.

*And on the amendment moved by the Leader of the Opposition in the Senate (Senator Faulkner)—Omit all words after “That”, substitute “the bill be referred to the Legal and Constitutional References Committee for inquiry and report by 30 October 2003”—(Senator Murray, in continuation, 21 August 2003)—(restored pursuant to resolution of 13 February 2002).*

### **On 3 March 2004**

Business of the Senate—Order of the Day

1 **Legal and Constitutional References Committee**

Report to be presented on the capacity of current legal aid and access to justice arrangements to meet the community need for legal assistance.

General Business—Notice of Motion

*Notice given 15 May 2003*

- 466 **Senator Lees:** To move—That the following bill be introduced: A Bill for an Act to enhance the protection of biodiversity on private land, and for related purposes. ***Protection of Biodiversity on Private Land Bill 2003.***

**On 4 March 2004**

Business of the Senate—Orders of the Day

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

Report to be presented on the Kyoto Protocol Ratification Bill 2003 [No. 2]. (*Referred pursuant to Selection of Bills Committee report.*)

2 **Community Affairs References Committee**

Report to be presented on poverty and financial hardship.

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

Report to be presented on the exposure draft of the Building and Construction Industry Improvement Bill 2003 and the provisions of the Building and Construction Industry Improvement Bill 2003 and the Building and Construction Industry Improvement (Consequential and Transitional) Bill 2003.

General Business—Order of the Day

- 71 **Kyoto Protocol Ratification Bill 2003 [No. 2]**—(*Senate bill*)—(*Senators Brown and Lundy*)

Second reading—Adjourned debate (*Senator Santoro, in continuation, 30 October 2003*).

**Eight sitting days after today (8 March 2004)**

Business of the Senate—Notices of Motion

*Notice given 25 November 2003*

- 1 **Senator Sherry:** To move—That the Superannuation Industry (Supervision) Amendment Regulations 2003 (No. 5), as contained in Statutory Rules 2003 No. 251 and made under the *Superannuation Industry (Supervision) Act 1993*, be disallowed.

Nine sitting days remain for resolving.\*\*

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

- 2 **Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen):** To move—That the Migration Amendment Regulations 2003

(No. 7), as contained in Statutory Rules 2003 No. 239 and made under the *Migration Act 1958*, be disallowed.

Nine sitting days remain for resolving.\*\*

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

### **On the tenth sitting day of 2004 (10 March 2004)**

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

##### **1 Legislation Committees**

Reports to be presented on annual reports tabled by 31 October 2003.

### **On 11 March 2004**

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

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

Report to be presented on the Truth in Food Labelling Bill 2003. (*Referred pursuant to Selection of Bills Committee report.*)

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

Report to be presented on forestry plantations.

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

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

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

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

##### **5 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.*

#### General Business—Order of the Day

##### **70 Truth in Food Labelling Bill 2003—(Senate bill)—(Senator Brown)**

Second reading—Adjourned debate (*Senator Brown, in continuation, 13 October 2003*).

### **On 23 March 2004**

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

##### **1 Treaties—Joint Standing Committee**

Report to be presented on the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

### **On 24 March 2004**

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

\*1 **Legislation Committees**

Reports to be presented in respect of the 2003-04 additional estimates.

**By the last sitting day in March 2004 (25 March 2004)**

Business of the Senate—Orders of the Day

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

Report to be presented on competition in broadband services.

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

Report to be presented on the regulation, control and management of invasive species.

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

Report to be presented on the Environment Protection and Biodiversity Conservation Amendment (Invasive Species) Bill 2002. (*Referred pursuant to Selection of Bills Committee report.*)

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

Report to be presented on the performance of government agencies in the assessment and dissemination of security threats in South East Asia in the period 11 September 2001 to 12 October 2002.

General Business—Order of the Day

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*).

**On 30 April 2004**

Business of the Senate—Order of the Day

1 **Community Affairs References Committee**

Report to be presented on children in institutional care.

**On 12 May 2004**

Business of the Senate—Order of the Day

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

Report to be presented on the effectiveness of the Australian military justice system.

**On 13 May 2004**

General Business—Notice of Motion

*Notice given 15 May 2003*

- 467 **Senator Lees:** To move—That the following bill be introduced: A Bill for an Act to encourage a stronger civic culture in Australia, and for related purposes. *Encouraging Communities Bill 2003.*

### **On 17 June 2004**

Business of the Senate—Orders of the Day

1 **Community Affairs References Committee**

Report to be presented on Hepatitis C in Australia.

\*2 **Legislation Committees**

Reports to be presented in respect of the 2004-05 Budget estimates.

### **On 24 June 2004**

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 (24 June 2004)**

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.

### **On 1 September 2004**

Business of the Senate—Order of the Day

1 **Legal and Constitutional References Committee**

Report to be presented on the needs of expatriate Australians.

**On the next day of sitting after the government fully complies with the order for the production of documents relating to a proposed excise and production subsidy on ethanol made on 16 October 2002**

Government Business—Order of the Day

1 **Customs Tariff Amendment Bill (No. 2) 2003**

**Excise Tariff Amendment Bill (No. 1) 2003**—(*Special Minister of State, Senator Abetz*)

Second reading—Adjourned debate (*12 August 2003*).

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## **BILLS REFERRED TO COMMITTEES**

### **Bills currently referred†**

#### **Environment Protection and Biodiversity Conservation Amendment (Invasive Species) Bill 2002‡**

Referred to the Environment, Communications, Information Technology and the Arts References Committee (*referred 26 March 2003; order varied 26 June 2003; reporting date varied 16 September 2003; reporting date: last sitting day in March 2004*).

#### **Kyoto Protocol Ratification Bill 2003 [No. 2]‡**

Referred to the Environment, Communications, Information Technology and the Arts Legislation Committee (*referred 26 November 2003; reporting date: 4 March 2004*).

#### **State Elections (One Vote, One Value) Bill 2001 [2002]**

Referred to the Legal and Constitutional References Committee (*referred 9 September 2003; reporting date varied 28 October 2003; reporting date: 1 March 2004*).

#### **Truth in Food Labelling Bill 2003‡**

Referred to the Community Affairs Legislation Committee (*referred 29 October 2003; reporting date: 11 March 2004*).

### **Provisions of bills currently referred†**

#### **Building and Construction Industry Improvement Bill 2003‡**

#### **Building and Construction Industry Improvement (Consequential and Transitional) Bill 2003‡**

Referred to the Employment, Workplace Relations and Education References Committee (*referred 3 December 2003; reporting date: 4 March 2004*).

#### **Superannuation Safety Amendment Bill 2003‡**

Referred to the Economics Legislation Committee (*referred 3 December 2003; reporting date: 19 February 2004*).

#### **Taxation Laws Amendment (Superannuation Contributions Splitting) Bill 2003‡**

Referred to the Economics Legislation Committee (*referred 17 September 2003; reporting date varied 27 October and 3 December 2003; reporting date: 4 December 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.

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## **BILLS DISCHARGED, LAID ASIDE 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.

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

Second reading negatived, 24 June 2003.

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

Second reading negatived, 9 December 2002.

**Migration Legislation Amendment (Further Border Protection Measures) Bill 2002 [No. 2]**

Second reading negatived, 16 June 2003.

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

Second reading negatived, 20 June 2002.

**National Health Amendment (Pharmaceutical Benefits—Budget Measures) Bill 2002 [No. 2]**

Second reading negatived, 4 March 2003.

**Superannuation (Surcharge Rate Reduction) Amendment Bill 2003**

Second reading negatived, 24 June 2003.

Restored to *Notice Paper* pursuant to resolution of 10 September 2003.

**Telstra (Transition to Full Private Ownership) Bill 2003**

Second reading negatived, 30 October 2003.

**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.

**Workplace Relations Amendment (Secret Ballots for Protected Action) Bill 2002 [No. 2]**

Third reading negatived, 24 March 2003.

**Workplace Relations Amendment (Termination of Employment) Bill 2002**

Third reading negatived, 11 August 2003.

**Private Senator's Bills**

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

Laid aside pursuant to standing order 135, 15 May 2003.

**Electoral Amendment (Political Honesty) Bill 2000 [2002]**

Discharged from *Notice Paper*, 27 March 2003.

**Freedom of Information Amendment (Open Government) Bill 2000 [2002]**

Discharged from *Notice Paper*, 25 June 2003.

**Public Interest Disclosure Bill 2001 [2002]**



Discharged from *Notice Paper*, 11 December 2002.

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## QUESTIONS ON NOTICE

Question Nos, as shown, from 55 to 2359 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 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 2 July 2002*

411 **Senator Evans:** To ask the Minister for Defence—With reference to all forms of end product report by the Defence Signals Directorate (DSD reports) which summarise raw intelligence product:

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

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

*Notice given 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 representing the 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 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 representing the 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

*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*

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 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*

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.

*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.

*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.

*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 10 December 2002*

**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; (g) the amount of the consideration 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; (g) the amount of the consideration 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

*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.

*Notice given 17 January 2003*

**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.

1102 Minister representing the Minister for Agriculture, Fisheries and Forestry

1116 Minister for Revenue and Assistant Treasurer

1120 Minister for Fisheries, Forestry and Conservation

*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.

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.

*Notice given 25 February 2003*

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.

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.

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.

*Notice given 18 March 2003*

**Senator O'Brien:** To ask the Ministers listed below (Question Nos 1270-1272)—With respect to the additional \$8 per passenger increase in the Passenger Movement Charge that came into effect on 1 July 2001 to fund increased passenger processing costs as part of Australia's response to the threat of the introduction of foot and mouth disease:

- (1) What was the total additional revenue raised by this extra \$8 in each of the following financial years: (a) 2001-02; and (b) 2002-03 to date.
- (2) What is the total additional revenue estimated to be raised by this extra \$8 in each of the following financial years: (a) 2002-03; (b) 2003-04; (c) 2004-05; and (d) 2005-06.
- (3) What was the total amount of Passenger Movement Charge collected at each airport and port for each of the following financial years: (a) 2001-02; and (b) 2002-03 to date.
- (4) What is the total amount of Passenger Movement Charge estimated to be collected at each airport and port for each of the following financial years: (a) 2002-03; (b) 2003-04; (c) 2004-05; and (d) 2005-06.
- (5) How much has been spent by the Government on new quarantine screening equipment at each airport and port since 1 July 2001.
- (6) (a) How much additional money has the Government spent on other quarantine processing costs at each airport and port since 1 July 2001; and (b) what services, measures or expenses comprise that additional expenditure at each airport and port.
- (7) How much additional money is estimated to be spent on new quarantine screening equipment and other processing costs respectively at each airport and port for each of the following financial years: (a) 2002-03; (b) 2003-04; (c) 2004-05; and (d) 2005-06.
- (8) (a) Which programs are administering costs associated with increased passenger processing costs as part of Australia's response to the threat of the introduction of foot and mouth disease; (b) how much has been spent, and is it estimated will be spent, from each program in each year it has or is budgeted to operate; and (c) which department is responsible for the administration of each program.
- (9) Are there any outstanding claims by any organisation or individual for expenditure on equipment or measures as part of Australia's response to the threat of foot and mouth disease; if so: (a) who are the claimants; (b) what is each claim for; and (c) will each be paid and when.

- (10) (a) How many passengers departing Australia were exempted from paying the Passenger Movement Charge; and (b) what is the legal basis and number of passengers for each category of exempted passengers.
- (11) Will the \$8 foot and mouth response component of the Passenger Movement Charge be removed, increased or reduced commensurate with the movement in costs associated with Australia's response to the threat of the introduction of foot and mouth disease; if so, when; if not, why not.

1271 Minister representing the Minister for Agriculture, Fisheries and Forestry

1273 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's statement, dated 31 October 2001, concerning support for the bio-fuels industry:

- (1) Did the statement announce a \$50 million capital subsidy for new or expanded bio-fuel capacity.
- (2) Did the Minister consult with any bio-fuel producers, or bio-fuel industry organisations, prior to his announcement; if so, which producers or organisations did he consult.
- (3) When was the capital subsidy introduced.
- (4) What department is administering this subsidy.
- (5) Under which program is the subsidy funded.
- (6) What rules apply to subsidies under the scheme.
- (7) Can a copy of an application form and the scheme rules be provided; if not, why not.
- (8) What subsidy expenditure was budgeted for in the following financial years: (a) 2001-02; and (b) 2002-03.
- (9) How much has been expended on the subsidy, by year, in each of the following financial years: (a) 2001-02; and (b) 2002-03 to date.
- (10) How much is budgeted, by year, in the period 2003-04 to 2006-07.
- (11) What was the basis of the Minister's assertion that the subsidy would generate 'at least five new ethanol distilleries' and 'around 2 300 construction jobs and 1 100 permanent jobs, mostly in rural areas'.
- (12) (a) What companies have received the capital subsidy; and (b) what subsidy amount has each company received.
- (13) How many new ethanol distilleries have been constructed.
- (14) Where have these distilleries been constructed.
- (15) Which existing distilleries have been expanded.
- (16) How many of the promised 2 300 construction jobs have been generated.
- (17) How many of the promised 1 100 permanent jobs have been generated.
- (18) What percentage of these permanent jobs has been generated in rural areas.
- (19) When did construction of each new distillery, or distillery expansion, commence.
- (20) How many construction jobs have been created in respect to each distillery construction project.
- (21) When did construction of each new distillery, or expanded distillery, conclude.
- (22) How many permanent jobs, full-time and part-time, have been created in respect to each new or expanded distillery project.

(23) How much additional ethanol has each new or expanded ethanol distillery produced.

1274 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's statement, dated 31 October 2001, concerning support for the bio-fuels industry:

- (1) Was the statement issued during the 2001 Federal Election campaign.
- (2) Did the Minister promise that, 'the current excise exemption for fuel ethanol will be retained'.
- (3) Was the Minister consulted before the Prime Minister announced the imposition of an excise on fuel ethanol on 12 September 2002.

1276 **Senator O'Brien:** To ask the Minister representing the Treasurer—How much excise on fuel ethanol has been collected, by month, since 17 September 2002.

**Senator O'Brien:** To ask the Ministers listed below (Question Nos 1280-1287)—What payments, subsidies, grants, gratuities or awards have been made to the Manildra group of companies, including but not necessarily limited to Manildra Energy Australia Pty Ltd, since March 1996.

1285 Minister representing the Minister for Agriculture, Fisheries and Forestry

1288 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) What has been the measurable increase in use of sugar and/or sugar by-products as feedstock for fuel ethanol since the introduction of the ethanol production subsidy on 17 September 2002.
- (2) What is the projected increase in the use of sugar and/or sugar by-products as feedstock for fuel ethanol over the 12-month life of the ethanol production subsidy introduced on 17 September 2002.

**Senator O'Brien:** To ask the Ministers listed below (Question Nos 1289-1290)—

- (1) What representations has the Government received from Brazil about its decision to impose a customs duty of 38.143 cents per litre on fuel ethanol and provide a subsidy to domestic ethanol producers.
- (2) (a) When were those representations received; and (b) what was the Government's response.
- (3) Has the Government received representations from countries other than Brazil about its decision to impose a customs duty of 38.143 cents per litre on fuel ethanol and provide a subsidy to domestic ethanol producers.
- (4) (a) When were those representations received; and (b) what was the Government's response.

1289 Minister representing the Minister for Trade

1290 Minister representing the Minister for Foreign Affairs

1291 **Senator O'Brien:** To ask the Minister representing the Minister for Trade—

- (1) Did any government seek consultations through the World Trade Organization in relation to the Government's decision in September 2002 to impose a customs duty of 38.143 cents per litre on fuel ethanol and provide a subsidy to domestic ethanol producers; if so: (a) on what date did each country seek consultations; and (b) on what basis were consultations sought.
- (2) Did any third party participate in these consultations.



- (3) In each case, has the matter been resolved; if so, on what date and how was the matter resolved; if not, what resolution process is underway.

**Senator O'Brien:** To ask the Ministers listed below (Question Nos 1292-1298)—

- (1) On what date or dates did: (a) the Minister; (b) the Minister's office; and (c) the department, become aware that Trafigura Fuels Australia Pty Ltd proposed to import a shipment of ethanol to Australia from Brazil in September 2002.
- (2) What was the source of this information to: (a) the Minister; (b) the Minister's office; and (c) the department.
- (3) Was the Minister or his office or the department requested to investigate and/or take action to prevent the arrival of this shipment by any ethanol producer or distributor or industry organisation; if so: (a) who made this request; (b) when was its made; and (c) what form did this request take.
- (4) Did the Minister or his office or the department engage in discussions and/or activities in August 2002 or September 2002 to develop a proposal to prevent the arrival of this shipment of ethanol from Brazil; if so, what was the nature of these discussions and/or activities, including dates of discussions and/or activities, personnel involved and cost.

1292 Minister representing the Prime Minister

1294 Minister representing the Minister for Trade

1295 Minister representing the Minister for Foreign Affairs

1296 Minister representing the Minister for Agriculture, Fisheries and Forestry

1299 **Senator O'Brien:** To ask the Minister representing the Minister for Trade—

- (1) Did the Minister, his office and/or the department ask the Australian Embassy in Brazil in August 2002 and/or September 2002 to make enquiries about the proposed export of ethanol to Australia by Trafigura Fuels Australia Pty Ltd.
- (2) How did the Minister, his office and/or the department become aware of the proposed shipment.
- (3) On what date did the Minister, his office and/or the department become aware of the proposed shipment.
- (4) Who made this request.
- (5) Why was the request made.
- (6) Was the request made at the behest of the Prime Minister, another minister, an ethanol producer, and/or an industry organisation.
- (7) On what date was this request made.
- (8) In what form was the request made.
- (9) Who received this request.
- (10) Did the Australian Embassy in Brazil make this enquiry on behalf of the Minister, his office and/or the department; if so, on what date or dates was this enquiry made and what form did it take.
- (11) What information was provided to the Minister, his office and/or the department.
- (12) On what date and in what form was this information provided.
- (13) On what dates and to whom did the Minister, his office and/or the department communicate the information provided by the Embassy.

1300 **Senator O'Brien:** To ask the Minister representing the Minister for Foreign Affairs—

- (1) Did the Minister receive a request from the Minister for Trade to authorise staff at the Australian Embassy in Brazil in August 2002 and/or September 2002 to gather and provide information about a proposed shipment of ethanol to Australia by Trafigura Fuels Australia Pty Ltd.
- (2) Did staff at the Australian Embassy in Brazil in August 2002 and/or September 2002 gather and provide information about a proposed shipment of ethanol to Australia by Trafigura Fuels Australia Pty Ltd; if so: (a) who requested the staff to engage in that task; (b) who authorised staff to agree to the request; (c) what action did staff take; (d) which staff engaged in the task; (d) on what date or dates did staff engage in the task; (e) what was the cost of engaging in the task; (f) to whom did the staff deliver this information in Australia; and (g) what form did that communication take.

1301 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) Did the Minister meet with representatives of the Australian Institute of Petroleum on 21 August 2002; if so: (a) at what time did the meeting commence; (b) at what time did the meeting conclude; (c) where did the meeting take place; (d) who was present at the meeting; (e) who initiated the meeting; (f) what was the purpose of the meeting; and (g) what matters were discussed at that meeting.
- (2) Did the Minister refer to a detailed record of that meeting made by his office in answer to a question without notice in the House of Representatives on 25 September 2002.
- (3) Can a copy of that record be provided; if not, why not.

1302 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) Has the Minister received written or oral representations from representatives of the Manildra group of companies, including but not necessarily limited to Manildra Energy Australia Pty Ltd, concerning government support for the ethanol industry; if so: (a) on what dates were those representations received; and (b) in what form were they made.
- (2) Has the Minister received written or oral representations from representatives of the Australian Bio-fuels Association concerning government support for the ethanol industry; if so: (a) on what dates were those representations received; and (b) in what form were they made.

*Notice given 20 March 2003*

1319 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—For each of the following financial years: 1996-97, 1997-98, 1999-2000, 2000-01, 2001-02 and 2002-03: (a) how many overseas trips did the minister responsible for primary industries and agriculture undertake; (b) what countries were visited on those trips; and (c) on how many of those trips was the Minister accompanied by a business delegation.

*Notice given 25 March 2003*

1346 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to comments by a spokesperson for the Minister, reported in AAP story number 3132, dated 24 March 2003:

- (1) Since January 2000, on how many occasions have rural groups, state agencies and veterinary surgeons been contacted by the Government about animal disease threats to Australia.
- (2) (a) What rural groups were contacted; (b) on how many occasions was each group contacted; (c) when was each contact made and who made the contact; (d) what was the nature of the disease threat that required contact with each group; and (e) what action was taken by each group and by the Government as a result of the contact.
- (3) (a) What state agencies were contacted; (b) on how many occasions was each state agency contacted; (c) when was each contact made and who made the contact; (d) what was the nature of the disease threat that required contact with each state agency; and (e) what action was taken by each state agency and by the Government as a result of the contact.
- (4) (a) Which veterinary surgeons were contacted; (b) on how many occasions was each veterinary surgeon contacted; (c) when was each contact made and who made the contact; (d) what was the nature of the disease threat that required contact with each veterinary surgeon; and (e) what action was taken by each veterinary surgeon and by the Government as a result of the contact.

1348 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—How many consignments of genetically-modified seeds have been imported into Australia with an import permit in each of the following financial years: (a) 2001-02; and (b) 2002-03.

1349 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to public quarantine alert PQA0251:

- (1) How many consignments of genetically-modified seeds have been imported into Australia without an import permit in each of the following financial years: (a) 2001-02; and (b) 2002-03.
- (2) Have all these consignments been detected by the Australian Quarantine and Inspection Service.
- (3) What action was taken when these unauthorised consignments were detected.

1350 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—What are the details of the import conditions and treatment requirements that apply to imported stock feed, including but not limited to conditions C5278 and C8779 and treatment T9902.

1351 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—In respect of the 2002-03 financial year:

- (1) How many expressions of interest for the importation of grain for stock feed have been received.
- (2) (a) How many applications for the importation of grain for stock feed have been received; and (b) how many tonnes have these applications concerned.
- (3) (a) How many applications for the importation of grain for stock feed have been approved; and (b) how many tonnes have these approvals concerned.
- (4) (a) How many applications for the importation of grain for stock feed have been rejected; and (b) how many tonnes have these rejections concerned.
- (5) How many shipments of grain for stock feed have been imported.
- (6) How many tonnes have been imported.

- (7) In relation to each shipment: (a) what country and region was the source of the grain; (b) how many tonnes have been imported; (c) at what port or ports has the grain been off-loaded and on what dates; and (d) what pre-entry and post-entry quarantine measures have been applied.

1353 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to public quarantine alert PQA0221:

- (1) When did the Australian Quarantine and Inspection Service review of import conditions for frozen fruit and vegetables commence.
- (2) Was the review due to be completed by 31 December 2002.
- (3) Why was the review not completed by 31 December 2002.
- (4) Has the review been completed; if so, what changes, if any, have been made to the import conditions for frozen fruit and vegetables; if not: (a) why not; and (b) when will the review be completed.

**Senator O'Brien:** To ask the Ministers listed below (Question Nos 1355-1356)—

- (1) Does the European Union prohibit the export of ruminant livestock from Australia; if so, when was this prohibition applied.
- (2) Has the European Union recently moved to regularise third-country trade in live animals.
- (3) Has a draft amendment to Council Decision 79/542/EEC been prepared.
- (4) When did the Minister become aware the draft amendment was in preparation.
- (5) Would the application of this amendment further restrict live animal exports from Australia to member countries of the European Union.
- (6) Has the amendment been agreed to by the European Union; if so, when was it agreed to; if not, when is it likely to be agreed to.
- (7) Has the Minister sought advice on the impact on Australian exporters of the application of this amendment; if so, what is the likely impact, including affected breeds, export volume, export value and number of affected producers and exporters.
- (8) Has the Minister made representations to the Commission of European Communities, or individual member countries of the European Union, about this matter; if so: (a) when were these representations made; and (b) what form did they take.
- (9) Has the Minister received any representations from Australian producers and/or exporters about this matter; if so: (a) when were those representations received; and (b) what form did they take.

1356 Minister representing the Minister for Agriculture, Fisheries and Forestry

*Notice given 17 April 2003*

1393 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's statement AFFA02/289WT of 17 October 2002 announcing the provision and requirements under the Sugar Industry Reform Program relating to Sugar Enterprise Viability Assessments (SEVAs) and Sugar Enterprise Activity Plans (SEAPs):

- (1) How many applications have been received to date for the preparation of SEVAs and SEAPs from: (a) cane farmers; and (b) cane harvesters.
- (2) How many SEVAs and SEAPs have been completed to date for: (a) cane farmers; and (b) cane harvesters.

- (3) With reference to Fact Sheet SE020.0210 (page 1) accompanying the Minister's statement: (a) what are the 'special provisions' that customers who have accessed Farm Help within the past 12 months prior to claiming will be subject to; (b) how many calls have been received on the 1800 050 585 telephone number from: (i) cane farmers, and (ii) cane harvesters, querying their position regarding these 'special provisions' and the preparations of SEVAs and SEAPs; and (c) how many, (i) cane growers, and (ii) cane harvesters, have had their access eligibility for funds to pay for SEVAs or SEAPs reduced or rejected on the basis of these 'special provisions'.
- (4) What has been the total expenditure by the Commonwealth on SEVAs or SEAPs to date under the Sugar Industry Reform Program.
- (5) What is the total projected expenditure by the Commonwealth on SEVAs or SEAPs under the Sugar Industry Reform Program.

1394 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's statement AFFA03/008WT of 5 February 2003 announcing the provision under the Sugar Industry Reform Program of the availability of sugar industry exit grants:

- (1) On what date do applications for these grants close.
- (2) How many application forms for these grants have been distributed to date.
- (3) On what date did the application form become available on a Commonwealth website.
- (4) On what date did the printed application form become available.
- (5) On what date were the first application forms mailed to potential applicants.
- (6) To date how many applications for these grants have been: (a) received; (b) rejected; and (c) approved.
- (7) What has been the total expenditure by the Commonwealth on these grants to date.
- (8) What is the total projected expenditure on these grants under the Sugar Industry Reform Program.

1395 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's statement AFFA02/300WT of 29 October 2002 announcing the provision under the Sugar Industry Reform Program of 50 per cent interest rate subsidies over two years on loans of up to \$50,000 taken out for replanting purposes:

- (1) On what date do applications for these subsidies close.
- (2) How many application forms for these subsidies have been distributed to date.
- (3) On what date did the application form become available on a Commonwealth website.
- (4) On what date did the printed application form become available.
- (5) On what date were the first application forms mailed to potential applicants.
- (6) To date, how many applications for these subsidies have been: (a) received; (b) rejected; and (c) approved.
- (7) What has been the total expenditure by the Commonwealth on these subsidies to date.

- (8) What is the total projected expenditure on these subsidies under the Sugar Industry Reform Program.

1396 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's statement of 10 September 2002 (reference AFFA02/233WT) announcing the provision of short-term income support measures to help stabilise the industry and to help those in immediate need:

- (1) How many applications had been received from cane farmers for these measures as at 31 December 2002 and as at 31 March 2003.
- (2) How many applications from cane farmers had been approved for these measures as at 31 December 2002 and as at 31 March 2003.
- (3) How many applications from cane farmers had been rejected for these measures as at 31 December 2002 and as at 31 March 2003.
- (4) How many applications had been received from cane harvesters for these measures as at 31 December 2002 and as at 31 March 2003.
- (5) How many applications had been approved for cane harvesters for these measures as at 31 December 2002 and as at 31 March 2003.
- (6) How many applications from cane harvesters had been rejected for these measures as at 31 December 2002 and as at 31 March 2003.
- (7) What has been the total expenditure by the Commonwealth on these measures as at 31 December 2002 and as at 31 March 2003 for: (a) cane farmers; and (b) cane harvesters.
- (8) What is the total projected expenditure under these measures for: (a) cane farmers; and (b) cane harvesters.

1397 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) (a) When did the Minister become aware that the CSIRO plant laboratories in Canberra were suspected of being infected with wheat streak mosaic virus; (b) who advised the Minister; and (c) how was the Minister advised.
- (2) (a) When did the Minister become aware that the CSIRO plant laboratories in Canberra were confirmed as being infected with wheat streak mosaic virus; (b) who advised the Minister; and (c) how was the Minister advised.
- (3) When did CSIRO first suspect that its plant laboratories in Canberra were infected with wheat streak mosaic virus.
- (4) With reference to the suspicion by CSIRO that its Canberra or other plant laboratories were infected with wheat streak mosaic virus (i.e. before the virus was confirmed as being present in the Canberra laboratories in April 2003): (a) what actions were taken by the Commonwealth (and on what dates) to advise the following stakeholders: (i) rural industry peak bodies, (ii) state government agriculture ministers and/or their departments, (iii) individual growers, (iv) appropriate government agencies within overseas trading nations, and (v) any other stakeholders; and (b) in each instance: (i) who was advised, and (ii) how were they advised.
- (5) Did the Department advise Plant Health Australia (PHA) of CSIRO's suspicion that wheat streak mosaic virus may be present in its Canberra or other plant laboratories; if so, when and how was PHA advised.
- (6) With reference to the confirmation by CSIRO that its Canberra plant laboratories were infected with wheat streak mosaic virus: (a) what actions were taken by the Commonwealth (and on what dates) to advise the

following stakeholders: (i) rural industry peak bodies, (ii) state government agriculture ministers and/or their departments, (iii) individual growers, (iv) appropriate government agencies within overseas trading nations, and (v) any other stakeholders; and (b) in each instance: (i) who was advised, and (ii) how were they advised.

- (7) Did the Minister's Department advise Plant Health Australia (PHA) of CSIRO's confirmation that wheat streak mosaic virus was present in their Canberra or other plant laboratories; if so, on what day and how was PHA advised.
- (8) With reference to the suspicion by CSIRO that its Canberra plant laboratories were infected with wheat streak mosaic virus (i.e. before the virus was confirmed as being present in April 2003) what actions were taken by the Commonwealth to trace the destination of plant seeds or other plant material from CSIRO plant laboratories in Canberra.
- (9) With reference to the confirmation by CSIRO that its Canberra plant laboratories were infected with wheat streak mosaic virus: (a) what actions were taken by the Commonwealth to trace the destination of plant seeds, or other plant material from CSIRO plant laboratories in Canberra; and (b) can a list of confirmed destinations be provided.
- (10) On what date did the Australian Quarantine and Inspection Service (AQIS) commence investigations to determine the source of the suspected introduction of wheat streak mosaic virus into the CSIRO Canberra plant laboratories.
- (11) (a) What actions were taken by AQIS to determine the source of the introduction of wheat streak mosaic virus into the CSIRO Canberra plant laboratories; and (b) what was the outcome of those enquiries (if completed).
- (12) If AQIS has not completed its investigations, when are those investigations likely to be concluded.

1399 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's statement AFFA02/300WT of 29 October 2002 announcing that a "levy will be placed on all domestic sugar sales (for manufacturing, food service and retail uses) at 3 cents a kilogram for approximately 5 years" (sugar tax) and that exports of refined sugar will be exempt from the levy, and that a rebate will be available for sugar used in manufactured products for export (sugar tax rebate):

- (1) How many Australian companies or other enterprises are currently paying the sugar tax.
- (2) For each of the 5 years of its proposed existence, what is the total projected amount to be collected under the sugar tax.
- (3) How much has been collected under the sugar tax to date.
- (4) How many Australian companies or other enterprises have applied for a sugar tax rebate to date.
- (5) For each of the 5 years of its proposed existence, what is the total projected amount to be repaid to Australian companies or other enterprises under the sugar tax rebate.
- (6) What steps is the Commonwealth taking to monitor the effect of the sugar tax on Australian companies or other enterprises in terms of: (a) international price competitiveness of Australian manufactured products which use sugar as an input; (b) employment growth or decline within

Australian manufacturing sectors which produce goods which use sugar as an input; (c) the increase or decrease in sugar imports by Australian manufacturing sectors which produce goods which use sugar as an input; (d) the increase or decrease in sugar exports by Australian manufacturing sectors which produce goods which use sugar as an input; (e) the substitution of sugar with non-sugar products by Australian manufacturing sectors which produce goods which normally use sugar as an input; and (f) the substitution within the Australian market of the consumption of manufactured sugar bearing products manufactured in Australia with imported manufactured sugar bearing products.

- (7) What is the department's current estimate of how much the sugar tax will cost to administer for: (a) the department; and (b) industry.
- (8) What is the department's current estimate of how much the sugar tax rebate will cost to administer for: (a) the department; and (b) industry.

*Notice given 22 April 2003*

1403 **Senator Allison:** To ask the Minister representing the Prime Minister—

- (1) With reference to a claim made by the Prime Minister before the war that only the threat of force by the United States of America (US) allowed the United Nations Monitoring Verification and Inspection Commission (UNMOVIC) weapons inspectors back into Iraq, and given that it was the threat of force by Washington which pulled the weapons inspectors out of Iraq in March 2003 before they could complete their work (as in December 1998), does the Prime Minister now concede that the threat of force failed again to disarm Iraq of its weapons of mass destruction.
- (2) What is the Government's response to the claim of the Executive Chairman of UNMOVIC, Dr Blix, that the US was guilty of 'fabricating' evidence against Iraq to justify the war, and his belief that the discovery of weapons of mass destruction had been replaced by the main objective of the US of toppling Saddam Hussein (The Guardian, 12 April 2003).
- (3) With reference to claims made by the Prime Minister before the war that there was no doubt that Iraq had weapons of mass destruction and that that this was the primary reason for Australia's participation in the 'coalition of the willing', what is the Prime Minister's position now that, even after the collapse of the regime in Baghdad, no weapons of mass destruction have been found despite United States Defence Secretary Donald Rumsfeld's claim to know where they are.
- (4) Given the Prime Minister's statements that 'regime change' was only a secondary concern for Australia, does the Government agree that the primary justification for the war may prove to be a lie.
- (5) If, as the Prime Minister repeatedly claimed, Iraq had weapons of mass destruction and Saddam Hussein could not be contained or deterred, what is the Government's analysis of why they were not used in the regime's terminal hours against the invading US, United Kingdom and Australian forces.
- (6) With reference to the Prime Minister's argument that stopping the spread of weapons of mass destruction was a primary motive for Australia's participation in a war against Iraq: (a) is the Government concerned that one of the direct effects of the war may be the proliferation of weapons of mass destruction to third parties, including other so called 'rogue states'



and possibly terrorist groups, and (b) what analysis has the Government done of this likelihood, and (c) can details be provided.

- (7) Does the Prime Minister now regret saying just before the war (at the National Press Club and elsewhere) that Saddam Hussein could stay on in power providing he got rid of his weapons of mass destruction, thus allowing him to continue the repression of Iraqis; if so, what circumstances altered the Prime Minister's view.

*Notice given 7 May 2003*

1441 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—

- (1) For each of the past 3 financial years, how much has been spent in Outcome 2 on: (a) chiropractry; (b) osteopathy; (c) physiotherapy; (d) ophthalmology; (d) optometrical; (e) aids and appliances; (f) dentistry; (g) diagnostic imagery; and (h) pathology.
- (2) Can an update be provided of the tables showing compensation claims accepted for service in Timor and the Gulf, as contained in the answer to part (6) of question on notice no. 743 (Senate *Hansard*, 4 December 2002, p.7212) and part (2) of question on notice no. 744 (Senate *Hansard*, 12 December 2002, p. 8175).
- (3) Further to the answer to question on notice no. 747 (Senate *Hansard*, 13 November 2002, p. 6318): What is the current position with respect to the review of dosimetry data from the atomic testing program.
- (4) What is the current position with respect to tendering for transport services, as sought in the answer to question on notice no. 748 (Senate *Hansard*, 15 November 2002, p. 6557).
- (5) Further to the answer to question on notice no. 802 (Senate *Hansard*, 15 November 2002, p. 6558): (a) what commission has been paid to Defence Service Homes Insurance (DSHI) by QBE/Mercantile Mutual over each of the past 3 years; and (b) what proportion has that commission been of DSHI's running costs in each year.
- (6) Can an update be provided of the data in the answer to parts (4), (5), (6), (19), (23) and (26) of question on notice no. 819 (Senate *Hansard*, 18 March 2003, p. 9581).
- (7) Further to the answer to question on notice no. 968 (Senate *Hansard*, 5 February 2003, p. 8661): Can an update be provided to March 2003 of the data on Department of Veterans' Affairs health card usage and costs.
- (8) With reference to the answer to question on notice 1004 (Senate *Hansard*, 18 March 2003, p. 9621): Were prosecutions launched against those medical providers identified by type in part (2); if not, why not; if so, with what outcome in each case.
- (9) With reference to the answer to question on notice no. 697 (Senate *Hansard*, 11 November 2002, p. 6042) concerning the review of tier-one hospitals: Can an answer be provided to those parts which remained unanswered.

*Notice given 9 May 2003*

1447 **Senator Harris:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) (a) Can the Minister advise why the Office of the Gene Technology Regulator (OGTR) was set up with such restricted terms of reference; (b) why is it that the OGTR can only look at aspects of the introduction of genetically-modified (GM) material into Australia under the terms of 'health and environment'.
- (2) Why was the Gene Technology Grains Committee (GTGC) put together with a majority of 'pro-GM' interests; and (b) why did it ignore submissions that do not agree with its philosophy.
- (3) (a) Is the Minister aware that the 'Canola Industry Stewardship Protocols' ignore any aspect of possible and very probable on-farm contamination of GM canola into non-GM canola, either through direct grains contamination or, the most likely and by far the greatest source of probable contamination, environmental transfer via pollen, bees, etc.; and (b) what steps has the department taken to scrutinise the possibility of contamination of non-GM canola.
- (4) Can the Minister explain how and why the GTGC has been able to place the onus, responsibility and, ultimately, liability on everyone else except the technology providers in its 'Canola Industry Stewardship Protocols'.
- (5) Can a copy of the final report relating to Bayer for Invigor Canola, Crop Management Plan, that was passed by the OGTR, be provided to the Senate and the industry.
- (6) Why is it that the New South Wales Farmers' Association (NSWFA) and the Victorian Farmers Federation (VFF) refuse to survey their own members to gain a grass roots feeling of GM canola.
- (7) Can documentation be provided on how many members or executive members of the NSWFA and the VFF were invited or taken on a fact-finding tour to the United States of America by the technology providers.
- (8) (a) Is the Minister aware that the New Zealand Agricultural Minister said, in late 2002, that 'New Zealand was very unlikely to gain a Free Trade Agreement with America because of our stance on GM crops and our stance on nuclear ships'; and (b) what commitments has the Australian Government made to be able to have a free trade agreement with America.

*Notice given 22 May 2003*

- 1478 **Senator Brown:** To ask the Minister representing the Minister for Industry, Tourism and Resources—Was any information prepared by consultant Rio Tinto Ltd as part of the mining and energy biotechnology sector study, undertaken under contract for the department in the 1999-2000 financial year; if so, what was that information and can a copy be provided.

*Notice given 6 June 2003*

- Senator Brown:** To ask the Ministers listed below (Question Nos 1490-1493)—With reference to the answers to questions on notice nos 1122 to 1125:

- (1) Who contributed to and who owns: (a) the Forestry Eco Centre at Scottsdale; (b) the centre at Freycinet National Park; and (c) each of the centres and facilities networked in the vicinity of the Great Western Tiers.
- (2) Was, or is, Forestry Tasmania involved in any of these centres; if so, how and to what degree.

- (3) Have any of the centres been sold or subject to transfer of ownership; if so, can details be provided.
- (4) If any of the centres were sold or ownership transferred was the Government consulted; if so, how and what was the Government's input.

1490 Minister representing the Minister for Agriculture, Fisheries and Forestry

1491 Minister representing the Minister for Agriculture, Fisheries and Forestry

1492 Minister representing the Minister for Agriculture, Fisheries and Forestry

1493 Minister representing the Minister for Agriculture, Fisheries and Forestry

*Notice given 23 June 2003*

**Senator Brown:** To ask the Ministers listed below (Question Nos 1564-1565)—

- (1) (a) Does the Minister support the integrated management of surface run-off, river water and ground water, recognising that these systems are physically interconnected; and (b) will the Minister make this a pre-requisite for water reform through the Council of Australian Governments process.
- (2) What steps are being taken to achieve integrated water management, including protection of the environment and common systems of allocating water so that switching between sources is accounted for.

1565 Minister representing the Minister for Agriculture, Fisheries and Forestry

**Senator Webber:** To ask the Ministers listed below (Question Nos 1570-1575)—

- (1) How many staff at the senior executive service (SES) level are employed in the department within Western Australia.
- (2) Given Western Australia's contribution to the nation's economy, is the department adequately represented in Western Australia to ensure that development opportunities are maximised.
- (3) Does the lack of senior Commonwealth departmental representatives or SES staff have a negative impact on Commonwealth program funds in Western Australia.
- (4) Would Western Australia be advantaged by an increase in the number of SES staff located within the state.

1572 Minister representing the Minister for Agriculture, Fisheries and Forestry

*Notice given 3 July 2003*

1600 **Senator Bartlett:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) Has the Minister authorised the aerial baiting of pests using 1080 on Commonwealth land in Western Australia in the past 12 months; if so: (a) where was the aerial baiting conducted or where will it be conducted; and (b) when was the aerial baiting conducted or when will it be conducted.
- (2) Has the aerial baiting program been referred to the Minister for the Environment and Heritage under the Environment Protection and Biodiversity Conservation Act 1999.

*Notice given 7 July 2003*

1606 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) What was the quantum of funding provided to the Grains Research and Development Corporation (GRDC) by the department for each of the

following financial years: (a) 1997-98; (b) 1998-99; (c) 1999-2000; (d) 2000-01; (e) 2001-02; and (f) 2002-03.

- (2) What was the quantum of funding provided by the GRDC to the Gene Technology Grains Council (GTGC) for each of the financial years mentioned in (1).
- (3) What role does the department or the GRDC play in the selection of members to the GTGC.
- (4) In what way is the GRDC accountable to the Minister for expenditure made to the GTGC.
- (5) Can a synopsis be provided for each GTGC member, including: (a) full name; (b) details of formal qualifications; (c) details of current industry experience and employment; (d) details of past industry experience and employment; (e) details of the process of selection; and (f) term of membership.
- (6) Are members of the GTGC required to disclose their financial interests to the Government as a means of preventing any perception of a conflict of interest; if so, can a copy of the current register of interests be supplied; if not, why not.

*Notice given 10 July 2003*

1609 **Senator Brown:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) Was detainee Hamed Qhatani (VIL 14) ever refused delivery of postcards handed to centre officers at Woomera by nursing staff or anyone else; if so, why.
- (2) Was Mr Qhatani tortured as a child in Iraq.
- (3) Did Mr Qhatani have a bullet in his body.
- (4) Did Mr Qhatani request (at Villawood or Woomera) for this bullet to be removed.
- (5) Was a bullet removed from Mr Qhatani; if not, why not.
- (6) (a) How long was Mr Qhatani under special surveillance in detention in Australia; and (b) why.

1612 **Senator Brown:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—With reference to asylum seekers in detention who go on hunger strikes: (a) What instructions are given to staff to deal with these circumstances; and (b) can a copy of these instructions be provided.

1619 **Senator Brown:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—

- (1) What has been the total Commonwealth funding given to Telstra since the Coalition came to government.
- (2) Given that Telstra is 49 per cent privately-owned, does the Commonwealth funding given to Telstra provide a benefit to these private shareholders; if so, what is the rationale for funding the private half of the company.

*Notice given 14 July 2003*

1625 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) With reference to the Minister's Media Statement (reference AFFA03/095WT, 28 April 2003), can the Minister confirm who the Chief Executive Officer of Harvest FreshCuts Pty Ltd was at the time that this company was provided with a Food Innovation Grant (FIG) of \$1.25 million.
- (2) When did Harvest FreshCuts Pty Ltd apply for the grant.
- (3) What was the quantum of the grant applied for by Harvest FreshCuts Pty Ltd.
- (4) Who signed the application on behalf of Harvest FreshCuts Pty Ltd.
- (5) Which members of the National Food Industry Council assessed the Harvest FreshCuts Pty Ltd application for this grant.
- (6) Can the Minister advise whether applications for FIGs have been received from any of the following companies or their related entities: (a) Fletcher International Exports Pty Limited; (b) SPC Ardmona Ltd; (c) Peters and Brownes Foods Ltd; (d) Luken and May Pty Ltd; (e) National Foods Ltd; (f) Goodman Fielder Ltd; (g) Coca-Cola Amatil Ltd; and (h) Coles Myer Group Ltd.
- (7) Where applications for FIGs have been received from any of the above companies or their related entities, can the Minister advise in each case: (a) when was the application received; (b) what was the quantum of the grant applied for; (c) what was the stated purpose of the grant applied for; (d) who signed the application on behalf of the applying company or their related entity; (e) which members of the NFIC are assessing or have assessed each application; and (f) what is the status of the application.

*Notice given 18 July 2003*

1640 **Senator Brown:** To ask the Minister for Family and Community Services—With reference to the Carer's Allowance:

- (1) What adjustment did the Commonwealth make to the Carer's Allowance in the 2003-04 Budget.
- (2) What assessment was made of the impact of the goods and services tax in eroding the real value of the Carer's Allowance.
- (3) What assessment has the Commonwealth conducted of the financial cost savings to government of the provision of unpaid community care.
- (4) What assessment did the Commonwealth conduct with regard to the adequacy of the Carer's Allowance.

*Notice given 22 July 2003*

1644 **Senator Bishop:** To ask the Minister for Defence—

- (1) (a) How many personnel recently deployed to Iraq were in payment of a Department of Veterans' Affairs disability pension, under the Veterans' Entitlements Act 1986; and (b) at what level.
- (2) What physical and medical examinations were conducted prior to departure of each person deployed to Iraq.
- (3) In the event that there is conflict between the medical assessment and the compensation assessment, what action has been or will be taken.

*Notice given 28 July 2003*

1665 **Senator Evans:** To ask the Minister for Defence—With reference to the F/A-18 Hornet Upgrade project (Project AIR 5376) in the Defence Capability Plan:

- (1) Can a description of all of the phases of this project be provided.
- (2) (a) What was the original timeline for the completion of the project, including the dates for each of the phases in the project; and (b) when was the project due to be completed.
- (3) (a) What was the original budget for this project; and (b) what were the individual budgets for each of the phases in the project.
- (4) (a) What is the current schedule for the completion of this project; (b) what are the completion dates for each of the phases in the project; and (c) when is the project due to be completed.
- (5) Has the schedule for this project changed; if so, why.
- (6) How would any schedule change with this project impact on future capability.
- (7) (a) What is the current budget for the project; and (b) what are the the budgets for each of the phases in the project.
- (8) What has been the cost of this project to date.
- (9) Has the projected budget for this project increased; if so, why.

1668 **Senator Evans:** To ask the Minister for Defence—With reference to the Defence and Industry Advisory Council

- (1) When was the council established.
- (2) Who established the council.
- (3) For what purpose was the council established.
- (4) Can a copy of the council's terms of reference be provided.
- (5) What is the membership of the council.
- (6) What are the reporting arrangements for the council, for example: (a) to whom does it report; (b) how regularly are such reports made; and (c) what do the reports contain.
- (7) Can a list be provided of meeting dates for the council since its establishment.

*Notice given 1 August 2003*

1683 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—

- (1) What is the Government's current assessment of the situation in Zimbabwe compared with its assessment at the time of the last Commonwealth Heads of Government Meeting (CHOGM).
- (2) What action will the Government be requesting at the next CHOGM, scheduled for December 2003, in relation to Zimbabwe's possible re-admission to the Commonwealth.
- (3) Does the Government support Zimbabwe's expulsion from the Commonwealth.
- (4) What other options are open if the Commonwealth fails to take appropriate action to improve the situation in Zimbabwe; could options include action by the United Nations and coalitions of countries.

- (5) Would Australia be willing to send a delegation of election supervisors to Zimbabwe if the electoral challenge by opposition leader Morgan Tsvangirai in November 2003 is successful.

1684 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the answer to question on notice no. 1370 concerning the northern peninsula of Research Bay, Tasmania, in which it was stated that ‘sites are currently being assessed by the Tasmanian Heritage Council’:

- (1) Is the Minister aware that the Tasmanian Heritage Council has resolved that ‘the onus of providing information which would be considered in establishing significance was a matter for the nominator(s) and accordingly it [the Heritage Council] would not be carrying out any further research’.
- (2) Given the potential and international significance of the area, does the Minister consider it adequate for an assessment by the Tasmanian Heritage Council to rely on the efforts of volunteer members of the community.
- (3) In relation to the assessment and protection of the northern peninsula of Research Bay: (a) what communication has the Commonwealth had with the Tasmanian Government, Gunns Pty Ltd and the owners of relevant land; and (b) can details be provided of correspondence and meetings, including the parties involved, dates and the matters discussed.

1687 **Senator Brown:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) What is the policy of Australasian Correctional Management (ACM) regarding the care of children who are left unattended when their parent is, or parents are, placed in isolation units for lengthy periods.
- (2) Are any ACM staff trained professional child care workers.
- (3) Can the Minister clarify why one detainee was locked into an isolation cell that had to be drilled open, as shown on the ABC Four Corners program during May 2003.
- (4) Why have all the Woomera DC 2000 and most of the Villawood DC 2001 medical files of the detainee Mohammad Hassan Sabbagh, who suffered a mental breakdown and has been held in detention since December 1999, disappeared.
- (5) (a) What is the ratio of staff to detainees in all centres; and (b) is this ratio uniform.
- (6) What does the Minister propose to do with the long-term detainees who cannot be returned to their country of birth, for example, stateless Kuwaitis.
- (7) Given that the Government has been unable to deport the detainee Hassan Sabbagh, who has been held for more than three and a half years, to Iraq, why can he not be released into the care of willing community support groups, such as the Jesuit Refugee Services or the Uniting Church, rather than burdening the taxpayer unnecessarily.

1697 **Senator Bishop:** To ask the Minister for Defence—

- (1) With reference to the discussion and recommendations of the March 1999 Review of Military Compensation by Mr N Tanzer AO, what progress has been made on the development of a premium-based model for the Australian Defence Force (ADF).
- (2) What is the current estimated liability of the Military Compensation Scheme.

- (3) For each of the past 3 years, what total sum has been paid by way of: (a) lump sums for permanent impairment; and (b) incapacity payments to current and discharged personnel.
- (4) For each of the past 3 years: (a) what total sum has been paid under Defence Act Determinations; and (b) to how many recipients.
- (5) How many ADF personnel have died as a result of service-related injuries in each of the past 3 years.
- (6) What claims, by injury group, for compensation by ADF personnel deployed to the Iraq operations during 2003 have been: (a) made; and (b) accepted; under the Military Compensation Scheme.
- (6) What claims, by injury group, for compensation by ADF personnel deployed to the Iraq operations during 2003 have been: (a) made; and (b) accepted; under the Veterans' Entitlements Act 1986.

1703 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—

- (1) For each of the past 7 years, on how many occasions, and to which commemorative events overseas, has there been official attendance by invitation by: (a) Government ministers (can a list of names be provided), (b) Opposition spokesmen, (c) other members of Parliament; and (d) representatives from the veteran community by: (i) number, and (ii) organisation.
- (2) What was the cost of each commemorative ceremony referred to in paragraph (1) above for: (a) ministerial travel and allowances; (b) ministerial spouse travel; (c) ministerial staff travel and allowances; (d) departmental and other officials' travel and allowances; (e) ex-service community travel and allowances; (f) official entertainment; (g) gifts and memorabilia; (h) Australian Defence Force personnel travel and allowances; (i) monument construction; (j) public relations; (k) venue hire; (l) security; and (m) insurance.
- (3) What is the current program of commemorative activity overseas for which funds have been estimated in the budget process over the next 3 years.
- (4) What is the current proposed list of invitees for the opening of the war memorial in London on 11 November 2003, and of those: (a) how many are Veterans' and war widows; and (b) how were they selected.

*Notice given 8 August 2003*

1747 **Senator McLucas:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the Sustainable Regions Programme's funding to the Atherton Tablelands region.

- (1) What funds were allocated to the program.
- (2) What are the outcomes sought by the Commonwealth Government for this funding program.
- (3) How does the level of funding for the Atherton Tablelands compare with that allocated for other regions.
- (4) When was the funding for the Atherton Tablelands allocated.
- (5) Over what timeframe have the funds been allocated.
- (6) What processes have been put in place to determine that strategic holistic regional objectives are identified and met.



- (7) Will all of the \$18 million allocated which is reported to be allocated to the Atherton Tablelands, be provided; if not: (a) how much will be allocated; and (b) what amounts have been allocated over what years.
- (8) If less than \$18 million is provided, how will this be communicated to the people of the Atherton Tablelands.
- (9) Who determined the management and administrative arrangements for the Atherton Tablelands Sustainable Regions Programme
- (10) What arrangements are in place to determine the allocation of funds to particular projects.
- (11) What proportion of the funds expended by the Commonwealth have been used for administration.
- (12) Who determined the management and administrative arrangements for the Atherton Tablelands' Sustainable Regions Advisory Committee.
- (13) How was the membership of this committee determined and by whom.
- (14) (a) Who are the members of the committee; and (b) on what basis were they appointed.
- (15) (a) To whom does the committee report; (b) how frequently; and (c) in what format.
- (16) Can copies be provided of any committee reports that have been received detailing the funding allocation process or project approvals.
- (17) Can copies be provided of minutes of all committee meetings held to date.
- (18) Are committee members required to declare any interests they may have in any applications being considered; if so: (a) how many occasions has this occurred; (b) for which projects; and (c) by whom.
- (19) In relation to funding issues: (a) what funding criteria were determined; (b) by whom; and (c) how were these criteria applied in determining projects to be funded.
- (20) Can a list be provided of applications for funding received by the committee, including: (a) identification of the purpose for which funding was sought; (b) for what amount; (c) which were successful; (d) which have been rejected and why; and (e) which are still awaiting a decision.
- (21) How many full-time permanent, full-time casual, part-time permanent, part-time casual, and construction jobs will be created by each project approved for funding.
- (22) Is a contribution from the applicant required for the application to be approved.
- (23) What due diligence processes were in place to assess the financial viability of applicants.
- (24) What proportion of successful applicants to date have been private businesses or individuals.
- (25) How many cooperative funding applications from a number of associations or authorities have been received.
- (26) What accountability mechanisms are in place to ensure project objectives are achieved.
- (27) Are successful applicants required to meet key performance indicators; if so: (a) what are these; and (b) how are projects benchmarked against them.
- (28) What impact or evaluation processes have been put in place to measure the success or failure of funded projects.

- (29) What evaluation processes have been put in place to measure the success or failure of the Sustainable Regions Programme in the Atherton Tablelands region.

*Notice given 11 August 2003*

1748 **Senator O'Brien:** To ask the Minister representing the Treasurer—

- (1) With regard to the Government's decision to provide domestic ethanol manufacturers with a production subsidy to offset the excise of 38.143 cents per litre applying to ethanol: (a) can the Minister advise: (i) what work was undertaken by Treasury, the Government's Energy Task Force or any other Commonwealth agency to model the effects on livestock feed grains (in terms of price and availability) within Australia as a result of this decision prior to the introduction of this measure in September 2002; and (ii) what work was undertaken by Treasury, the Government's Energy Task Force or any other Commonwealth agency to model the effects on livestock feed grains (in terms of price and availability) within Australia as a result of the decision to extend this measure to 2008; and (b) can a copy be provided of reports by Treasury, the Government's Energy Task Force or any other Commonwealth agency on the effects of these measures on livestock feed grains within Australia; if not, why not.
- (2) What work was or is currently being undertaken Treasury, the Government's Energy Task Force or any other Commonwealth agency to model the effects on livestock feed grains (in terms of price and availability) within Australia as a result of the following promises contained in the Coalition's 2001 Election Statement entitled 'Our Future Action Plan Growing Stronger': (a) setting a target that biofuels contribute 350 million litres to the total annual transport fuel supply by 2010; and (b) introducing a capital subsidy of \$0.16 for each litre of new or expanded biofuel production capacity until the additional 310 million litres target is reached or by the end of 2006-07.

*Notice given 12 August 2003*

1751 **Senator Ludwig:** To ask the Minister representing the Attorney-General—

- (1) What is the total amount budgeted for the Protective Security Coordination Centre.
- (2) How much of this budget is allocated for staff wages.
- (3) What is the wage scale for staff.
- (4) How many calls does the Protective Security Coordination Centre receive each day.
- (5) How is information received on the hotline forwarded to respective agencies.
- (6) Is there a criteria to determine which agency should receive incoming information; if so, can this criteria be provided.
- (7) Are there any reporting processes in place to determine the feasibility of the program; if so, can these details be provided; if not, why not.
- (8) Is there a counselling service for staff who are showing signs or symptoms of distress relating to calls they receive during working hours; if not, why not.

**Senator Brown:** To ask the Ministers listed below (Question Nos 1769-1770)—

- (1) (a) How many cameras watch over the Aboriginal Tent Embassy and surrounding area; and (b) how long have these cameras been in place.
- (2) (a) Were any persons identified as responsible for the fire bombing of the Aboriginal Tent Embassy on 14 June 2003; and (b) did the camera footage show people in the vicinity who may have been responsible.
- (3) Can the original unedited video of 14 June 2003 (24 hours) be available for viewing by Senator Brown's office.

1769 Minister for Local Government, Territories and Roads

1770 Minister for Local Government, Territories and Roads

*Notice given 14 August 2003*

1784 **Senator Ludwig:** To ask the Minister representing the Attorney-General—In relation to the provision of security assessments for Aviation Security Identity cards:

- (1) To what will the staff level be reduced once the initial reissue has been completed.
- (2) From which areas were the staff seconded.
- (3) Were additional staff employed to cover shortfalls in these areas.
- (4) What was the total cost involved in the reissuing of the cards for the 2003-04 financial year.
- (5) Have any cardholders not been reissued with their cards; if so, can reasons be provided.

1785 **Senator Ludwig:** To ask the Minister representing the Attorney-General—With reference to the answer to question on notice no. 59 taken during the 2003-04 Budget estimates hearings of the Legal and Constitutional Legislation Committee regarding to the agreement with Telstra for the provision of a hotline service:

- (1) How many calls were received for each of the billing dates listed in the answer to this question on notice.
- (2) How many staff were originally employed to work in the centre.
- (3) Have these staff members been relocated to other call centres or retrenched.
- (4) Were these staff members employed under a certified agreement; if so, can details of the agreement be provided.
- (5) Were there any payout costs associated with the downsizing of the workforce; if so, can details of any payout costs be provided.
- (6) Can a comparison of calls to the 1800 service and the general 13 2400 number be provided in the form of a table.

1786 **Senator Ludwig:** To ask the Minister representing the Attorney-General—With reference to the answer to question on notice no. 60 concerning calls received following the establishment of the hotline to the National Security Information Campaign Taskforce, taken during the 2003-04 Budget estimates hearings of the Legal and Constitutional Legislation Committee:

- (1) Can a breakdown be provided of the feedback that was received by:  
(a) number of calls; (b) categories; and (c) the exact nature of the calls.
- (2) Can a copy of the feedback received be provided.

1788 **Senator Ludwig:** To ask the Minister representing the Attorney-General—

- (1) What is the total budget for the Protective Security Coordination Centre.

- (2) Where is the centre located.
- (3) Is the centre open 24 hours; if not, (a) what hours is it open; and (b) to where are calls diverted when it is not open.
- (4) How many calls does the centre receive each day.
- (5) Can a breakdown be provided of calls received each month since the inception of the centre.
- (6) Are salaries for staff at the centre paid according to qualifications.
- (7) Of the 43 people currently employed within the centre, how many are employed on a full-time, part-time or casual basis.

*Notice given 18 August 2003*

**Senator Nettle:** To ask the Ministers listed below (Question Nos 1797-1798)—With reference to the Regional Solutions Programme:

- (1) Can a breakdown be provided of funding in Western Australia for the years 2001 to 2003, including: (a) local government areas receiving funding; (b) the amount received by each local government area; and (c) brief project descriptions.
- (2) Can a breakdown be provided of funding in Western Australia for the years 2001 to 2003, including: (a) electorates receiving funding; (b) the amount received by each electorate; and (c) brief project descriptions,

1797 Minister representing the Minister for Transport and Regional Services

1798 Minister for Local Government, Territories and Roads

*Notice given 20 August 2003*

1806 **Senator Brown:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—In regard to the Port Hedland Detention Centre:

- (1) Given that a large proportion of inmates has attempted suicide at least once, do guards carry knives at all times to cut down detainees who attempt to hang themselves.
- (2) How many attempted suicides have there been in Refugee/Asylum seeker detention centres in the past 2 years.
- (3) How does this figure compare to the Australian average per head of population.

*Notice given 21 August 2003*

1810 **Senator Lightfoot:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—In regard to the Goldfields Land and Sea Council based in Kalgoorlie, which is not a government agency, but was funded by an Aboriginal and Torres Strait Islander Commission grant of \$3 170 501 for 2002, and given the level of federal funding received by the council gives rise to considerable concerns regarding the apparent lack of fiscal management and public accountability:

- (1) How much Federal funding did the council receive during the 2001-02 financial year.
- (2) With reference to the amount of \$181 166 expended on 'fares and travel allowances' by the council in Kalgoorlie Boulder for the 2001-02 financial year: (a) can a breakdown be provided of these costs for each journey undertaken with specific reference to: (i) the purpose, (ii) the destination, (iii) the total cost, (iv) the individual responsible, and (v) any personal

expenses incurred for each trip; (b) can a list be provided for each recipient of: (i) travel allowances paid, and (ii) the capacity in which they were paid; and (c) why did the council exceed its budgeted figure for 'fares and travel allowances' by \$92 242.

- (3) With reference to the amount of \$19 227 expended on 'field expenses' by the council for the 2001-02 financial year: (a) can a breakdown be provided of these costs with specific reference to: (i) each item or service purchased with these monies, and (ii) the individual responsible for making those purchases on each occasion; and (b) why did the council exceed its budgeted figure for 'field expenses' by \$14 161.
- (4) With reference to the amount of \$29 655 expended on 'equipment and furniture' by the council for the 2001-02 financial year: (a) can a breakdown be provided of these costs with specific reference to: (i) each piece of equipment and furniture purchased, (ii) its intended use, and (iii) the name of the individual who will predominantly use each item if it is not a shared office resource; and (b) why did the council exceed its budgeted figure for 'equipment and furniture' by \$14 988.
- (5) With reference to the amount of \$150 133 expended on 'meetings' by the council for the 2001-02 financial year: (a) can a breakdown be provided of these costs with specific reference to: (i) each item, service and/or fee paid for or purchased for each meeting, and (ii) the recipients of all monies expended on meetings for the 2001-02 financial year; and (b) why did the council exceed its budgeted figure for 'meetings' by \$41 670.
- (6) With reference to the amount of \$206 827 expended on 'office expenses' by the council for the 2001-02 financial year: (a) can a breakdown be provided of these costs; and (b) why did the council exceed its budgeted figure for 'office expenses' by \$72 464.
- (7) Can an itemised list be provided of all monies paid by the council, the Aboriginal and Torres Strait Islander Commission or the Federal Government to Mr Brian Wyatt, Chief Executive Officer of the council for the past 3 financial years; including: (a) wages; (b) fees; (c) allowances; (d) reimbursements; (e) account payments; (f) subsidies; and (g) any other form of remuneration paid to Mr Wyatt for those 3 years.

*Notice given 22 August 2003*

1816 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—

- (1) Can the Minister confirm whether the proposed fish farm development planned for Moreton Bay would need full scientific certainty pursuant to section 3A of the *Environment Protection and Biodiversity Conservation Act 1999*.
- (2) Can the Minister confirm that the proposed fish farm is under Commonwealth jurisdiction until full scientific certainty is achieved.

1818 **Senator Brown:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—With regard to the Port Hedland Detention Centre:

- (1) Given that the local water quality is evidently poor as guards and locals refuse to drink it and instead drink bottled water: Does the water supplied to the centre meet Australian standards for potable water.
- (2) What is the calcium content of the water supplied to the inmates.

- (3) Is the evening meal for inmates chicken and rice with one piece of fruit per person per day.
- (4) Is the inmates' diet monitored by a nutritionist.
- (5) Is this nutritionist on site or does he or she just review a menu.
- (6) If the nutritionist reviews the menu what checks are made that the menu and the meals served are the same.

*Notice given 1 September 2003*

1829 **Senator Brown:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) Given that medical records from Australian Correctional Management's staff psychologist Ramesh Nair have documented the deteriorating mental health of Iraqi detainee Hasan Sabbagh, who has been held in detention since 1999: Why has the department failed to act on any of Dr Nair's recommendations.
- (2) Given that over the past three and half years, Hassan Sabbagh has applied four times to the Minister to be released from detention, with no response: How much longer will he have to wait for a response.
- (3) Given that Hassan Sabbagh's original case for protection against repatriation to Iraq has never been heard and yet the department wants to deport him back to Iraq: Is this against the International Refugee Convention.

1830 **Senator Brown:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—Given that in the 2003-04 financial year the migrant intake is set at between 100 000 and 110 000, including the refugee/humanitarian component, and that, according to Government figures, 43 per cent of the existing Australian population was born overseas, or are the children of overseas-born persons:

- (1) Is the government committed to a continuing migration and humanitarian intake.
- (2) (a) Is the Government committed to implementing its policy as stated; and (b) how does the Government aim to achieve this.
- (3) What responsibility does the Government have to provide effective settlement services for people in Australia.
- (4) In view of the accolades that Migration Resource Centres (MRC) have received for their work; why is the Government considering removing their funding.
- (5) (a) Why are some MRCs singled out for early termination; and (b) how will this produce equitable results for the people served by these centres.
- (6) What alternative, if any, does the Government propose to replace these centres and their services.

1832 **Senator Faulkner:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—In relation to departmental officers across Australia and in overseas posts considering applications for entry and/or residency visas:

- (1) Are all officers considering visa applications within a class required to consider those applications strictly on the basis of the statutory requirements for that class of visa; if not: (a) what are the exceptions; (b) what is the reason for a differential approach in applying statutory

requirements; (c) how is this differential approach explained to departmental officers considering applications; (d) how is the application of this differential approach monitored by the department; and (e) what consistency or probity safeguards apply.

- (2) Are all officers considering visa applications within a class required to consider those applications strictly on the basis of standard requirements for consideration of documentary evidence to substantiate the claims made by the applicant; if not: (a) what are the exceptions; (b) what is the reason for a differential approach in applying documentary requirements; (c) how is this differential approach explained to departmental officers considering applications; (d) how is the application of this differential approach monitored by the department; and (e) what consistency or probity safeguards apply.
- (3) Are all officers considering visa applications within a class required to consider those applications strictly in the order of receipt of the application; if not: (a) what are the exceptions; (b) what is the reason for a differential approach in applying order of consideration requirements; (c) how is this differential approach explained to departmental officers considering applications; (d) how is the application of this differential approach monitored by the department; and (e) what consistency or probity safeguards apply.
- (4) Are all officers considering visa applications within a class required to consider those applications strictly on the basis of the merits of the case before them; if not: (a) what are the exceptions; (b) what is the reason for a differential approach in applying merit requirements; (c) how is this differential approach explained to departmental officers considering applications; (d) how is the application of this differential approach monitored by the department; and (e) what consistency or probity safeguards apply.
- (5) Are all officers considering visa applications within a class required to consider those applications strictly on the basis of the case before them, irrespective of whether the applicant is represented by a Migration Agent, and irrespective of whether the applicant is represented by a particular Migration Agent; if not: (a) what are the exceptions; (b) what is the reason for a differential approach in applying relevance requirements; (c) how is this differential approach explained to departmental officers considering applications; (d) how is the application of this differential approach monitored by the department; and (e) what consistency or probity safeguards apply.
- (6) In relation to each of the application assessment process requirements outlined in parts (1) to (5), are these requirements applied equally when being considered by a departmental officer in Australia or in overseas posts; if not: (a) what are the exceptions; (b) what is the reason for a differential approach in applying these assessment process requirements; (c) how is this differential approach explained to departmental officers considering applications; (d) how is the application of this differential approach monitored by the department; and (e) what consistency or probity safeguards apply.
- (7) In relation to all of the application assessment process requirements outlined in part (6), are each of these requirements applied equally in all departmental offices across the State of New South Wales; if not: (a) what are the exceptions; (b) what is the reason for a differential approach in

applying these application assessment process requirements; (c) how is this differential approach explained to departmental officers considering applications; (d) how is the application of this differential approach monitored by the department; and (e) what consistency or probity safeguards apply.

*Notice given 2 September 2003*

1835 **Senator Evans:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the ex-Defence lands managed by the Sydney Harbour Federation Trust:

- (1) Were there any valuations done on any of the sites prior to the transfer from the Department of Defence to the Sydney Harbour Federation Trust.
- (2) What was the valuation for each of the sites managed by the Trust.
- (3) (a) Who undertook these valuations; and (b) when were they undertaken.
- (4) What is the estimated current valuation for each of the sites being managed by the Trust.
- (5) (a) Was there any valuation of the cost of the remediation works that were required at each of the ex-Defence sites being managed by the Trust; and (b) what was the amount of these valuations.
- (6) For each financial year to date: How much has been spent on remediation and environmental works at each of the ex-Defence sites now managed by the Trust.
- (7) When is it expected that all remediation work at the ex-Defence sites will be completed.
- (8) What is the process by which the ex-Defence sites will be transferred to the State of New South Wales following completion of remediation works at these sites.
- (9) (a) Will the sites then become part of the Sydney Harbour National Park, under the management of the New South Wales Government; and (b) when is it expected that this will occur.

1836 **Senator Evans:** To ask the Minister representing the Minister for the Environment and Heritage—

- (1) How much funding has the Sydney Harbour Federation Trust received from the Commonwealth Government in each financial year since its establishment.
- (2) Does this include the initial funding of \$96 million that the Trust received as part of the Federation Fund.
- (3) Can a breakdown be provided of how this funding has been spent for each financial year since the Trust was established.
- (4) Can a breakdown be provided of how the \$96 million allocated to the Trust as part of the Federation Fund was spent.
- (5) Can a breakdown be provided of every payment greater than \$1 million made by the Trust since its establishment.
- (6) (a) When is it expected that the work of the Trust will be completed; and (b) will the Trust be closed down once its work is completed.
- (7) What are the forecasts for Commonwealth funding to the Trust for the next 4 financial years.



- (8) Has the New South Wales Government made any financial contributions to the Trust at any time since its establishment; if so, can a list be proved of these contributions (i.e. date, amount, purpose etc.).
- (9) Is it expected that the New South Wales Government will make any financial contributions to the Trust at any time over the next 4 years.
- (10) When the remediation work being undertaken at the ex-Defence sites managed by the Trust is fully completed, and the lands are transferred to the State of New South Wales, will the New South Wales Government have to pay any money to the Commonwealth in respect of the transfer; if not, why not.

1840 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) Did Dr Peter Ellyard visit the Wide Bay Burnett region of Queensland in August 2002 in connection with the Sustainable Regions Programme.
- (2) Was the visit the result of the collaboration of the department and the Wide Bay Burnett Sustainable Region Advisory Committee.
- (3) What was the cost to the Commonwealth of Dr Ellyard's visit to the Wide Bay Burnett region and can this cost be itemised.
- (4) (a) What was the purpose of the visit; and (b) can a copy of the itinerary be provided.
- (5) Did the visit include a public presentation at the Kondari Resort, Urangan, on 8 August 2002; if so: (a) how was the presentation advertised; and (b) how many citizens of the Wide Bay Burnett region (other than members of the committee) attended.
- (6) On what basis was this visit considered a necessary part of the committee's consideration of funding priorities for the region.
- (7) Has Dr Ellyard attended meetings in other regions in connection with the Sustainable Regions Programme; if so: (a) what regions has Dr Ellyard visited at the invitation of the department and/or Sustainable Region Advisory committees; and (b) on what dates were those visits.

1841 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—What sitting fees, travelling allowances and motor vehicle allowances have been paid to each member of the Wide Bay Burnett Sustainable Regions Advisory Committee since its establishment in April 2002.

1842 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to Sustainable Regions Programme funding for the Wide Bay Burnett region of Queensland:

- (1) Why is the Yarraman district included in the Wide Bay Burnett region for the purposes of the Sustainable Regions Programme but was not included in the same region for the purposes of the Wide Bay Burnett Structural Adjustment Package.
- (2) (a) On what date did the Wide Bay Burnett Sustainable Region Advisory Committee call for expressions of interest from possible candidates for Sustainable Regions Programme funding; and (b) in what form was that call made.
- (3) How many expressions of interest were received.
- (4) On what date did the committee report registration statistics to the department.

- (5) Has the committee: (a) discussed the expressions of interest with each prospective proponent; (b) assessed all expressions of interest against program guidelines; (c) identified eligible projects; (d) worked with prospective proponents of eligible projects on the development of formal funding applications; and (e) made a recommendation to the Minister on funding individual projects; if so, what was the date of the recommendation.
- (6) With reference to the 29 November 2002 media statement by the Member for Wide Bay (Mr Truss) titled, 'Strong Interest in Regional Funding': (a) on what date was the contents of each expression of interest communicated to the Member; (b) did the committee or the department inform the Member about the contents of each expression of interest; (c) was the Minister or his office consulted about this communication; and (d) was the statement by the Member that projects being considered by the committee 'all appeared to have potential for moving the region towards self-reliance' based on advice from the committee or the department.
- (7) Has the committee received representations from the Member for Wide Bay on behalf of prospective proponents or the committee.

1843 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to Regional Solutions Programme funding for the 2002-03 financial year for projects that provide assistance to people living in the federal electorate of Wide Bay, for each project:

- (1) What is the name of the project.
- (2) What is the name of the proponent.
- (3) What is the business address of the proponent.
- (4) What amount of funding has been allocated to the project.
- (5) On what date was the funding allocation announced.
- (6) What is the nature of the project.
- (7) What amount of funding has the proponent received and on what dates.

*Notice given 8 September 2003*

1921 **Senator Murray:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—With reference to the Government's policy in relation to the Mugabe Zimbabwe African National Union-Patriotic Front (ZANU-PF) Government, can the Minister advise if there are any students attending Australian universities who are related to current ZANU-PF members of the Government or parliamentarians in Zimbabwe.

1923 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the Rural Transaction Centre program:

- (1) When was the independent Rural Transaction Centre Advisory Committee (RTAC) established.
- (2) Who was appointed to the RTAC.
- (3) (a) How were RTAC members selected; and (b) who made the final decision as to their appointment.
- (4) (a) Who is the chair of the RTAC; (b) how was the chair selected; and (c) who made the final decision as to the chair's appointment.
- (5) At the time of the announcement of the original RTAC: (a) what were the terms and conditions under which RTAC members were engaged; (b) for

each member, what payments were made including base salary or retainer fees, sitting fees, travel costs, accommodation and other payments; and (c) for each member: (i) what was the tenure of their contracts, and (ii) who determined these contract terms and conditions.

- (6) In relation to the period of service of each member: (a) how many meetings have been held; and (b) how many and which meetings has each member attended.
- (7) Are RTAC members required to disclose to the Minister any financial interests they or their immediate families may hold.
- (8) Can the Minister confirm that no members of the RTAC have, at any time, held a financial interest in GRM International Pty Ltd or its associated companies.
- (9) Since its establishment, have there been changes in the make-up of the RTAC; if so: (a) who has left the RTAC; (b) for what reason or reasons did they leave; (c) when did they leave; (d) who replaced them; (e) when were they replaced; (f) how was their replacement selected; and (g) who made the final decision regarding the replacement's appointment.
- (10) How often and where has the RTAC met since its establishment.
- (11) What records exist of these meetings.
- (12) Who provides secretarial support to the RTAC.
- (13) What has been the cost of the RTAC, by year, since the announcement of the program, including the costs of secretariat support and all other administrative costs.

1924 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the Rural Transaction Centre program:

- (1) (a) How are applications for preparation of business plans to enable identification of services required by the applicant communities evaluated; and (b) who makes the final decision.
- (2) (a) How are applications for the establishment and operation of Rural Transaction Centres evaluated; and (b) who makes the final decision.
- (3) Have these processes altered since the program was first announced; if so, how.
- (4) (a) What benchmarks are used, and methods of ongoing evaluation employed, in monitoring and reporting on the performance of established Rural Transaction Centres; and (b) are these reports made available to the Minister; if so, how often.
- (5) Can a copy of the funding guidelines used by the Rural Transaction Centre Advisory Committee to assess applications be provided; if not, why not.

1925 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to Media Release M250/2000 of 18 December 2000:

- (1) (a) What process was used to select and appoint GRM International Pty Limited (GRM International); and (b) who made the final decision.
- (2) Which other organisations expressed an interest in undertaking this work.
- (3) What was the total forecast expenditure by year under the contract.
- (5) How many full-time equivalent officers was GRM International to supply.
- (6) Did the contract specify where these officers were to be located.

- (7) (a) What, if any, changes have been made to the original terms of the contract; (b) why have these changes been made; and (c) who approved these changes.
- (8) What has been the actual expenditure, by year, in relation to the contract.
- (9) How many full-time equivalent officers has GRM International supplied for each year since the contract was awarded.
- (10) (a) Where is each officer supplied by GRM International located; and (b) in which federal electorates are they located.

1926 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the Rural Transaction Centre program:

- (1) When was the independent Rural Transaction Centre Advisory Committee (RTAC) established.
- (2) Who was appointed to the RTAC.
- (3) (a) How were RTAC members selected; and (b) who made the final decision as to their appointment.
- (4) (a) Who is the chair of the RTAC; (b) how was the chair selected; and (c) who made the final decision as to the chair's appointment.
- (5) At the time of the announcement of the original RTAC: (a) what were the terms and conditions under which RTAC members were engaged; (b) for each member, what payments were made including base salary or retainer fees, sitting fees, travel costs, accommodation and other payments; and (c) for each member: (i) what was the tenure of their contracts, and (ii) who determined these contract terms and conditions.
- (6) In relation to the period of service of each member: (a) how many meetings have been held; and (b) how many and which meetings has each member attended.
- (7) Are RTAC members required to disclose to the Minister any financial interests they or their immediate families may hold.
- (8) Can the Minister confirm that no members of the RTAC have, at any time, held a financial interest in GRM International Pty Ltd or its associated companies.
- (9) Since its establishment, have there been changes in the make-up of the RTAC; if so: (a) who has left the RTAC; (b) for what reason or reasons did they leave; (c) when did they leave; (d) who replaced them; (e) when were they replaced; (f) how was their replacement selected; and (g) who made the final decision regarding the replacement's appointment.
- (10) How often and where has the RTAC met since its establishment.
- (11) What records exist of these meetings.
- (12) Who provides secretarial support to the RTAC.
- (13) What has been the cost of the RTAC, by year, since the announcement of the program, including the costs of secretariat support and all other administrative costs.

1927 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the Rural Transaction Centre program:

- (1) (a) How are applications for preparation of business plans to enable identification of services required by the applicant communities evaluated; and (b) who makes the final decision.

- (2) (a) How are applications for the establishment and operation of Rural Transaction Centres evaluated; and (b) who makes the final decision.
- (3) Have these processes altered since the program was first announced; if so, how.
- (4) (a) What benchmarks are used, and methods of ongoing evaluation employed, in monitoring and reporting on the performance of established Rural Transaction Centres; and (b) are these reports made available to the Minister; if so, how often.
- (5) Can a copy of the funding guidelines used by the Rural Transaction Centre Advisory Committee to assess applications be provided; if not, why not.

1928 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to Media Release M250/2000 of 18 December 2000, can the Minister advise:

- (1) (a) What process was used to select and appoint GRM International Pty Limited (GRM International); and (b) who made the final decision.
- (2) Which other organisations expressed an interest in undertaking this work.
- (3) What was the original tenure of the contract with GRM International.
- (4) What was the forecast expenditure, by year, under the contract with GRM International.
- (5) How many full-time equivalent officers was GRM International to supply under the contract.
- (6) Did the contract specify where these officers were to be located.
- (7) (a) What, if any, changes have been made to the original terms of the contract with GRM International; (b) why have these changes been made; and (c) who approved these changes.
- (8) What has been the expenditure, by year, under the contract with GRM International.
- (9) How many full-time equivalent officers has GRM International supplied for each year since the contract was awarded.
- (10) (a) Where is each officer supplied by GRM International based; and (b) in which federal electorates are they located.

1929 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) When was the Rural Transaction Centre program announced.
- (2) What was the intended outcome of the program at the time of the original announcement.
- (3) (a) What was the program's forecast duration; and (b) has the forecast been altered; if so, in what way and why.
- (4) What was the initial funding allocation to the program for each year of the program's original intended duration.
- (5) Of the original funding allocation, what quantum was allocated for: (a) the preparation of business plans to enable identification of services required by the applicant communities; and (b) the establishment and operation of Rural Transaction Centres.
- (6) What has been the actual quantum of funding expended for each year of the program for: (a) the preparation of business plans to enable identification of

services required by the applicant communities; and (b) the establishment and operation of Rural Transaction Centres.

- (7) At the time the program was announced, what was the forecast number of applications expected, by year, for: (a) the preparation of business plans to enable identification of services required by the applicant communities; and (b) the establishment and operation of Rural Transaction Centres.
- (8) How many applications have been received, by year, for: (a) the preparation of business plans to enable identification of services required by the applicant communities; and (b) the establishment and operation of Rural Transaction Centres.
- (9) How many Rural Transaction Centres have been established for each year since the program's inception.
- (10) What is the location of each established Rural Transaction Centre, and in which federal electorate are they located.
- (11) (a) How many applications, for the preparation of business plans to enable identification of services required by the applicant communities, are pending; and (b) from which town or community groups have these applications been received and in which federal electorates are they located.
- (12) How many applications for the establishment and operation of Rural Transaction Centres are pending and, if successful, in which towns and federal electorates will they be located.

1930 **Senator O'Brien:** To ask the Minister for Local Government, Territories and Roads—

- (1) When was the Rural Transaction Centre program announced.
- (2) What was the intended outcome of the program at the time of the original announcement.
- (3) (a) What was the program's forecast duration; and (b) has the forecast been altered; if so, in what way and why.
- (4) What was the initial funding allocation to the program for each year of the program's original intended duration.
- (5) Of the original funding allocation, what quantum was allocated for: (a) the preparation of business plans to enable identification of services required by the applicant communities; and (b) the establishment and operation of Rural Transaction Centres.
- (6) What has been the actual quantum of funding expended for each year of the program for: (a) the preparation of business plans to enable identification of services required by the applicant communities; and (b) the establishment and operation of Rural Transaction Centres.
- (7) At the time the program was announced, what was the forecast number of applications expected, by year, for: (a) the preparation of business plans to enable identification of services required by the applicant communities; and (b) the establishment and operation of Rural Transaction Centres.
- (8) How many applications have been received, by year, for: (a) the preparation of business plans to enable identification of services required by the applicant communities; and (b) the establishment and operation of Rural Transaction Centres.
- (9) How many Rural Transaction Centres have been established for each year since the program's inception.

- (10) What is the location of each established Rural Transaction Centre, and in which federal electorate are they located.
- (11) (a) How many applications, for the preparation of business plans to enable identification of services required by the applicant communities, are pending; and (b) from which town or community groups have these applications been received and in which federal electorates are they located.
- (12) How many applications for the establishment and operation of Rural Transaction Centres are pending and, if successful, in which towns and federal electorates will they be located.

1931 **Senator Allison:** To ask the Minister representing the Minister for Education, Science and Training—

- (1) For the calendar year 2003 to date: (a) how many staff have been made redundant at the Commonwealth Scientific and Industrial Research Organisation (CSIRO); and (b) for each staff member made redundant: (i) what Division did they work for, (ii) what was their position within the organisation, (iii) was the nature of their redundancy voluntary or involuntary, (iv) what was the duration of their employment with CSIRO, and (v) what was the last project they worked on.
- (2) For the remainder of 2003: (a) how many staff will be made redundant at the CSIRO; and (b) for each staff member: (i) what Division do they work for, (ii) what is their position within the organisation, (iii) was the nature of their redundancy voluntary or involuntary, (iv) what is the duration of their employment with CSIRO, and (v) what will be their last project.
- (3) For the calendar year 2002: (a) how many staff were made redundant at the CSIRO; and (b) for each staff member: (i) what Division did they work for, (ii) what was their position within the organisation, (iii) was the nature of their redundancy voluntary or involuntary, (iv) what was the duration of their employment with CSIRO, and (v) what was the last project they worked on.
- (4) What consultation on the matter of redundancies has been undertaken with affected staff, relevant unions and the CSIRO Staff Association during 2003.
- (5) (a) At what level were these staffing cut decisions made; and (b) was the Minister involved.
- (6) What are the costs of redundancy packages for 2003, actual and planned.
- (7) What is the rationale for these redundancies.

1934 **Senator Carr:** To ask the Minister representing the Minister for Education, Science and Training—

- (1) Can a list be provided of all projects commissioned under the department's Evaluation and Investigation Program (EIP) since 1 July 2000.
- (2) In relation to each project mentioned in paragraph (1), can the following information be provided in tabular form: (a) the title of the project; (b) who commissioned the project; (c) who undertook the study and research for the project; (d) the stated purpose of the project; (e) the value of the project; (f) the date of acquittal of payment for each project; (g) the date the report for the project was provided to the department; (h) the date the report was published; (i) details of whether the report was published electronically or in hard copy; (j) confirmation that all such reports have been provided to the Employment, Workplace Relations and Education Legislation

Committee, together with the date of provision; (k) if reports were not published, why; and (l) if reports were not provided to the Committee, why not.

1935 **Senator Bishop:** To ask the Minister for Defence—

- (1) How many instances were there in each of the past 3 years of explosives being stolen from Defence establishments.
- (2) In how many instances in the same years were there incomplete reconciliations of stock holdings.
- (3) In each case, what was stolen and in what quantity.
- (4) (a) What regular process exists for the routine reconciliation of explosive supplies; and (b) what is the reporting and coordination process.
- (5) What quantities of explosives, by type, were purchased in each of the past 2 financial years.
- (6) In how many locations around Australia are explosives stored.
- (7) What accountability for stocks of explosives exists to security agencies at both federal and state levels.

1936 **Senator Bishop:** To ask the Minister for Justice and Customs—

- (1) How many cases of stolen explosives were reported to the Australian Federal Police and state police forces in each of the past 3 years.
- (2) What coordination mechanism exists at the federal level for the exchange of information on explosive imports, local manufacture, sale and distribution of all explosive material.
- (3) What investigations are conducted into reports of missing or stolen explosives in Australia.
- (4) What quantity of explosive material was manufactured within Australia in each of the past 3 years.
- (5) How much explosive material, by type, was imported.
- (6) How much explosive material, by type: (a) was exported; and (b) to which destination, by quantity.

*Notice given 9 September 2003*

1937 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—For each of the past 10 years: (a) how much federal funding has been allocated to environment groups in Australia; and (b) how much went to each environment group which was funded, directly or indirectly.

1941 **Senator Brown:** To ask the Minister representing the Minister for Health and Ageing—

- (1) How has the Government responded to Alzheimers Australia's call for dementia to be made a national health priority.
- (2) What are the age and demographic trends for dementia in Australia.
- (3) What financial, respite or other government assistance is available to people caring for dementia suffers at home.

**Senator Brown:** To ask the Ministers listed below (Question Nos 1944-1945)—With reference to wheat streak mosaic virus:

- (1) Has the Commonwealth Scientific and Industrial Research Organisation or any other Australian research organisation, ever imported the virus for



research or any other purpose: if so; (a) who licenced and monitored importation of the virus; (b) when was the virus imported; (c) by what means was the virus imported; (d) by what route was the virus imported and transported; (e) in which facilities is, or in which facilities was, the virus stored and used; (f) has the virus been transported to other facilities; (g) has the virus imported under OGTR/GMAC1507 been destroyed; (h) who is or was responsible for containing and managing the virus; (i) has the Office of the Gene Technology Regulation (OGTR) ever inspected, assessed or approved any facilities in which the organisms licenced under GMAC1507 are stored or used; if so, what were the results of those inspections; (j) is there any evidence that the virus may have escaped from storage or research facilities into any other environments; (k) is there any evidence that the virus, licenced by OGTR/GMAC1507 or any other research project using the virus, may be the source of infections recently identified in wheat plants in various research facilities around Australia.

- (2) If the virus was used for research or other purposes in Australia, what evidence shows that this was not the source of the current infection in wheat at various locations, which threatens the Australian wheat industry.

1944 Minister representing the Minister for Agriculture, Fisheries and Forestry

1950 **Senator Brown:** To ask the Minister representing the Treasurer—

- (1) Did the Government receive a legal opinion from the Australian Government Solicitor about whether or not it was constitutionally possible for the Commonwealth to deliver a legally binding and enforceable right of veto to the States in relation to the rate of a goods and services tax (GST); if so; can a copy of that opinion be provided.
- (2) Since the passage of the GST legislation, do the state and territory governments have a legally binding and enforceable right of veto over changes to the rate of the GST now and in the future.

1960 **Senator Evans:** To ask the Minister for Defence—

- (1) How many security clearance applications are currently waiting to be processed by the Defence Security Authority.
- (2) How many security clearance re-evaluations are currently waiting to be processed by the Defence Security Authority.
- (3) Can a breakdown be provided of how long all security clearances waiting to be processed, including re-evaluations and new applications, have been delayed, for example,  $x$  applications are delayed by 1 month,  $y$  applications are delayed by 2 months etc.
- (4) What has such a large backlog developed.
- (5) What is the current estimate of the length of time it will take before the backlog is fully cleared.
- (6) What processes or initiatives are being put in place to reduce the backlog.
- (7) What processes or initiatives are being put in place to ensure that such a backlog does not arise again in the future.

*Notice given 10 September 2003*

1973 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—

- (1) For each of the following financial years; 2000-01, 2001-02, and 2002-03: (a) how many suspected illegal fishing vessels in the Heard and McDonald Island (HIMI) region have been reported to Australian authorities; and

(b) in each case: (i) what was the source of the report, and (ii) on what date was the report received.

- (2) For each of the following financial years; 2000-01, 2002-02, and 2002-03: (a) how many suspected illegal fishing vessels in the HIMI region were reported to Australian authorities but not subsequently intercepted; and (b) in each case where a suspected illegal fishing vessel was identified but not intercepted, why was it not intercepted.

1974 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—With reference to the answer to paragraph (3)(a) of question on notice no. 565 (Senate *Hansard*, 11 November 2002, p. 6016):

- (1) Was the alleged broadcasting of bogus Emergency Position Indicating Rescue Beacon signals by the *Volga* to assist the illegal fishing vessel the *Lena* to evade hot pursuit by the Australian Fisheries Management Authority contracted *Southern Supporter* subject to investigation by Australian authorities; if so, what was the outcome of the investigation and do current charges against the crew of the *Volga* relate to this alleged activity; if no investigation has been undertaken, why not.
- (2) Was the alleged broadcasting of bogus Emergency Position Indicating Rescue Beacon signals by the *Florence* during the *Southern Supporter's* hot pursuit of the illegal fishing vessel the *Lena*, and the *Florence's* alleged re-fuelling of the *Lena*, subject to investigation by Australian authorities; if so, what was the outcome of this investigation and what legal action, if any, has been initiated against the crew of the *Florence*; if no investigation has been undertaken, why not.

1975 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—With reference to the answer to paragraph (3)(b) of question on notice no. 731 (Senate *Hansard*, 9 December 2002, p. 7520): Has the Australian Government yet made direct representations to the Bolivian Government on Australia's concerns about illegal, unregulated and unreported fishing and flag of convenience fishing; if so, when and in what form were these representations made; if not, why not.

1976 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—

- (1) What companies have been issued with a licence to fish in the Heard and McDonald Island Fishery.
- (2) In relation to each company: (a) what is its registered address; and (b) when was the licence issued and, if applicable, renewed.
- (3) (a) What total allowable catch, by species, is each licence holder allocated; and (b) in relation to each licence holder, have catch limits been varied; if so, when and what is the nature of the variation.

1977 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—With reference to the report of the Twenty-First Meeting of the Commission for the Conservation of Antarctic Marine Living Resources, held in Hobart from October to November 2002 and, in particular, the report on illegal, unregulated and unreported fishing:

- (1) Has Russia complied with Australia's request for the provision of vehicle monitoring system (VMS) data for the Russian-flagged vessel the *Volga*, recorded prior to its apprehension; if so, when did Russia provide the data; if not, has Australia made further representations in this matter.
- (2) Is the Minister aware that, during the meeting, France identified the vessel the *Viarsa* as a suspected illegal toothfish vessel.

- (3) (a) What information did Australia seek from France on the alleged activities of the *Viarsa* and other vessels identified as alleged illegal fishing vessels; (b) what investigation did Australia undertake upon receipt of that information; and (c) what outcome can be attributed to that investigation.
- (4) (a) What assistance has Australia provided Uruguay in the implementation of a 'smart track' VMS; and (b) what progress has Uruguay made on its implementation.

1978 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—

- (1) Did the Minister authorise the release of the details about Operation 'Rushcutter' contained in his ministerial media statement AFFA03/86MJ, issued on 12 May, including detailed vessel specifications of the *Aurora Australis*, patrol duration incorporating departure and return dates, a detailed description of crew numbers, training and operational capacity, the area of operation and the operational command structure; if not, who authorised the release of this information.
- (2) Did the Minister authorise the release of information about the sidearms carried by officers and larger calibre weapons available aboard the *Aurora Australis* during Operation 'Rushcutter', as reported in the Hobart *Mercury* on 13 May 2003; if not, who authorised the release of this information.
- (3) With reference to the Minister's media statement '\$12 million Budget boost to fight illegal fishing in Southern Ocean' issued on 13 May 2003, can details be provided of the Government's new program of armed enforcement patrols, including the proposed patrol frequency and enhanced enforcement capacity.

1979 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—

- (1) For each of the following financial years; 2001-02 and 2002-03: what was the estimated illegal catch of Patagonian toothfish and other fish species taken from the Heard and McDonald Islands region.
- (2) For each of the following financial years; 2001-02 and 2002-03: what assessment has the Government made of incidental mortality, including marine species and sea birds, resulting from this illegal fishing activity.

1980 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—

- (1) What charges were laid against the master and crew of the vessel the *Aliza Glacial*, arising from its apprehension in October 1997, for alleged illegal fishing activity in Australian waters near the Heard and McDonald Islands.
- (2) When did the master and crew depart Australia.
- (3) Did the departure of the master and crew stall the prosecution for alleged illegal fishing activity; if so: (a) what conditions were placed on their departure; (b) what has the Government done to secure the return of the accused to Australia; (c) what is the current location of the accused; (d) what is the status of the outstanding charges; and (d) what future action is proposed by the Government in this matter.

1981 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—  
With reference to the 'stern warning' to illegal Southern Ocean fishers and the nations that support illegal fishing activity issued by the Minister on 9 February 2003, in media statement AFFA03/017M:

- (1) In what form and over what period was the warning communicated to illegal fishers.

- (2) Was the warning delivered in languages other than English; if so, in which languages; if not, why not.
- (3) Was the warning delivered to governments believed to support illegal fishers; if so: (a) when did the Minister do so; (b) what governments received the warning; and (c) what message did the Minister deliver on behalf of the Commonwealth.
- (4) Did the Minister's reference to nations that support illegal fishing include countries that provide markets for illegal catches of Patagonian toothfish.
- (5) What outcomes can be attributed to the warning.

1982 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—  
With reference to the answer to paragraph (3)(a) of question on notice no. 490 (Senate *Hansard*, 17 September 2002, p. 4320), concerning negotiations with key flag states of illegal or suspected illegal fishing vessels and countries that tolerate illegal, unreported and unregulated and flag of convenience fishing:

- (1) (a) What bilateral negotiations has the Government undertaken on the elimination of illegal fishing with Russia, Belize, Togo, Mauritius and the Seychelles in the past 12 months; (b) have these negotiations included ministerial-level communications; and (c) what outcomes, by country, can be attributed to Australia's negotiations.
- (2) (a) What other countries, suspected to be flag states of illegal fishing vessels or tolerant of illegal fishing, has the Government engaged in bilateral negotiations in the past 12 months; (b) have these negotiations included ministerial-level communications; and (c) what outcomes, by country, can be attributed to Australia's negotiations.

1983 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—  
With reference to the answer to question on notice no. 730 (Senate *Hansard*, 10 December 2003, p. 7659):

- (1) Has Australia finalised an agreement with France on combating illegal fishing in Australia's sub-Antarctic exclusive economic zones; if so when was the agreement finalised and what are the details of the agreement; if not: (a) why not; (b) what negotiations have been undertaken since the Minister advised in his answer that a proposed draft text was agreed; (c) were negotiations progressed during the Minister's meeting with the French Minister for Overseas Territories in Paris in June 2003; (d) have negotiations included consideration of joint use of French facilities or French patrols of Australian waters; (e) what future negotiations are planned; and (f) when does the Minister expect the agreement will be finalised and active.
- (2) Has a cooperative arrangement to combat illegal fishing been negotiated with South Africa; if so, when was the arrangement finalised and what are the details of the arrangement; if not: (a) what negotiations have been undertaken since the Minister wrote to his South African counterpart in September 2002 initiating formal discussions; (b) what future negotiations are planned; and (c) when does the Minister expect a cooperative arrangement will be finalised.

1984 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—  
With reference to the high-level policy group formed to oversee the protection of the Heard and McDonald Island Fishery:

- (1) When has the group met since its inaugural meeting on 6 August 2002.

- (2) What senior departmental officials from: (a) the Department of Foreign Affairs and Trade; (b) the Department of Environment and Heritage; (c) the Department of Defence; (d) the Attorney General's Department; (e) the Department of Treasury; (f) the Australian Customs Service (Coastwatch); (g) the Department of Prime Minister and Cabinet; (h) the Australian Federal Police; and (i) the Department of Finance and Administration, comprise its membership.
- (3) Who chairs the group.
- (4) Has the membership of the group, or its terms of reference, altered since its inaugural meeting; if so, can details of membership changes or amendments to the group's terms of reference be provided.
- (5) Is the group required to consult with non-departmental stakeholders; if so, can details of such consultation be provided; if not, why not.

1985 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—  
With reference to the Australian Fisheries Management Authority charter vessel *Southern Supporter*:

- (1) When was the current Standing Deed of Offer signed.
- (2) (a) What are the terms of the Standing Deed of Offer; and (b) what is the value of the contract between the Commonwealth and P&O Maritime Services Pty Ltd.
- (3) What assessment has been made of the performance of the *Southern Supporter* in combating illegal, unreported and unregulated fishing in the Heard and McDonald Island (HIMI) region.
- (4) (a) How many operations involving apprehension, boarding and/or searching suspected illegal fishing vessels were undertaken by the *Southern Supporter* in the HIMI region in 2002-03; and (b) for each operation: (i) what was the name of the vessel involved, (ii) what fishing equipment and/or catch was seized, and (iii) what legal action, if any, resulted.
- (5) What are consequences for the role of the *Southern Supporter*, arising from the end of the civilian charter vessel program in June 2003, announced by the Minister on 13 May 2003.

1986 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—

- (1) What specific outcomes beneficial to Australian fisheries management can be attributed to the Minister's attendance at the fisheries roundtable organised by the Organisation for Economic Co-operation, held in Paris in June 2003.
- (2) Can an English-language communiqué of the roundtable be provided.
- (3) Which French Ministers did the Minister meet to discuss illegal fishing in the Southern Ocean around Australia's Heard and McDonald Islands and France's Kerguelen Island.
- (4) What new measures did the French Ministers propose to facilitate surveillance and apprehension of boats illegally fishing in Australian and French waters in the Southern Ocean.
- (5) What new measures did the Minister propose to the French Ministers.
- (6) When did the Minister depart Australia for the roundtable visit.
- (7) When did the Minister return to Australia.
- (8) Who accompanied the Minister on this trip.
- (9) Can the details of the Minister's official itinerary be provided.

- (10) (a) What was the total cost of the Minister's visit to Paris, including departmental officers and ministerial staff; and (b) which department or departments met these costs.

1987 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—With reference to the Minister's meeting with the French Minister for Overseas Territories in Paris on 3 June 2003:

- (1) Did the Minister discuss aerial surveillance of the French Kerguelen Island and Australia's adjacent Heard and McDonald Islands as a means to combat illegal fishing during the meeting.
- (2) Was agreement reached on aerial surveillance; if so, what are the details of the agreement; if not, what future negotiations are planned and when does the Minister expect agreement will be reached.

1988 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—With reference to the Minister's address to the National Press Club on 19 August 2003 concerning illegal toothfish fishing in Australian waters:

- (1) What action has the Government taken to investigate and prosecute the 20 to 30 alleged regular illegal fishing operators known to the Government.
- (2) (a) Is the Minister aware of allegations that the operator of the so-called 'Alphabet Boats' is a well known Hong Kong-based company with a wholly-owned Jakarta-based subsidiary that services the illegal fleet; (b) what action has the Government taken to investigate these allegations; (c) what representations has the Government made to the Hong Kong SAR Government, the Government of the People's Republic of China and the Indonesian Government, in relation to this company's alleged involvement in the operation of the 'Alphabet Boats'.

1989 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—With reference to Australia's 2001-02 report on its activities in the Convention on Conservation of Antarctic Marine Living Resources (CCAMLR) area in accordance with Article XX of the Convention:

- (1) Has Australia initiated any dispute resolution process involving any party to the Convention, including fellow members of the Commission for the Conservation of Antarctic Marine Living Resources, for alleged failure to undertake efforts consistent with Article XXI of the Convention.
- (2) (a) What action has Australia taken in respect to the 2002 failure by the Uruguayan Government to withdraw validated *Dissostichus* catch documents (DCDs), decline to validate further DCDs and stop shipments of catch from the Uruguayan-flagged vessels *Dorita* and *Arvisa I* that are subject to an illegal fishing investigation; (b) has the Uruguayan Government responded to Australia's concerns; if so, what was the nature of the Uruguayan response and did the response include the outcome of an investigation of the vessels' activities inside CCAMLR waters.
- (3) What reply did the Government receive from Uruguay, the Netherlands Antilles and the Netherlands to its protest over the temporary re-flagging of the *Arvisa I* to the Netherlands Antilles.
- (4) What response did the Government receive from each of the following countries: (a) Japan; (b) Hong Kong; (c) China; (d) Mozambique; and (e) Kenya, to Australian requests that the alleged illegal toothfish catch from the *Dorita* and *Arvisa I* be denied access to their markets.

- (5) (a) What, if any, legal action has been taken against the master and crew of the *Arvisa I* following its apprehension by the French in July 2002; and (b) did the Government provide French authorities with evidence it had gathered in January 2002, including a report of alleged illegal fishing activity, statutory statements from the captain and master of the Australian vessel *Aurora Australis* and photographic and auditory evidence; if not, why not.
- (6) (a) Has the Government continued to send officers to monitor landings by Australian boats unloading toothfish in Mauritius; and (b) if not, has Mauritius implemented a monitoring and validation system for the unloading of toothfish consistent with the requirements of CCAMLR; if so, when did the Mauritius implement such a system.

1990 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—

- (1) When were Australian authorities first made aware of alleged, actual or intended illegal fishing activity by the vessel the *Viarsa* in Australian waters near the Heard and McDonald Islands (HIMI).
- (2) What was the source of the information.
- (3) When did Australian authorities authorise the Australian Fisheries Management Authority-contracted vessel the *Southern Supporter* to intercept the *Viarsa*.
- (4) Where and when did the *Southern Supporter* first locate the *Viarsa*.
- (5) (a) What action, pursuant to what international or domestic law, did the *Southern Supporter* order the *Viarsa* to undertake; (b) when was this order made; and (c) what was the *Viarsa's* response.
- (6) (a) Were the *Viarsa's* identifiers displayed at the time it was located by the *Southern Supporter*; if so, were these identifiers later removed and when.
- (7) When and how did the *Viarsa* first identify itself to the *Southern Supporter*.
- (8) Was authorisation from a Minister or departmental officer required before the *Southern Supporter* commenced its hot pursuit of the *Viarsa*; if so: (a) when was this authorisation requested; (b) when was it provided; and (c) who provided it.
- (9) When did the 'hot pursuit' of the *Viarsa* by the *Southern Supporter* commence.
- (10) Why did the Minister not announce the commencement of the pursuit until 12 August 2003.
- (11) With reference to the Minister's statement on 13 May 2003 concerning armed enforcement in HIMI, was the *Southern Supporter* armed; if not, what capacity did the *Southern Supporter* have to apprehend the *Viarsa* without additional enforcement assistance.
- (12) Was the Department of Defence asked to provide logistical or enforcement assistance in the interception of the *Viarsa*; if so: (a) when was the request made; (b) what was the department's response; and (c) what assistance was provided.
- (13) (a) When did the Australian Government first make direct representations to the Uruguayan Government urging it to exercise its flag state responsibilities and require the *Viarsa* to accompany the *Southern Supporter* to the nearest Australian port; (b) what form did those representations take; (c) what was the Uruguayan Government's initial response and when was that response received; (d) did the Uruguayan

Government consent to Australia's request that the *Viarsa* be ordered to accompany the *Southern Supporter*; (e) did the Uruguayan Government order the *Viarsa* to accompany the *Southern Supporter* to an Australian port; if so, when was that order made and what is the source of that information.

- (14) (a) What subsequent representations did the Government make to the Uruguayan Government prior to the vessel's apprehension; (b) what was the Uruguayan Government's response to these representations; (c) when did the Minister make direct contact with the Uruguayan Minister for Livestock, Agriculture and Fisheries; (d) what assistance did the Minister seek; (e) how did the Uruguayan Minister respond to the Minister's request for assistance; and (f) what assistance has the Uruguayan Embassy in Canberra provided in the *Viarsa* matter.
- (15) Did the Uruguayan Government order the *Viarsa* to return to Montevideo; if so, when was that order made and what is the source of the information.
- (16) (a) When was the Minister and/or his department informed that a Uruguayan Government official was aboard the *Viarsa*; (b) what was the source of this information; (c) what is the name of the Uruguayan Government official and what position does the official hold; (d) what representations has the Government made to the Uruguayan Government in this matter; (e) what was the Uruguayan Government's response; (f) when did the Uruguayan official board the *Viarsa*.
- (17) (a) What representations has the Government received from the Uruguayan Government since the vessel's apprehension; and (b) how has Australia responded to those representations.
- (18) When did the Government first alert the secretariat of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) of the alleged illegal fishing activity by the *Viarsa*.
- (19) (a) What assistance did the Government, through its secretariat, ask members of CCAMLR to provide in relation to the *Viarsa*; (b) when was that assistance sought; and (c) what assistance, by country, was provided.
- (20) (a) When did the Government first make direct representations to the South African Government seeking assistance in the apprehension of the *Viarsa*; (b) what request did the Government make; (c) what response did the South African Government provide and when was it received; (d) when was the Government informed that the *SA Agulhas* would be directed to intercept the *Viarsa*; and (e) when did the *SA Agulhas* join the "hot pursuit" of the *Viarsa*.
- (21) (a) When did the Government initiate commercial negotiations on the hire of the tug boat *John Ross* to assist in the apprehension of the *Viarsa*; (b) when did the tug commence pursuit of the *Viarsa*; (c) what was the composition of the crew aboard the tug; (d) did the tug operate under Australian command; (e) what was the total cost of the tug hire; (f) was the cost of hiring the tug reduced as a result of Australia's cooperative relationship with the South African Government on illegal fishing matters; and (g) what total cost is payable to South African interests for assistance in the *Viarsa* matter.
- (22) (a) When did the Government first make direct representations to the United Kingdom Government seeking assistance in the apprehension of the *Viarsa*; (b) what request did the Government make; (b) what response did the United Kingdom Government provide and when was it received;



(c) what assistance did the United Kingdom Government provide; and  
(d) what total cost is payable to United Kingdom interests for assistance in the *Viarsa* matter.

- (23) When and where was the apprehension of the *Viarsa* effected.
- (24) (a) What was the number and composition of the crew aboard the *Viarsa* upon its apprehension; (b) has the Government made representations to other governments on the presence of their nationals aboard the *Viarsa*; if so, what representations has the Government made and what was the response.
- (25) What fish and equipment was allegedly found aboard the vessel.
- (26) (a) What progress has been made in the investigation into the *Viarsa's* conduct in Australian waters; and (b) where is the vessel and its crew currently located.
- (27) What arrangements has the government made for the disposal of fish allegedly found aboard the vessel.
- (28) How has the Government recognised the performance of the Australian officers involved in the pursuit and apprehension of the *Viarsa*.
- (29) What was the cost of the operation to apprehend the *Viarsa*.
- (30) What total cost has the Government incurred in the *Viarsa* matter, including the cost of pre-pursuit and post-apprehension operations.
- (31) Will the cost of the *Viarsa* operation be met from the \$12 million budget allocation for Southern Ocean fisheries enforcement in the 2003-04 financial year, announced by the Minister on 13 May 2003; if so, how will the operational plan for the 2003-04 financial year be amended to account for the *Viarsa* operation.
- (32) What provision has the Government made for Southern Ocean fisheries enforcement beyond 2003-04.

1998 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) Does the Australian Quarantine and Inspection Service (AQIS) receive advice from Livecorp on all withdrawals of accreditation and accreditation downgrades under the Live Export Accreditation Program (LEAP).
- (2) Can details of all such accreditation withdrawals be provided for each of the following financial years; 2000-01, 2001-02 and 2002-03, including for each withdrawal: (a) the name of the company; (b) reason for withdrawal; and (c) consequential action by AQIS.
- (3) Can details of all such accreditation downgrades be provided for each of the following financial years: 2000-01, 2001-02 and 2002-03, including for each downgrade: (a) the name of the company; (b) change in accreditation level; (d) reason for downgrade; and (d) consequential action by AQIS.

1999 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—Which countries have banned, suspended or varied conditions of export for Australian live animals since 1996; and in each case, can details of the ban, suspension or variation, including date of action and basis of action, be provided.

2000 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) What action has been taken to investigate claims of serious animal cruelty involving Australian export cattle slaughtered at the abattoir in Bassatin, Egypt.
- (2) When did the Minister, his office and his department become aware of claims of animal cruelty at the abattoir involving Australian export cattle.
- (3) (a) What action has been taken to improve animal welfare practices at the abattoir; (b) what improved animal welfare practices have resulted from this action; and (c) what is the source of information about these improved practices.

2001 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to allegations of misreporting of live export mortality numbers aboard a journey of the *Al-Khaleej* in 2001, aired on *60 Minutes* on 27 July 2003:

- (1) (a) When did the Minister, his office and his department first become aware of allegations of misreporting of mortality numbers relating to this shipment; and (b) in each case, what was the source of this information.
- (2) (a) When did the Minister, his office and his department first become aware that Livecorp has instigated an independent investigation of the allegations; and (b) in each case, what was the source of the information.
- (3) (a) When did the Livecorp investigation commence and what are its terms of reference; and (b) what was the source of this information.
- (4) If applicable: (a) when did the Livecorp investigation conclude; (b) when did the Minister receive the report; (c) what is the outcome of the investigation; (d) can a copy of the investigation report be provided; and (e) what consequential action has Livecorp and/or the Minister taken.
- (5) When did the Minister direct the Australian Quarantine Inspection Service (AQIS) Compliance Unit to undertake an inquiry into the allegations concerning the *Al-Khaleej*.
- (6) (a) What terms of reference did the Minister establish for the inquiry; and (b) when were these terms of reference established.
- (7) When did the inquiry commence.
- (8) If applicable: (a) when did the inquiry conclude; (b) what findings and recommendations did it make; and (c) what consequential action has the Minister taken.
- (9) If the inquiry has concluded, can a copy of the report be provided; if not, why not.
- (10) If the inquiry has not concluded, when does the Minister expect it will conclude and will a copy of the inquiry report be made available; if not, why not.
- (11) In respect to the journey of the *Al-Khaleef* subject to inquiry: (a) can the following information be provided: (i) date of departure, (ii) export licence holder, (iii) loading port/s, (iii) destination port/s, (iv) voyage length, (v) number and type of animals exported, (vi) reported mortality number, (vii) reported mortality rate, and (viii) reported explanation for mortality; (b) what is the source of this information; and (c) when was the mortality data reported to the Australian Maritime Safety Authority (AMSA) and/or AQIS.
- (12) What mortality number and rate was initially reported to: (a) Saudi authorities; (b) the export licence holder; and (c) Livecorp, and, in each

case, when were these reports made and when did the department become aware of the report figures.

- (13) What, if any, revised mortality data was reported to: (a) Saudi authorities; (b) the export licence holder and (c) Livecorp and in each case, when were these reports made and on what date did the department become aware of the report figures.
- (14) What was the actual mortality number and rate aboard the *Al-Khaleej*; and, if different from the reported mortality data, what is the explanation for the difference.

2002 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the suspension of Australian livestock exports to Saudi Arabia in August 2003:

- (1) (a) When did the Minister, his office and his department become aware that the health of sheep aboard the *MV Cormo Express* was subject to a dispute with the Saudi authorities; (b) what was the source of this information.
- (2) (a) When did Saudi authorities first inspect the livestock aboard the *MV Cormo Express*; and (b) what is the source of this information.
- (3) When did the Saudi authorities advise the exporter that they were not satisfied with the condition of the livestock aboard the vessel.
- (4) (a) What number of animals, and what percentage of the shipment, did the Saudi authorities allege were afflicted with scabby mouth; and (b) were other health problems identified by the authorities; if so, can details be provided of the problems and number afflicted.
- (5) Did the department investigate the claim, reported in the *Arab News* of 26 August 2003, that the livestock were affected by stomatitis; if so, what was the result of that investigation.
- (6) (a) What number of animals, and what percentage of the shipment, did the Australian Quarantine Inspection Service (AQIS)-approved veterinarian aboard the vessel allege were afflicted with scabby mouth; and (b) were other health problems identified by the veterinarian; if so, can details of the problems and number afflicted be provided.
- (7) In respect to the journey of the *MV Cormo Express*, can the following information be provided: (a) name and registered address of export licence holder; (b) when the exporter lodged with AQIS and Livecorp a notice of intention to export livestock to Saudi Arabia pursuant to the Australian Meat and Live-stock Industry (Live Sheep and Goat Exports to Saudi Arabia) Order 2002 (the Order); (c) when the Australian Chamber of Commerce and Industry issued a certificate of origin for the livestock pursuant to the Order; (d) the date AQIS issued a health certificate for the livestock pursuant to the Order; (e) date of departure; (f) loading port/s; (g) destination port/s; (h) voyage length; (i) number and type of animals exported; (j) reported mortality number; (k) reported mortality rate; (l) source of mortality data; and (m) date of mortality data reporting.
- (8) (a) When did the department and Australian Embassy officials meet with Saudi Agriculture Ministry officials to discuss the rejection of the shipment; (b) what representations did officials make to the Saudi Agriculture Ministry; and (c) what was the nature of the response.
- (9) What role did the Australian Government play in securing an alternative buyer for the livestock aboard the *MV Cormo Express*.

- (10) (a) When did the *MV Cormo Express* depart the Port of Jeddah; (b) when did it arrive at an alternative port; (c) when were the livestock subject to an additional veterinary investigation; and (d) when were the livestock discharged from the vessel.
- (11) What mortality occurred between the arrival of the *MV Cormo Express* at the Port of Jeddah and the eventual discharge of the livestock.
- (12) When did the Minister discuss the initial rejection of the livestock with his Saudi counterpart.
- (13) When did the Minister call in the Saudi Charge d’Affaires to express concern about the Saudi rejection.
- (14) What has been the total cost of the Government’s response to the Saudi rejection.
- (15) (a) When were live exports with Saudi Arabia suspended; and (b) when was this suspension communicated to Saudi authorities.
- (16) Were any Australian live export vessels en route to Saudi Arabia when the Minister suspended the trade; if so: (a) what vessels were affected; (b) how many animals were on board each vessel; and (c) were these vessels re-directed.
- (17) What conditions have been placed on the resumption of trade with Saudi Arabia.

2004 **Senator Hutchins:** To ask the Minister representing the Minister for Health and Ageing—With reference to the Therapeutic Goods Administration’s (TGA) recall in 1992 of unused product manufactured from hepatitis C positive plasma arising from the ‘Gosford incident’ as reported on page 14 of the Report of the Export Advisory Group on Hepatitis C and Plasma in 1990:

- (1) What was the stated reason for the recall.
- (2) Which blood products and batch numbers were recalled.
- (3) Was any of the plasma product Prothrombinex (Factor IX) recalled.
- (4) What was the ‘class’ and ‘level’ of the recall as per the procedures described in the TGA’s Uniform Recall Procedure for Therapeutic Goods.
- (5) What was the ‘strategy’ for the recall as per the procedures described within the TGA’s Uniform Recall Procedure for Therapeutic Goods.
- (6) What quantity was manufactured of each of the batches that were recalled.
- (7) What quantity was distributed.
- (8) What quantity was used by patients.
- (9) What quantity was retrieved.
- (10) (a) Which blood transfusion services were notified of the recall; and (b) how were they notified.
- (11) (a) Which hospitals were notified of the recall; and (b) how were they notified.
- (12) (a) Which clinicians were notified of the recall; and (b) how were they notified.
- (13) (a) Which patients were notified of the recall; and (b) how were they notified.
- (14) (a) Which hospitals notified patients who were treated as out-patients; and (b) how were they notified.

- (15) (a) Which hospitals notified patients who were treated as ‘on home therapy’; and (b) how were they notified.
- (16) Were ‘at risk’ batch numbers disclosed to all patients who may have used the suspect products.
- (17) What process was implemented to Hepatitis C (HCV) test all patients who may have used the at-risk batches.
- (18) What measures have been taken by medical authorities to deal with the consequences of the tests for HCV.

*Notice given 11 September 2003*

2007 **Senator Cook:** To ask the Minister for Revenue and Assistant Treasurer—In relation to payments made to individual mining companies under the Diesel Fuel Rebate Scheme for the financial years 2000-01 to 2002-03:

- (1) What was (a) the name of each company; (b) the type of mineral mined; and (c) the amount of rebate received.
- (2) What proportion of rebate was paid primarily for exploration purposes as opposed to actual mining operations.

2010 **Senator Brown:** To ask the Minister representing the Treasurer—

- (1) How much money has been collected since 18 September 2002 in excise or customs tariffs on ethanol.
- (2) (a) How much money has been paid, or is owed, to domestic producers of ethanol in subsidies since 18 September 2002; and (b) how much will be paid if current arrangements remain.

2013 **Senator Ludwig:** To ask the Minister representing the Attorney-General—

- (1) Has the Attorney-General directed the department to investigate or report on the increasing number of self represented litigants; if so, what were the findings; if not, why not, and will the department consider such an investigation.
- (2) Can statistics concerning the number of legal aid lawyers who have withdrawn from and/or been added to the preferred supplier scheme since 1995 be provided.
- (3) Does the department monitor the number of applications rejected by State Legal Aid offices; if so, can these figures be provided; if not, why not.
- (4) (a) Are any unspent monies returned to the Commonwealth by the states; if so, can details be provided for following financial years: (i) 1995-96, (ii) 1996-97, (iii) 1997-98, (iv) 1998-99, (v) 1999-2000, (vi) 2000-01, (vii) 2001-02, and (viii) 2002-03; and (b) how often does this occur.
- (5) Are these monies redistributed to other states to assist with funding shortfalls.
- (6) Are statistics recorded on the number of requests for legal aid assistance on a state-by-state basis; if so, can figures be provided for the following financial years: (a) 1995-96; (b) 1996-97; (c) 1997-98; (d) 1998-99; (e) 1999-2000; (f) 2000-01; (g) 2001-02; and (h) 2002-03; if not, why not.
- (7) Has the department investigated the impact of changes to legal aid funding arrangements on clients of legal aid; if not, why not; if so, can details be provided.

- (8) Can information be provided on the number of Legal Aid cases in which practitioners have been unable to represent a client to the conclusion of their case because of caps and staged funding.
- (9) What studies is the Attorney-General or the department aware of regarding the time required to prepare for different types of matters within the court system.
- (10) How does the department monitor the success of self represented litigants in the court system, e.g. ability to present evidence at trial.
- (11) What instances is the Attorney-General or the department aware of in which court appeals by self-represented litigants have been allowed.

2018 **Senator Allison:** To ask the Minister representing the Minister for Science—

- (1) Why has the Commonwealth Scientific and Industrial Research Organisation (CSIRO) National Measurement Laboratory ceased work on international standards for ultrasound measurement and safety.
- (2) Why has the CSIRO National Measurement Laboratory ceased work on the important area of medical metrology, given the development of new devices and apparent lack of standards for these devices.
- (3) Why has the CSIRO ceased its work on foetal risks from diagnostic ultrasound when new techniques are being developed with higher acoustic output.
- (4) Who will provide rationale scientific expert witness if and when the legal claims reach the level of class actions by entrepreneur lawyers.
- (5) Who will conduct research into bacterial drug resistance, previously carried out by microbiologist, Dr Ruth Hall.
- (6) Can details be provided on other programs in public health that will be affected by staff redundancies at the CSIRO.

2019 **Senator Bartlett:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) What specific abilities are there for members of Parliament to sponsor temporary entrants or visitors to Australia.
- (2) Under what circumstances may a visitor visa be refused when a member of Parliament has sponsored the applicant.
- (3) (a) How many members of Parliament (state and federal) have sponsored visitor or temporary visa applicants; (b) how many applicants have been (i) approved, and (ii) rejected.

2021 **Senator Faulkner:** To ask the Minister for Justice and Customs—With reference to the answer to question no. 131 taken on notice by the department during the May 2003 Budget estimates hearings of the Legal and Constitutional Legislation Committee:

- (1) Who briefed the Minister on 19 August 2002 and 26 September 2002 about Marian Wilkinson's questions.
- (2) Who initiated the briefing.
- (3) Was the briefing oral or in writing.
- (4) If it was an oral briefing: (a) who briefed the Minister; (b) who else was present; (c) were minutes and/or notes taken; if so, can a copy of minutes and/or notes be provided; and (d) what action, if any, did the Minister take

after he was provided with the two briefings in August and September 2002.

- (5) If it was a written briefing: (a) who prepared the brief; (b) who cleared the brief; (c) apart from the Minister, who else saw the brief; and (d) what action, if any, did the Minister take after he was provided with the two briefings in August and September 2002.

*Notice given 15 September 2003*

2030 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Minister's trip to South America in mid-2003:

- (1) When did the Minister: (a) depart Australia; and (b) return to Australia.
- (2) Who travelled with the Minister.
- (3) Who met the cost of the participants' travel and other expenses associated with the trip.
- (4) If costs were met by the department, can an itemised list of costs be provided; if not, why not.
- (5) Can the Minister's detailed itinerary be provided; if not, why not.

2032 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the trip to the United States of America by the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry in mid-2003:

- (1) When did the Parliamentary Secretary: (a) depart Australia; and (b) return to Australia.
- (2) Who travelled with the Parliamentary Secretary.
- (3) Who met the cost of the participants' travel and other expenses associated with the trip.
- (4) If costs were met by the department, can an itemised list of costs be provided; if not, why not.
- (5) Can the Parliamentary Secretary's detailed itinerary be provided; if not, why not.

**Senator O'Brien:** To ask the Ministers listed below (Question Nos 2034-2064)—

- (1) For each of the following financial years: (a) 1996-97; (b) 1997-98; (c) 1998-99; (d) 1999-2000; (e) 2000-01; (f) 2001-02; (g) 2002-03; and (h) 2003-04, has the department or any agency for which the Minister is responsible, including boards, councils, committees and advisory bodies, made payments to the Institute of Public Affairs (IPA) for research projects, consultancies, conferences, publications and/or other purposes; if so, (i) how much each payment, (ii) when was each payment made, and (iii) what services were provided.
- (2) In relation to each research project or consultancy: (a) when was the IPA engaged; (b) for what time period; (c) what were the terms of reference; (d) what role did the Minister and/or his office have in the engagement of the IPA; (e) was the contract subject to a tender process; if so, was it an open tender or a select tender; if not, why not.

2039 Minister representing the Minister for Communications, Information Technology and the Arts

2043 Minister representing the Minister for the Environment and Heritage

- 2044 Minister representing the Attorney-General
- 2046 Minister representing the Minister for Agriculture, Fisheries and Forestry
- 2047 Minister for Family and Community Services
- 2050 Minister representing the Minister for Industry, Tourism and Resources
- 2051 Minister for Justice and Customs
- 2052 Minister for Fisheries, Forestry and Conservation
- 2053 Minister for the Arts and Sport
- 2054 Minister representing the Minister for Small Business and Tourism
- 2057 Minister representing the Minister for Children and Youth Affairs
- 2058 Minister representing the Minister for Employment Services
- 2061 Minister for Revenue and Assistant Treasurer
- 2065 **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. 1474 (Senate *Hansard*, 19 August 2003, p. 14019) concerning a Dairy Regional Assistance Program grant of \$20 900 to the Eurobodalla Shire Council for the production of a Eurobodalla coast gourmet trails brochure:
- (1) What variations to the application were made on: (a) 2 July 2001; and (b) 17 August 2001.
  - (2) (a) When was the project milestone constituting a brochure launch scheduled; (b) when was the launch cancelled due to a 'lack of availability of invitees'; (c) why did the proponent fail to reschedule the launch; and (d) why did the department not delay or withhold progress payments until this project milestone was reached.
  - (3) When were monitoring visits undertaken.
  - (4) (a) How has the Minister attributed the generation of four full-time equivalent positions to this project; (b) what is the nature of these positions; and (c) where are they located.
  - (5) Can the Minister explain how the project was completed on 20 May 2003 when, according to his advice, it is not due to commence until 1 October 2003.
  - (6) Can the Minister explain how a final audit was completed on 19 July 2002 when, according to his advice, the project itself was not completed until 20 May 2003.
- 2066 **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. 1473 (Senate *Hansard*, 19 August 2003, p. 14010) concerning a Dairy Regional Assistance Program grant of \$34 914 to the Sapphire Coast Producers' Association Inc. for the alternative starter kits project:
- (1) What variation to the application was made on 22 November 2000.
  - (2) Can the Minister explain why the proponent was not informed about the funding approval until 5 July 2001 when, according to the Minister's advice, his department informed the Area Consultative Committee and the Member for Eden-Monaro (Mr Nairn) on 10 April 2001 and announced the grant on 11 April 2001.
  - (3) Why have no monitoring visits been undertaken by the department.



- (4) (a) What project milestones has the proponent failed to report; and (b) what progress payments has the department withheld as a consequence of this failure.
- (5) With reference to the project's projected employment generation of 10 to 40 jobs within two years and a further 5 to 10 jobs through the construction of a multi-purpose processing facility: (a) does the drought constitute a satisfactory explanation for the project's failure to generate any employment outcomes since August 2001; and (b) why is the project not completed.

2067 **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. 1472 (Senate *Hansard*, 19 August 2003, p. 14004) concerning a Dairy Regional Assistance Program (RAP) grant of \$39 974 to the South East New South Wales Area Consultative Committee for the strategic response to dairy RAP project:

- (1) Can the Minister explain why he advised that 'ownership of assets purchased with Dairy RAP funds vests with the funding recipient' when the Minister's program information guide states that 'any assets purchased with Dairy RAP funds will remain the property of the department upon completion or termination of the project, unless the Commonwealth determines otherwise'.
- (2) If the Minister has determined that assets purchased with this grant should be vested in the proponent, can the Minister: (a) explain why; (b) advise what assets were purchased and the value of these assets; and (c) advise on what date this decision was made.

2068 **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. 1471 (Senate *Hansard*, 19 August 2003, p. 13996) concerning a Dairy Regional Assistance Program (RAP) grant of \$660 645 to the Bega Cooperative Society for the Bega Cheese shredding and mozzarella line project:

- (1) (a) What project milestones has the proponent failed to meet; and (b) what progress payments have been withheld as a result.
- (2) Why is the project incomplete 30 months after commencement when the application advised that the project would be completed within 4 months of commencement.
- (3) (a) In what months has the proponent failed to provide monthly progress reports; (b) when has the department made 'repeated requests' for the provision of these reports; and (c) what explanation has the department received for the failure to provide these reports.
- (4) What is the nature of the '22 positions' generated by the project, i.e. are these jobs permanent, full-time, seasonal, direct or indirect.
- (5) (a) Why did the Minister advise that 'ownership of assets purchased with Dairy RAP funds vests with the funding recipient' when the Minister's program information guide states that 'any assets purchased with Dairy RAP funds will remain the property of the department upon completion or termination of the project, unless the Commonwealth determines otherwise'; and (b) if the Minister has determined that assets purchased with this grant should be vested in the proponent, can the Minister: (i) explain why, (ii) advise what assets were purchased and the value of these assets, and (iii) advise on what date this decision was made.

2069 **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. 1475 (Senate *Hansard*, 19 August 2003, p. 14025) concerning a Dairy Regional Assistance Program grant of \$770 000 to the Bega Cooperative Society for the Bega Cheese – cheese plant upgrade project:

- (1) Did the failure of the Bega Cooperative Society to meet project milestones for the Bega Cheese shredding and mozzarella line project have any impact on the decision to approve funding for the cheese plant upgrade project; if so, what impact; if not, why not.
- (2) (a) What project milestones has the proponent failed to meet for the shredding and mozzarella line project; and (b) what progress payments have been withheld as a result.
- (3) Why is the project incomplete 14 months after commencement when the application advised that the project would be completed within 6 months of commencement.
- (4) (a) In what months has the proponent failed to provide monthly progress reports; (b) when has the department made 'repeated requests' for the provision of these reports; and (c) what explanation has the department received for the failure to provide these reports.
- (5) What is the nature of the '24 positions' generated by the project, i.e. are these jobs permanent, full-time, seasonal, direct or indirect.

*Notice given 16 September 2003*

2113 **Senator Evans:** To ask the Minister for Defence—

- (1) (a) What is the current status of the Defence property at the Stockton Rifle Range in New South Wales; (b) what was the land used for previously; and (c) for what purpose does Defence envisage that the site could be used in the future.
- (2) What is the size of the site.
- (3) Has the site been valued by either the New South Wales Valuer-General or the Australian Valuation Office; if so: (a) when did the valuations take place; and (b) what was the estimated value.
- (4) Is it intended that the site will be sold; if so, when.
- (5) Is Defence aware of any heritage and/or environmental significance attached to the site; if so, can details be provided.
- (6) Have any parties, i.e. individuals, organisations or governments, expressed an interest in acquiring the site; if so, can details be provided.
- (7) Has the Port Stephens Council expressed an interest in acquiring the site; if so, what was the nature of each expression of interest from the Council.
- (8) (a) Why has the land not been transferred to the Port Stephens Council; and (b) has there been any consultation between Defence and the Council in this regard; if so, what was the nature of each consultation with the Council on this issue.
- (9) (a) When did the Commonwealth first acquire the site; and (b) what was the purpose of the acquisition.
- (10) (a) What was the process for acquiring the site; and (b) did the Commonwealth ever pay any party for the acquisition; if so, how much was paid.

*Notice given 17 September 2003*

2117 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—

- (1) Given the Minister's response to a question without notice by Senator Allison on 11 September 2003, that the Commonwealth Scientific and Industrial Research Organisation (CSIRO) has never found foetal risks from diagnostic ultrasound equipment, can the Minister explain the findings of animal studies carried out at the CSIRO, which clearly show that such risks exist.
- (2) Given the Minister's claims that the CSIRO's National Measurement Laboratory (NML) will continue to maintain a standard for ultrasound equipment power after it becomes part of the National Measurement Institute in July 2004, can the Minister explain how this is possible when:  
(a) the work carried out at the NML was on standards for therapeutic ultrasounds, not diagnostic ultrasounds; and  
(b) the only scientist researching ultrasound standards at the NML, Dr Adrian Richards, has been made redundant.

*Notice given 18 September 2003*

2119 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the discovery of live sea lice in a shipment of imported salmon on 3 September 2003:

- (1) What was the exporting country.
- (2) When did the shipment depart.
- (3) If not exported from the country of origin, what was the exporting country.
- (4) What was the port of departure.
- (5) When did the shipment arrive in Australia.
- (6) Was Sydney the port of arrival
- (7) What salmonid species did the shipment contain.
- (8) When did the Australian Quarantine and Inspection Service (AQIS) issue the permit to import quarantine material.
- (9) When was the official certificate issued by an AQIS-recognised Competent Authority in the exporting country.
- (10) What was the form, presentation and weight of the salmon
- (11) What was the intended end use of the salmon, including, if applicable, commercial processing, processing for retail sale and/or direct retail sale.
- (12) When and where did AQIS first inspect the salmon.
- (13) When was the salmon seized.
- (14) Was the salmon ordered to be frozen, if so: (i) when was that order made, and (ii) on what date was the salmon frozen.
- (15) In relation to the sea lice analysis: (a) when did this commence and conclude; (b) where was this done; and (c) who conducted the analysis.
- (16) When was the Minister and/or his office and/or his department informed about the analysis findings; (a) what are the analysis findings, including: (i) details of the sea lice species, (ii) whether the species are usually found in Australian waters, and (iii) whether the sea lice present a quarantine risk.

- (17) (a) When did AQIS consult with Food Standards Australia New Zealand and state and territory food agencies about the salmon; (b) what state and territory food agencies were consulted; and (c) what was the nature of those consultations.
- (18) In relation to the outcome of the sea lice discovery and analysis: (a) If the salmon was released for sale: (i) when, (ii) what conditions, if any, were placed on its end use, and (iii) what was its end use; (b) if the salmon was ordered to be re-exported: (i) when was that order made, (ii) when was the salmon exported, (iii) how was the exported salmon labelled; and (iv) to what country was it exported; (c) if the salmon was ordered to be destroyed: (i) when was that order made, (ii) when and how was it destroyed.

2120 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—Can details be provided of all breaches of import conditions applying to the commercial importation of uncanned salmonid product since new quarantine conditions came into effect on 1 June 2000, including, for each breach: (a) the date of importation; (b) the nature of the breach, including: (i) failure to provide an Australian Quarantine and Inspection Service (AQIS) permit, (ii) failure to provide a completed official certificate issued by an AQIS-recognised competent authority, (iii) failure to remove the head and gills, and (iv) any other reasons; (c) the salmonid species; (d) the country of export; (e) if not exported from the country of origin, the country that exported the salmonid product; (f) the product presentation and form; and (g) action taken in response to the breach including, if applicable: (i) the suspension or revocation of the import permit, and (ii) the disposal or re-export of the salmonid product.

2121 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Plant Breeders' Rights Advisory Committee:

- (1) When in 2003 did the department seek applications for eight part-time vacancies.
- (2) In what newspapers and other media did the department place advertisements seeking applications.
- (3) How many applications did the department receive from applicants nominating qualifications in respect of the following positions designated in section 64 of the *Plant Breeders' Rights Act 1994*: (a) representatives of breeders, and likely breeders' of new plant varieties; (b) a representative of users, and likely users, of new plant varieties; (c) a representative of consumers, and likely consumers, of new plant varieties or of the products of new plant varieties; (d) a representative of conservation interests in relation to new plant varieties and the potential impacts of new plant varieties; (e) a representative of indigenous Australian interests in relation to new plant varieties and the source, use and impacts of new plant varieties; and (f) others with appropriate experience or qualifications.
- (4) How many people did the department interview in relation each designated position.
- (5) Can details be provided of each industry, consumer, conservation, indigenous and/or other organisation consulted prior to the appointment of the current committee members.
- (6) When did the Minister appoint the current members.

- (7) (a) What is the name and business address of each member; (b) what interests do they represent pursuant to section 64 of the *Plant Breeders' Rights Act 1994*.
  - (8) Which organisations provided letters of support for each member.
  - (9) Since its appointment, when has the current committee met.
  - (10) What are the names and terms of appointment for all members of the committee since its formation in 1994.
- 2123 **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. 1688 (Senate *Hansard*, 8 September 2003, p. 14043) concerning Area Consultative Committees (ACC):
- (1) Why have the ACC Handbook and the Governance Manual not been publicly released.
  - (2) Can copies of the ACC Handbook and the Governance Manual be provided; if not, why not.
- 2124 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the meetings between the Australian Ambassador to Indonesia and representatives of Australian-owned mining operations in Indonesia on 30 January 2002:
- (1) What issues were raised.
  - (2) What actions did the Ambassador agree to undertake.
  - (3) What specific actions did the Ambassador or other embassy staff take following this meeting, and when.
  - (4) When representatives of Aurora Gold informed the meeting of the shooting and injury by security force personnel of a so-called 'illegal miner': (a) did any representatives of other companies raise any concerns about security forces resorting to violence; if so, what concerns were raised and who raised them; or (b) did other representatives offer support to Aurora Gold representatives; or (c) did they say nothing.
- 2125 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the meetings between the Ambassador to Indonesia and representatives of Australian-owned mining operations in Indonesia on 8 February 2001:
- (1) What issues were raised.
  - (2) What actions did the Ambassador agree to undertake.
  - (3) What specific actions did the Ambassador or other embassy staff take following this meeting, and when.
- 2126 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the meetings between the Ambassador to Indonesia and representatives of Australian-owned mining operations in Indonesia on 10 May 2001:
- (1) What issues were raised.
  - (2) What actions did the Ambassador agree to undertake.
  - (3) What specific actions did the Ambassador or other embassy staff take following this meeting, and when.
- 2127 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the meetings between the Ambassador to Indonesia

and/or other embassy staff, and representatives of Australian-owned mining operations in Indonesia on 10 August 2000:

- (1) What issues were raised.
- (2) What actions did the Ambassador or embassy staff agree to undertake.
- (3) What specific actions did the Ambassador or other embassy staff take following this meeting, and when.

2128 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to dealings from 1999 onwards with representatives of Aurora Gold concerning its Mt Muro mine in Kalimantan, Indonesia:

- (1) In the light of demonstrations that occurred in the forecourt of the Australian Embassy in March 2000, and the persistent claims of non-government organisations: Were Australian embassy officials aware of the widespread speculation over the past decade that major resource projects in Indonesia, including those owned by Australian companies, made payments to the Indonesian military and paramilitary police for the security forces located near their projects.
- (2) Did Australian Embassy officials inquire as to whether Aurora Gold had ever been approached by the security forces, whether police or military, to make donations or pay for any costs associated with operating near the mine; if not, why not.
- (3) Did Australian Embassy officials ask representatives of Aurora Gold if any such payments had been made; if so, what was the response; if not, why not.
- (3) If any such payments were made: (a) when did these occur; and (b) what advice, if any, did Embassy officials offer to company representatives.

2129 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the meeting on 30 January 2002 with representatives of Aurora Gold and other mining companies:

- (1) What undertakings did the Ambassador give about making further representations to Indonesian officials about dealing with small-scale miners at Mt Muro, or other Australian-owned mining operations.
- (2) What explanation did Aurora Gold representatives provide to the Ambassador about the shooting injury of a small scale miner at the Mt Muro mine on 19 January 2002.
- (3) Did Aurora Gold representatives express any concern about the actions of the security forces.
- (4) Did the Ambassador raise any concerns in the meeting about the actions of the security forces with Aurora Gold representatives; if so, what were those concerns; if not, why was the Ambassador not concerned.

2130 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the 27 August 2001 shooting injury of a teenage boy considered an 'illegal miner' at the Mt Muro mine in Kalimantan, Indonesia in May 2001: Why is the Minister not prepared to table a copy of the 5 March 2002 written briefing provided to the Ambassador by Aurora Gold.

2131 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the briefing from the President of Aurora Gold to the Ambassador to Indonesia, Mr Richard Smith, on the killing of two people by

Indonesian security forces at the Mt Muro mine in Kalimantan, Indonesia in May 2001:

- (1) Why did an Australian embassy official request the briefing, as referred to in the answer to question on notice no. 707 (Senate *Hansard*, 5 February 2003, p 8641):
- (2) What prompted the request.
- (3) What explanation did Aurora Gold provide to the Ambassador for the killings.
- (4) Did the Ambassador accept the explanation.
- (5) Why did the Ambassador consider it acceptable for Aurora Gold not to notify him soon after the killings by security forces at Mt Muro mine.
- (6) Why did the Ambassador decide that the nationality of those killed by the security forces at the Mt Muro mine meant that no representations should be made to Indonesian officials to ensure appropriate investigations and, where appropriate, prosecutions, should be undertaken against the perpetrators.

2132 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the visit by the Ambassador to Indonesia, Mr Richard Smith, to the Mt Muro mining lease area in Indonesia in May 2001, which was then held by the Australian company, Aurora Gold, and his meeting with Indonesian security officials:

- (1) In the light of a peaceful demonstration held on the forecourt of the Australian Embassy in Jakarta in March 2000 by women and children, Dayak people from the Mt Muro mining lease area and women's groups, at which Australian embassy officials addressed demonstrators but denied the group access to the embassy: What steps did the Ambassador take to investigate the grievances which led the group to demonstrate at the Australian Embassy regarding Aurora Gold's operations.
- (2) Did the Ambassador accept that allegations made by local villagers of human rights abuses by Indonesian security forces dating back as far as the early 1990s were legitimate; if not, why not.
- (3) Did the Ambassador meet with: (a) local landowner groups, to discuss their relationship with the mine; and (b) local landowner groups and non-government organisations, to discuss allegations of forced resettlement by the mining company and human rights abuses by Indonesian security forces, including a claim that villages in the mining concession area were bulldozed and burned to the ground.
- (4) What was the basis for the Ambassador thinking that any security forces operations against those deemed by the company to be 'illegal' miners would be undertaken in a 'peaceful manner', as suggested in the answer to question on notice no. 706 (Senate *Hansard*, 5 February 2003, p. 8641).
- (5) Did the Ambassador accept that there was a possibility that Indonesian security forces could use violence against those deemed by the company to be 'illegal' miners; if not, why not.
- (6) Does the Ambassador accept that the violence against the 'illegal' miners was reasonably foreseeable; if not, why not.
- (7) Does the Ambassador believe that the deaths and injuries that occurred as a result of action in three separate incidents in May 2001, August 2001 and

January 2002 were 'lawful' and 'peaceful' means of protecting mining interests; if so, why.

2138 **Senator Brown:** To ask the Minister representing the Minister for Science—With reference to the hiring by the department of public relations consultants to work on the proposed nuclear waste dump in South Australia in late 2002:

- (1) How many companies were: (a) sent a copy of the public relations brief; and (b) requested to submit a proposal.
- (2) How many attended a question and answer session after receiving the brief.
- (3) How many developed a written proposal.
- (4) How many presented a proposed strategy to the evaluation panel.
- (5) How many consultants were shortlisted to give a presentation before the Ministerial Committee on Government Communications.
- (6) Who are the members of this ministerial committee.

*Notice given 19 September 2003*

2141 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the meetings between the Ambassador to Indonesia and representatives of Australian-owned mining operations in Indonesia on 27 September 2001:

- (1) What issues were raised.
- (2) What actions did the Ambassador agree to undertake.
- (3) What specific actions did the Ambassador or other embassy staff take following this meeting, and when.

2145 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the meeting on 20 June 2002 referred to in the answer to question on notice no. 717 (*Senate Hansard*, 5 February 2003, p. 8646) between delegations from Australian mining companies and Australian embassy officials in Indonesia with senior officials from the Department of Forestry:

- (1) Which companies were represented.
- (2) Who represented each company.
- (3) In relation to what specific projects did they make representations.

2146 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the answer to question on notice no. 719 (*Senate Hansard*, 5 February 2003, p. 8647) relating to meetings hosted by the former Ambassador to Indonesia with journalists: What were the dates in 2002 on which each of the meetings with Don Greenlees and Rowan Callick were held.

2147 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the answer to question on notice no. 717 (*Senate Hansard*, 5 February 2003, p. 8646) that Australian embassy officials in Indonesia met to discuss 'the uncertainty surrounding the conservation value of some areas that had been designated as "protected forest":

- (1) To which specific mining projects did this 'uncertainty' relate.
- (2) What specifically is the 'uncertainty' for each of the protected forests affecting individual mining projects.
- (3) What information has been sought or provided to the embassy affecting each of the mining projects which challenges the conservation or other natural values of these areas.



- (4) With reference to the Indonesian Forestry Law 41 of 1999, which prohibits open cut mining in 'hutan lindun' i.e. protected forest areas: (a) Are Australian officials aware that the legislation states that the aim of such protected forest is not conservation in terms of biodiversity or similar (which is instead dealt with by 'hutan konservasi' i.e. Conservation Forest), but specifically the protection of livelihoods, prevention of floods and erosion through water catchment protection; and (b) why did Australian embassy officials consider it was relevant to raise concerns around the 'conservation value' of areas designated as 'hutan lindung'.
- (5) Do Australian Embassy officials consider that lobbying Indonesian government officials on seven occasions within a year regarding mining in protected forests, given Australia's role as neighbour and donor to Indonesia, amounts to applying pressure on this issue.
- (6) Are Australian government officials aware that members of the Indonesian government have stated to the media at various times and in a parliamentary committee meeting on 7 May 2003 that they feel pressured by foreign governments to remove laws which protect forests and other conservation areas from mining.
- (7) Given the very small percentage of Indonesian land area designated as 'hutan lindung', and Indonesia's extensive and serious problems associated with forest and other natural vegetation loss, including erosion and flooding: why does the Australian Government consider it is more important to lobby on behalf of Australian companies than to support the Indonesian government environment protection laws.
- (8) Are Australian government officials aware that members of the Indonesian government have stated to the media at various times that they fear costly international arbitration will be brought against the Indonesian government by mining companies, if they do not allow lease holders to mine in protected areas.
- (9) Have Australian government officials ever discussed with Indonesian officials the possibility of international arbitration over this issue; if so: (a) who raised the issue; and (b) what advice was given by Australian government officials.
- (10) Are Australian government officials aware that Australian companies own mining leases over other types of protected areas in Indonesia, including national parks.
- (11) Have Australian government officials ever discussed with Indonesian officials the issue of Australian-owned mining leases over other types of protected areas in Indonesia, including national parks; if so: (a) who raised the issue; and (b) advice was given by Australian government officials.

2148 **Senator Brown:** To ask the Minister representing the Minister for Trade—With reference to the answer to paragraph (2)(b) of question on notice no. 720 (Senate *Hansard*, 5 February 2003, p. 8647) relating to meetings organised by Austrade on behalf of Esmeralda Exploration, which is involved in the Aurul SA joint venture in Romania:

- (1) On how many occasions did Austrade assist with arranging meetings with Romanian government officials.
- (2) When were each of these meetings.
- (3) Who were each of these meetings with.
- (4) What was the purpose of each of these meetings.

- 2149 **Senator Brown:** To ask the Minister representing the Minister for Trade—With reference to the answer to question on notice no. 720 (*Senate Hansard*, 5 February 2003, p. 8647) relating to meetings organised by Austrade on behalf of Esmeralda Exploration, which is involved in the Aurul SA joint venture in Romania:
- (1) When did Austrade first become aware of what was referred to in the Hungarian media as the ‘Kiraly affair’.
  - (2) What is the Austrade understanding of what caused the controversy over the charging of Kiraly.
  - (3) Did Austrade or other embassy officials in Romania or Hungary make representations to Romanian or Hungarian Government officials in relation to the ‘Kiraly affair’.
- 2151 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—
- (1) Is Mr Luo Gan, the head of the G10 Office in Beijing, due to visit Australia; if so, when and why.
  - (2) What is Mr Luo’s record on human rights, including in relation to repression of adherents to Falon Gong.

*Notice given 22 September 2003*

- 2152 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the meetings between the Australian Ambassador to Indonesia and representatives of Australian-owned mining operations in Indonesia on 22 July 2002:
- (1) What issues were raised.
  - (2) What actions did the Ambassador agree to undertake.
  - (3) What specific actions did the Ambassador or other embassy staff undertake following this meeting, and when.
- 2153 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the visit by Australian embassy officials to the Freeport mine in the Indonesian province of Papua on 4 May and 5 May 2001:
- (1) Which embassy officials visited the mine.
  - (2) What was the purpose of the visit.
  - (3) Which mining company representatives did embassy officials meet.
  - (4) (a) Who else did the embassy officials meet during their visit; and (b) who did they represent.
  - (5) Prior to the visit, were embassy officials aware of human rights abuses by security forces around the mine.
  - (6) Did embassy officials meet representatives of the security forces during the visit; if so, what was the purpose of the meetings.
  - (7) In relation in the answer to question on notice no. 721 (*Senate Hansard*, 5 February 2003, p. 8648), what specific ‘concerns about the security environment in the area surrounding the mine’ did company representatives raise.
  - (8) Did they seek any assistance from embassy officials; if so, what requests were made.
  - (9) What assistance, if any, was subsequently provided.

- (10) Did embassy officials raise concerns with mining company representatives about human rights abuses in the area surrounding the mine; if so, what response was received.
- (11) Did embassy officials raise concerns about human rights abuses in the area surrounding the mine in any meetings with Indonesian security officials; if so, what response was received.
- (12) Did mining company representatives inform embassy officials at any time during the visit that the company was paying millions of dollars directly to the Indonesian security forces around the mine; if so, who informed the embassy officials.
- (13) Did embassy officials ask mining company representatives if the company was making payments to the local security forces; if not, why not.
- (14) Why did embassy officials decide not to organise meetings with representatives of key local indigenous landowner group LEMASA (Amungme people's representatives) and LEMASKO (Komoro people's representatives), other landowner groups or other non-government organisations.

2154 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the visit by Australian embassy officials to the Freeport mine in the Indonesian province of Papua on 19 June to 21 June 2001:

- (1) Which embassy officials visited the mine.
- (2) What was the specific purpose of the visit, especially given the earlier visit in May 2001.
- (3) Which mining company representatives did embassy officials meet.
- (4) (a) Who else did the embassy officials meet during their visit; and (b) who did they represent.
- (5) Prior to the visit, were embassy officials aware of human rights abuses by security forces around the mine.
- (6) Did embassy officials meet representatives of the security forces during the visit; if so, what was the purpose of the meetings.
- (7) In relation in the answer to question on notice no. 721 (Senate *Hansard*, 5 February 2003, p. 8648), what specific 'concerns about the security environment in the area surrounding the mine' did company representatives raise.
- (8) Did they seek any assistance from embassy officials; if so what requests were made.
- (9) What assistance, if any, was subsequently provided.
- (10) Did embassy officials raise concerns with mining company representatives about human rights abuses in the area surrounding the mine; if so, what response was received.
- (11) Did embassy officials raise concerns about human rights abuses in the area surrounding the mine in any meetings with Indonesian security officials; if so, what response was received.
- (12) Did mining company representatives inform embassy officials at any time during the visit that the company was paying millions of dollars directly to the Indonesian security forces around the mine; if so, who informed the embassy officials.

- (13) Did embassy officials ask mining company representatives if the company was making payments to the local security forces; if not, why not.
- (14) Why did embassy officials decide not to organise meetings with representatives of local landowner groups or other non-government organisations.

2155 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the visit by Australian embassy officials to the Freeport mine in the Indonesian province of Papua on 5 December to 7 December 2001:

- (1) Which embassy officials visited the mine.
- (2) What was the specific purpose of the visit, especially given the earlier visits in May 2001 and June 2001.
- (3) Which mining company representatives did embassy officials meet.
- (4) (a) Who else did the embassy officials meet during their visit; and (b) who did they represent.
- (5) Prior to the visit, were embassy officials aware of human rights abuses by security forces around the mine.
- (6) Did embassy officials meet representatives of the security forces during the visit; if so, what was the purpose of the meetings.
- (7) In relation in the answer to question on notice no. 721 (*Senate Hansard*, 5 February 2003, p. 8648), what specific 'concerns about the security environment in the area surrounding the mine' did company representatives raise.
- (8) Did they seek any assistance from embassy officials; if so, what requests were made.
- (9) What assistance, if any, was subsequently provided.
- (10) Did embassy officials raise concerns with mining company representatives about human rights abuses in the area surrounding the mine; if so, what response was received.
- (11) Did embassy officials raise concerns about human rights abuses in the area surrounding the mine in any meetings with Indonesian security officials.
- (12) Did mining company representatives inform embassy officials at any time during the visit that the company was paying millions of dollars directly to the Indonesian security forces around the mine; if so, who informed the embassy officials.
- (13) Did embassy officials ask mining company representatives if the company was making payments to the local security forces; if not, why not.
- (14) Why did embassy officials decide not to organise meetings with representatives of local landowner groups or other non-government organisations.

2156 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the visit by Australian embassy officials to the Freeport mine in the Indonesian province of Papua between 4 September to 6 September 2002:

- (1) Which embassy officials visited the mine.
- (2) What was the specific purpose of the visit, especially given the earlier visits in May 2001, June 2001 and December 2001.

- (3) Which mining company representatives did embassy officials meet.
- (4) (a) Who else did the embassy officials meet during their visit; and (b) who did they represent.
- (5) Prior to the visit, were embassy officials aware of human rights abuses by security forces around the mine.
- (6) Did embassy officials meet representatives of the security forces during the visit; if so, what was the purpose of the meetings.
- (7) In relation in the answer to question on notice no. 721 (*Senate Hansard*, 5 February 2003, p. 8648), what specific 'concerns about the security environment in the area surrounding the mine' did company representatives raise.
- (8) Did they seek any assistance from embassy officials; if so, what requests were made.
- (9) What assistance, if any, was subsequently provided.
- (10) Did embassy officials raise concerns with mining company representatives about human rights abuses in the area surrounding the mine; if so, what response was received.
- (11) Did embassy officials raise concerns about human rights abuses in the area surrounding the mine in any meetings with Indonesian security officials; if so, what response was received.
- (12) Did mining company representatives inform embassy officials at any time during the visit that the company was paying millions of dollars directly to the Indonesian security forces around the mine; if so, who informed the embassy officials.
- (13) Did embassy officials ask mining company representatives if the company was making payments to the local security forces; if not, why not.
- (14) Why did embassy officials decide not to organise meetings with representatives of local landowner groups or other non-government organisations.

2157 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the four visits by Australian embassy officials to the Freeport mine in the Indonesian province of Papua during 2001 and 2002:

- (1) Does the Minister acknowledge that the failure to organise meetings with more diverse interest groups, beyond the mining company, resulted in a failure to gain a broad understanding of issues affecting the mine; if not, why not.
- (2) Is it official policy not to meet with representatives of non-government organisations on visits to mines in Indonesia; if so, why.
- (3) Were embassy officials aware of the collapse of the Lake Wanagon mine waste dump in 2001, which resulted in the deaths of four workers, the destruction of property and livestock of villagers and the release of acidic, heavy metal laced mine waste in the valley below.
- (4) Did embassy officials at any time discuss with mining company representatives the collapse of the waste dump.
- (5) (a) Did embassy officials inspect the waste dump; and (b) did embassy officials inquire of measures made to prevent a reoccurrence of this disaster; if not, why not.

- (6) Did embassy officials at any time discuss with mining company representatives the adverse findings by a Jakarta court that company advertising in relation to the collapse of the waste dump was misleading.
- (7) Did embassy officials inspect any of the hundreds of square kilometers of forest covered in mine waste (tailings) by the mine's disposal of mine waste into the Ajkwa and Kamora rivers; if not, why not.
- (8) (a) Are embassy officials aware that it appears from satellite photos published by Indonesian non-government organisations that tailings disposed of by the mine have contaminated the World Heritage-listed Lorenz National Park via the Mawati and Otokwa Rivers; and (b) has the matter ever been discussed with mining company representatives, and with what result.
- (9) Did embassy officials raise the issue or seek assurances about the safety of tailings released via the Ajkwa and Kamora rivers into the Arafura Sea directly north of Australia; if not, why not.

2158 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the public disclosure, in March 2003, by Freeport McMoRan, the owner of the Freeport mine in Papua, Indonesia, part-owned by Australian-listed company Rio Tinto and with whom Rio Tinto has a 40 per cent joint venture agreement, that it has paid millions of dollars to the military forces guarding its mine:

- (1) Does the Minister consider these payments appropriate.
- (2) When did Australian officials first become aware that the owners of the Freeport mine, were making payments to the military.
- (3) Have representatives of Rio Tinto made representations to the Minister or Australian officials about this matter: (a) if so, when; and (b) if not, have the Minister, the Australian Ambassador to Indonesia or Australian officials raised the issue with the company; if so, when; if not, why not.
- (4) What explanation, if any, did the company provide for the payments.
- (5) When did these payments commence.
- (6) (a) What explanation, if any, has the company provided for keeping these payments secret for years; and (b) why did the Indonesian military keep the payments secret, and indeed continue to deny the extent of the payments even after Freeport revealed their existence.
- (7) Has the Minister or government officials raised the matter with Indonesian government officials; if so, with whom and when.
- (8) Has the Minister and/or the department sought or received legal advice about whether the payment of Indonesian military forces by private interests is legal under Indonesian law.
- (9) Has the Minister and/or the department sought or received legal advice that direct payments to the Indonesian military by mining companies are not in keeping with Indonesian Law No.3 2002, regarding National Defence, (and its predecessor, Law No.20 1982) which in Chapter 7, section 25(1) sets out that the military is to be paid for only from the national budget.
- (10) Has the Minister and/or the department sought or received legal advice about whether payments by Australian companies to Indonesian military or police forces is consistent with Australian law; if so, when was legal advice on this matter last sought.

- (11) Will the Minister and the department ask all Australian resource extraction companies operating in Indonesia to disclose payments both ongoing and past, made to Indonesian security forces, including military and police; if not, why not.
- 2159 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—
- (1) Did Australian embassy officials visit the Freeport mine after the visit on 4 September to 6 September 2002; if so, when and what was the purpose of the visit.
  - (2) Did the mining company seek any assistance from embassy officials; if so, what requests were made.
  - (3) What assistance, if any, was subsequently provided.
- 2160 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the visit by Australian embassy officials to the Mt Muro mine operated by Aurora Gold in Indonesia between 25 November and 26 November 1999:
- (1) Which embassy officials visited the mine.
  - (2) Which mining company representatives did embassy officials meet.
  - (3) (a) Who else did the embassy officials meet during their visit; and (b) who did they represent.
  - (4) Prior to the visit, were embassy officials aware of human rights abuses by security forces around the mine.
  - (6) Did embassy officials meet representatives of the security forces during the visit; if so, what was the purpose of the meetings.
  - (7) In relation in the answer to question on notice no. 721 (*Senate Hansard*, 5 February 2003, p. 8648), what specific 'registered concerns about the security of company staff from incursions from illegal miners' did company representatives raise.
  - (8) Did they seek any assistance from embassy officials; if so what requests were made.
  - (9) What assistance, if any, was subsequently provided.
  - (10) Did embassy officials raise concerns with mining company representatives about human rights abuses in the area surrounding the mine.
  - (11) Did embassy officials raise concerns about human rights abuses in the area surrounding the mine in any meetings with Indonesian security officials; if so, what response was received.
  - (12) What advice, if any, did the embassy officials offer Aurora Gold representatives.
  - (13) Why did embassy officials decide not to organise meetings with representatives of local landowner groups or other non-government organisations.
- 2161 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the visit by Australian embassy officials to the BHP Billiton owned PT Arutrim Indonesia-Senakin mine in South Kalimantan on 6 March 2000:
- (1) Which embassy officials visited the mine.
  - (2) What was the specific purpose of the visit.

- (3) Which mining company representatives did embassy officials meet.
- (4) (a) Who else did the embassy officials meet; and (b) who did they represent.
- (5) Did embassy officials meet representatives of the security forces during the visit; if so, what was the purpose of the meetings.
- (6) In relation in the answer to question on notice no. 721 (*Senate Hansard*, 5 February 2003, p. 8648), what specific 'concerns about the security of company staff from incursions by illegal miners' did company representatives raise.
- (7) Did they seek any assistance from embassy officials; if so what requests were made.
- (8) What assistance, if any, was subsequently provided.
- (9) Did mining company representatives inform embassy officials at any time whether they had been asked to make payments to the Indonesian security forces around the mine; if so, who informed the embassy officials.
- (10) Did embassy officials ask mining company representatives if the company was making payments to the local security forces; if not, why not.

2162 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the visit by Australian embassy officials to the BHP Billiton owned PT Arutrim Indonesia-Senakin mine in South Kalimantan on 24 May 2001:

- (1) Which embassy officials visited the mine.
- (2) What was the specific purpose of the visit, especially given the earlier visit in March 2000.
- (3) Which mining company representatives did embassy officials meet.
- (4) (a) Who else did the embassy officials meet; and (b) who did they represent.
- (5) Did embassy officials meet representatives of the security forces during the visit; if so, what was the purpose of the meetings.
- (6) In relation in the answer to question on notice no. 721 (*Senate Hansard*, 5 February 2003, p. 8648), what specific 'concerns about the security of company staff from incursions by illegal miners' did company representatives raise.
- (7) Did they seek any assistance from embassy officials; if so what requests were made.
- (8) What assistance, if any, was subsequently provided.
- (9) Did mining company representatives inform embassy officials at any time whether they had been asked to make payments to the Indonesian security forces around the mine; if so, who informed the embassy officials.
- (10) Did embassy officials ask mining company representatives if the company was making payments to the local security forces; if not, why not.

2163 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—

- (1) Is the department aware of whether any of the following companies have been approached by Indonesian security forces, including military and police operating near their respective mining operations, to contribute financially to the security forces' local costs or make other payments: (a)



Newcrest Indonesia; (b) BHP Billiton Indonesia; (c) Rio Tinto Indonesia; (d) Normandy Asia/ Horas Nauli; (e) Placer Dome; (f) Westralian Atan Minerals; and (g) Barisan Tropical Mining.

- (2) Is the department aware or whether any of the following companies have made payments to the Indonesian security forces, including military and police operating near their respective mining operations: (a) Newcrest Indonesia; (b) BHP Billiton Indonesia; (c) Rio Tinto Indonesia; (d) Normandy Asia/Horas Nauli; and (e) Placer Dome.

2164 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the visit by Australian embassy officials to the Kaltim Prima coal mine owned by Rio Tinto on 22 May 2001:

- (1) Which embassy officials visited the mine.
- (2) Which mining company representatives did embassy officials meet.
- (3) Who else did the embassy officials meet during their visit and who did they represent.
- (4) In relation in the answer to question on notice no. 721 (Senate *Hansard*, 5 February 2003, p. 8648), what specific ‘registered concerns about the increasing strike activity on the mine site’ did company representatives raise.
- (5) In relation to the answer to question on notice no. 721: (a) what specific instances were company representatives referring to when they, ‘registered their concerns about recent instances of violent behaviour by striking workers at the mine site’; and (b) what occurred in each instance.
- (6) Did the company representatives seek any assistance from embassy officials in relation to the strike activity; if, so what.
- (7) What assistance, if any, was subsequently provided.
- (8) Did embassy officials meet representatives of the security forces on the visit; if so, what was the purpose of the meetings.
- (9) Did embassy officials raise concerns about strike activity with the security forces; if so, what action did embassy officials request.
- (10) (a) What action, if any, did Indonesian security forces take; and (b) when did these actions occur.
- (11) Were embassy officials advised of whether the mining company had been approached to make payments to the security forces.
- (12) (a) Were embassy officials advised of whether the mining company had made payments to the security forces; and (b) did embassy officials ask mining company representatives whether any payments had ever been made to the security forces.
- (13) Did embassy officials meet with any representatives of the workers who went on strike; if so, what specific issues were raised with the officials; if not, why not.
- (14) Does the Minister acknowledge that it would have been useful to at least hear the grievances of the striking workers; if not, why not.

2165 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—In relation to the quarterly meetings between the Australian Ambassador to Indonesia, Mr Richard Smith, and/or other embassy staff, and representatives of Australian-owned mining operations in Indonesia:

- (1) Has the issue of mine waste disposal at sea (submarine tailings disposal, also known as DSTP), ever been raised at these meetings; if so, by whom was it raised.
- (2) (a) Has the Ambassador or any other Australian government official ever been requested to make any representations to Indonesian government officials regarding DSTP; and (b) have any representations regarding DSTP ever been made by Australian government officials to Indonesian government officials.
- (3) Has the issue of mine closure ever been raised at these meetings; if so, by whom was it raised.
- (4) (a) Has the Ambassador or any other Australian government official ever been requested to make any representations to Indonesian government officials regarding mine closure; and (b) have any representations regarding mine closure ever been made by Australian government officials to Indonesian government officials.
- (5) Has the Ambassador or any Australian government official ever visited an Australian-owned mine which has closed or is in the process of closing.
- (6) Is the Ambassador satisfied that all operating and planned Australian-owned mines have plans for prompt and proper mine closure, developed in consultation with local communities and government officials, including progressive rehabilitation of completed areas while mining progresses.
- (7) In the absence of detailed Indonesian regulations or government policy regarding mine closure, is the Ambassador satisfied that all Australian-owned mine closure plans are in keeping with best Australian mining practice.
- (8) Does the Ambassador consider that Australian-owned mines should plan for closure rehabilitation, which includes ensuring mine pits are never simply allowed to remain and fill with water which may become polluted with acid and heavy metals.

2166 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—With reference to the quarterly meetings between the Australian Ambassador to Indonesia, Mr Richard Smith and/or other embassy staff, and representatives of Australian-owned mining operations in Indonesia:

- (1) Have any meetings occurred since the meeting held on 22 July 2002; if so, for each meeting: (a) which companies attended; (b) who represented the individual companies; and (c) can a list be provided of the issues raised.
- (2) What actions, if any, did the Ambassador or embassy staff agree to undertake from each of these meetings.

2167 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the answer to the supplementary estimates question no. RDG04, provided to the Rural and Regional Affairs and Transport Legislation Committee on 11 February 2003, containing a table of Sustainable Regions Program direct funding and other contributions:

- (1) Can an updated table be provided which includes: (a) all projects approved for funding and the approved level of funding; (b) funding already provided and the amount outstanding; and (c) the financial years in which expenditure of outstanding funds is likely to occur.

- (2) In relation to the Regional Partnerships Program: (a) how many projects have been approved for funding in the 2003-04 financial year; (b) what is the total level of funding for these projects; and (c) how much has been committed for expenditure in the following financial years: (i) 2003-04, (ii) 2004-05, (iii) 2005-06, and (iv) 2006-07.
- (3) In relation to projects approved prior to 1 July 2003 under the Regional Solutions Program, the Rural Transaction Centres, the Regional Assistance Program, the Dairy Regional Assistance Program, the Wide Bay Burnett Structural Adjustment Package, the Namoi Valley Package, the Weipa Electricity Generation Compensation Package and the South West Forests of Western Australia Structural Adjustment Package: (a) how much has been committed for expenditure in the 2003-04 financial year; (b) how much of the funds committed for expenditure in the 2003-04 financial year has been expended to date; and (c) how much has been committed for expenditure in the following financial years: (i) 2004-05, (ii) 2005-06, and (iii) 2006-07.

*Notice given 23 September 2003*

2168 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) Can a schedule be provided of all partnerships or programs commenced within the past 3 financial years, between the department and biotechnology companies or their agents, including but not limited to AVCARE, Agrifood Awareness Australia Limited, Monsanto Australia Ltd (Monsanto) and Bayer Crop Science Australia (Bayer) or its predecessor, Aventis, including the following details for each:
  - (a) the stated aim;
  - (b) the proposed duration;
  - (c) the forecast financial or in-kind contribution to be provided by the department;
  - (d) the forecast financial or in-kind contribution to be provided by the department's partners;
  - (e) the actual financial or in-kind contribution made to date by the department;
  - (f) the actual financial or in-kind contribution made to date by the department's partners; and
  - (g) for those programs that have been completed, a summary of actual outcomes as compared with the stated aim.
- (2) Can a copy of the commercial agreements entered into between the department and its partners in relation to these programs be provided; if not, why not.

2169 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) Can a schedule be provided of all partnerships, programs or funding arrangements entered into each of the past 3 financial years between the department and the Australia Oilseeds Federation (AOF), including the following details for each:
  - (a) the stated aim of each partnership or program or for the funding provided by the department;

- (b) the proposed duration of each partnership or program or for the funding provided by the department;
  - (c) the forecast financial or in-kind contribution to be provided by the department;
  - (d) the forecast financial or in-kind contribution to be provided by AOF;
  - (e) the actual financial or in-kind contribution made to date by the department;
  - (f) the actual financial or in-kind contribution made to date by AOF; and
  - (g) for those programs or funding arrangements that have been completed, a summary of actual outcomes as compared with the stated aim of each program, partnership or funding arrangement.
- (2) Can a copy of the commercial agreements entered into between the department and AOF in relation to these programs or funding arrangements be provided; if not, why not.

2170 **Senator Harris:** To ask the Minister for Revenue and Assistant Treasurer—Does the Prime Minister have portfolio responsibility for the Office of the Commissioner of Taxation.

*Notice given 24 September 2003*

2171 **Senator Lees:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) Will the Minister act on unanimous advice from a range of health and social welfare agencies, including the Royal Australasian College of Physicians (RACP), Paediatrics and Child Health Division; the Royal Australian and New Zealand College of Psychiatrists, Faculty of Child and Adolescent Psychiatry; and the Professional Alliance for the Health of Asylum Seekers and their Children that ‘prolonged detention is causing harm to the mental health and development of children and adolescents’ and that the Minister should ‘undertake an independent, expert review’ into the mental health of children held in detention in Australia’s immigration detention centres.
- (2) Will the Minister take any further action to examine and evaluate the performance of Australasian Correctional Management (ACM), with regard to the mental health and welfare of children in detention; if so, what action will the Minister take; if not, under what conditions would the Minister be prepared to conduct such an evaluation of ACM’s performance.
- (3) With reference to the Minister’s response to the May 2003 *Four Corners* program on the former Woomera Detention Centre, that ‘there is no contractual requirement for ACM to provide staffing numbers to DIMIA’ for the achievement of contracted outcomes by ACM: Given this lack of detailed accountability by ACM and the consistent reporting by social welfare and medical practitioners about the institutional barriers to the mental health and wellbeing of detainees: What steps is the Minister currently taking to ensure that ACM is now upholding Australian immigration detention standards.

*Notice given 25 September 2003*

2172 **Senator Allison:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) Has Basslink Pty Ltd prepared a code of conduct for commercial and recreational fishing activities, as is required for approval of the Basslink project; if so; (a) has the code been approved; and (b) can a copy of the code be provided.
- (2) With which fishing groups and individuals did the proponents consult when developing the code.
- (3) If consultations did not include Gippsland fisher's such as those from Yarram, McLaughlin's Beach and Lakes Entrance, why were these groups not consulted.

*Notice given 29 September 2003*

2173 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the changes in seed cleaning arrangements detailed in Australian Quarantine and Inspection Service (AQIS) Public Quarantine Alert PQA0266, Cleaning of contaminated seed consignments in rural areas:

- (1) What steps have been taken to consult with representations of the seed industry, including, but not limited to, importers, growers and peak bodies, in developing these changes.
- (2) What steps have been taken to communicate with representatives of the seed industry, including, but not limited to, importers, growers and peak bodies, to ensure they were aware of these changes.
- (3) What work has been conducted or commissioned by the department or other Commonwealth agencies to determine: (a) potential and actual changes in costs experienced by seed importers, breeders and end users as a result of these changes, and what are the results of this work; (b) potential and actual time delays experienced by seed importers, breeders and end users as a result of these changes, and what are the results of this work; (c) potential and actual extra costs borne by the Commonwealth as a result of these changes, and what are the results of this work; and (d) potential and actual closure of or job losses at AQIS-approved seed cleaning facilities in rural areas as a result of these changes, and what are the results of this work.

2174 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) For each of the past 5 financial years, what has been the quantity (in metric tonnes) of seed processed through the Australian Quarantine and Inspection Service (AQIS) approved seed cleaning facilities in rural areas.
- (2) For each of the past 5 financial years, what has been the level of full-time equivalent employment at each of the AQIS-approved seed cleaning facilities in rural areas.
- (3) For each of the past 5 financial years, how many AQIS-approved seed cleaning facilities have operated in rural areas, and where were they located.
- (4) Are AQIS-approved seed cleaning facilities in rural areas operated under license to AQIS or under some other accreditation process.
- (5) For each of the past 5 financial years, have any AQIS-approved seed cleaning facilities in rural areas applied for their AQIS licenses or accreditation to be renewed but been refused; if so, for each facility, can the following information be provided: (a) a brief description of the reasons

why an AQIS license or accreditation was not renewed; (b) the date of application, and the date the applicant was advised of the outcome; and (c) details of all assistance provided by the Commonwealth to the proprietor and staff of the unsuccessful applicant.

2175 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) When was the Plant Breeders' Rights (PBR) Office established.
- (2) For each year since its establishment, or for each of the past 5 financial years, whichever is the lesser period, what has been: (a) the posted staffing contingent in full-time equivalents; (b) the actual staffing contingent in full-time equivalents; (c) the projected Commonwealth expenditure for operating the office; (d) the actual Commonwealth expenditure for operating the office; (e) the projected number of customer transactions to be undertaken; and (f) the actual number of customer transactions undertaken.

*Notice given 1 October 2003*

1872 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

- (1) When did the Minister announce the package.
- (2) What funding was committed to the package.
- (3) What grant monies have been paid under the package.
- (4) When were program guidelines and applications forms made publicly available.
- (5) When did the application period commence.
- (6) When did the application period close.

1882 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) When did Australia first accept imports of snow peas and sugar snap peas.
- (2) For each of the past 5 financial years, from which countries and in what quantity has Australia imported snow peas and sugar snap peas.
- (3) In relation to each country from which Australia currently accepts imports of snow peas and sugar snap peas, what chemical residues are currently tested on these imports.
- (4) In relation to each country from which Australia imports snow peas and sugar snap peas: (a) which nations test for chemical residues; (b) which agencies or companies perform these chemical residue tests; (c) what quantity of snow peas and sugar snap peas make up each sample taken for the chemical residue test; and (d) what is the rate at which samples are taken and tested for chemical residues, for example, is one sample taken for each tonne of snow peas and sugar snap peas, or for each half tonne, or for each container load.
- (5) Where chemical residue testing on snow peas and sugar snap peas bound for Australia is conducted in different nations or by agencies other than Australian Government agencies, what audit processes are undertaken by the Commonwealth to ensure the veracity of the testing conducted in these nations or by agencies other than Australian Government agencies.

- (6) Can details be provided of any instances in the past 5 financial years where chemical residue testing of snow peas and sugar snap peas bound for Australia has been found by the Commonwealth to be inadequate.
- (7) What penalties or sanctions have been applied to the supplying nation, shipping operator, trader or agency in cases where chemical residue testing of snow peas and sugar snap peas bound for Australia has been found by the Commonwealth to be inadequate.
- (8) In relation to each country from which Australia has imported snow peas and sugar snap peas: On how many occasions have snow peas and sugar snap peas bound for import to Australia been rejected on the basis that chemical residue testing has detected unacceptable levels of chemical residues, and, in each case: (a) which chemical was involved; (b) what was the concentration of the chemical; and (c) what is the concentration of each chemical approved by Food Standards Australia and New Zealand.

1883 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) When did the Australian Pesticides and Veterinary Medicines Authority (APVMA) or its predecessor, the National Registration Authority, receive an application for the use of glufosinate ammonium as a broad acre herbicide in Australia.
- (2) Who was the applicant.
- (3) When was the final decision made by APVMA regarding the use of glufosinate ammonium as a broad acre herbicide in Australia and can a copy of the approval notice or permit be provided, including all details of conditions of use; if not, why not.
- (4) To date, how much has the current application for the use of glufosinate ammonium as a broad acre herbicide in Australia cost the APVMA to process.
- (5) What is the expected total cost to the APVMA of processing the application.
- (6) To date, what is the quantum of fees and charges which have been levied upon the applicant in relation to the application.
- (7) What is the expected total of fees and charges that will be levied upon the applicant in relation to the application.

1884 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) When did the Australian Pesticides and Veterinary Medicines Authority (APVMA) or its predecessor, the National Registration Authority, receive an application for the use of the herbicide known as Roundup as a broad acre herbicide in Australia.
- (2) Who was the applicant.
- (3) When is a final decision expected from the APVMA for the use of Roundup as a broad acre herbicide in Australia.
- (4) To date, how much has the current application for the use of Roundup as a broad acre herbicide in Australia cost the APVMA to process.
- (5) What is the expected total cost to the APVMA of processing the application.

- (6) To date, what is the quantum of fees and charges which have been levied upon the applicant in relation to the application.
- (7) What is the expected total of fees and charges that will be levied upon the applicant in relation to the application.

1885 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—With reference to the Homecare program:

- (1) For the period 1 January to 30 June 2003: How many assessments, by region, were: (a) made; (b) reviewed up; (c) reviewed down; and (d) deferred pending funding availability.
- (2) Of those assessed but deferred pending availability of funds: How many, by region, have since been admitted after 1 July 2003.
- (3) Of the additional \$8.6 million added to the program for the 2003-04 financial year: (a) for each item, how much has been consumed by cost increases; and (b) how much remains available for increased numbers of clients in the program.
- (4) What cost increases have occurred since 1 July 2003.

*Notice given 8 October 2003*

2191 **Senator Murray:** To ask the Minister for Local Government, Territories and Roads—

- (1) Is the Minister, in his capacity as Manager of Government Business in the Senate, aware of the following statement made by the Minister for Small Business and Tourism (Mr Hockey) in a *Meet the Press* interview aired on 14 September 2003: 'What I do know is the Labor Party and the Democrats are holding up a vast amount of legislation that the Government has put in place in the Senate'.
- (2) Does the Minister accept the *Australian Concise Oxford Dictionary's* definition of 'vast' as 'immense, huge, very great'.
- (3) Can the Minister: (a) provide a list for the Senate of any bill that could conceivably be regarded as being held up, as described by Mr Hockey; and (b) give his reasons for making that judgment.

2193 **Senator Allison:** To ask the Minister representing the Minister for Industry, Tourism and Resources—

- (1) Is Mr Brian Hallwood, Managing Director of Rio Tinto, a member of a working group that the Minister has asked to provide advice to the Howard Government on Australia's energy policy.
- (2) Has the Government asked an employee of Rio Tinto or any other corporation in the energy or resources sector to provide advice to the Government on Australia's energy policy; if so: (a) who was asked; (b) what was asked; and (c) was the person offered payment for the advice.

*Notice given 9 October 2003*

2203 **Senator Ludwig:** To ask the Minister representing the Attorney-General—With reference to the Attorney-General's announcement that the law firm Phillips Fox is to conduct a major part of the Government's broader review of the digital agenda reform: (a) what probity requirements have been sought from Phillips Fox in respect of this review; (b) has the Government required Phillips Fox to ensure that the firm has appropriate safeguards in place to separate its business interest from



that of the work on the review; if so, how; if not, why not; and (c) which government agencies or departments have Phillips Fox acting on their behalf.

2204 **Senator Ludwig:** To ask the Minister representing the Attorney-General—

- (1) (a) How often and when does the Office of Legal Services Coordination (OLSC) liaise with agencies in respect of monitoring and co-ordinating the delivery of legal services to the Commonwealth; and (b) what promotional activity does the OLSC undertake in respect of making departments aware of Legal Services Directions (LSDs).
- (2) Does the department use the panel system for outsourcing legal work; if so, (a) who is on the panel; and (b) how long have they been on the panel.
- (3) Does the department retain external legal services providers to develop legislative or policy proposals; if so: (a) which providers; and (b) which proposals.
- (4) (a) Which external legal services providers undertook commercial drafting work on behalf of the department in each of the past 4 years; and (b) how much did these services cost.
- (5) In relation to the OLSC: (a) how many staff are employed; and (b) can a breakdown be provided of full-time and part-time staff and their level of seniority.
- (6) In relation to the work of the OLSC: (a) how many complaints were received, and how many investigations of the branch were conducted in the past 12 months; and (b) what were the results of those investigations.
- (7) Can a copy be provided of the contract or contracts which the department uses for outsourcing legal services, in respect of the top five firms by cost.
- (8) In relation to legal service providers retained by the department, how are these providers made aware of the requirements of the LSDs.
- (9) Does the OLSC promote the use of alternative dispute resolution; if so, how; if not, why not.
- (10) In relation to the work of the OLSC, can details be provided about: (a) the number of training seminars provided for agencies, in respect of its work over the past 4 years; and (b) the nature and duration of the seminars.
- (11) When was the report prepared by Ms Sue Tongue provided to the Minister's office.

2208 **Senator Ludwig:** To ask the Minister representing the Attorney-General—With reference to the third round of the Australia-United States free trade agreement negotiations from 21 July to 25 July 2003:

- (1) Can the composite text capturing the view of both parties on nearly all chapters be provided.
- (2) In relation to the intellectual property chapter, can the composite text following the negotiations meeting in Washington from 29 September to 1 October 2003 be provided.
- (3) (a) When are the next consultations regarding the intellectual property aspects of the free trade negotiations between Australia and the United States; and (b) what, if any, are the outcomes to date.

*Notice given 10 October 2003*

2209 **Senator Cherry:** To ask the Minister for Family and Community Services—

- (1) What was the process that led to the funding of Mr Gary Johns, of the Institute of Public Affairs (IPA), to conduct a study into the relationship between the Commonwealth Government and non-government organisations (NGOs).
- (2) What were the criteria established for the project.
- (3) Why was the tender process not advertised.
- (4) Were the government guidelines on tendering and contracts breached.
- (5) When did, or will, Mr Johns or the IPA receive this funding.
- (6) Is the Government aware that the IPA claims on its website not to accept government funding.
- (7) Did the Government consider the corporate governance arrangements of the IPA before commissioning it to conduct the study.
- (8) Does the IPA: (a) produce an annual report; (b) produce a register of donations; (c) disclose any conflicts of interest; and (d) have an independently appointed auditor.
- (9) Did the Government seek the proposal from Mr Johns and the IPA.
- (10) Were any other relevant organisations asked to tender for this project.
- (11) What credentials and standing does Mr Johns have to undertake this work.
- (12) What requirements for consultation with other non-profit bodies will be placed on the IPA in conducting its research.
- (13) Why is it not more appropriate for the national roundtable of non-profit organisations to lead such a study in partnership with the Government.

2210 **Senator Cherry:** To ask the Minister for Family and Community Services—

- (1) Since its first meeting on 30 November 1999, what have been the annual budgets of the Community Business Partnership (CBP).
- (2) (a) How much has been spent each year on CBP projects since its inception; and (b) on what has the money been spent.
- (3) How do applicants apply for the CDP's project funds and how are funds distributed.
- (4) How were the members of the CBP selected.

2211 **Senator Cherry:** To ask the Minister for Family and Community Services—

- (1) (a) Who proposed the Not-for-Profit Council; and (b) what connections do they have to the Community Business Partnerships (CBP).
- (2) Did the Government seek the proposal from the proponents of the Council.
- (3) What are the aims of the council.
- (4) What is the status of the application for funding for the proposed council.
- (5) (a) How much funding have the council's proponents sought from the CBP; and (b) how much have they previously received.
- (7) Has the Government independently consulted with existing not-for-profit sector peak bodies to gauge the viability of the council proposal.
- (8) Is the Government aware of the national roundtable of non-profit organisations, which has been voluntarily created and led by not-for-profit peak bodies across the sector.
- (9) Will the Government support the establishment of the Not-for-Profit Council when there is already a national roundtable of non-profit organisations.

## Notice given 14 October 2003

**Senator O'Brien:** To ask the Ministers listed below (Question Nos 2243-2273)—For each of the financial years 2001-02 and 2002-03 can the following details be provided in relation to paper and paper products:

- (1) How much has been spent by the department on these products.
- (2) From which countries of origin has the department sourced these products.
- (3) From which companies has the department sourced these products.
- (4) What was the percentage of the total of paper and paper products in value (in AUD) sourced by the department by country.
- (5) What was the percentage of the total of paper and paper products in value (in AUD) sourced by the department by company.
- (6) What steps has the department taken to ensure that paper and paper products sourced by the department from other countries comply with the ISO 14001 environmental management system standard.

2243 Minister representing the Prime Minister

2250 Minister representing the Attorney-General

2252 Minister representing the Minister for Communications, Information Technology and the Arts

2254 Minister representing the Minister for Agriculture, Fisheries and Forestry

2255 Minister for Immigration and Multicultural and Indigenous Affairs

2257 Minister for Family and Community Services

2260 Minister for Justice and Customs

2261 Minister for Fisheries, Forestry and Conservation

2262 Minister for the Arts and Sport

2265 Minister representing the Minister for Children and Youth Affairs

2269 Minister for Revenue and Assistant Treasurer

2270 Minister representing the Minister for Citizenship and Multicultural Affairs

2273 Minister Assisting the Prime Minister for the Status of Women

2305 **Senator O'Brien:** To ask the Minister for Fisheries, Forestry and Conservation—With reference to the pursuit of the *Viarsa* and the Minister's joint statement (reference AFFA 03/167M) of 28 August 2003, in which it was announced that the ocean going tug the *John Ross* would assist in the pursuit of the *Viarsa*:

- (1) Can the Minister confirm that at the time the *John Ross* joined the pursuit of the *Viarsa*, it was engaged in salvaging a fully laden container ship the *Sealand Express* at a beach close to Cape Town.
- (2) Did the *John Ross* complete the salvage of the *Sealand Express* prior to joining the pursuit of the *Viarsa*; if not, was this due to the urgency with which the *John Ross* was required to join the pursuit.
- (3) What were the exact objectives given by the Commonwealth to the owners of the *John Ross* when commissioned by the Commonwealth to join the pursuit.
- (4) Can a copy of any contract or other documentation between the Commonwealth and the owners of the *John Ross* in relation to the pursuit be provided; if not, why not.

- (5) Can details be provided of vessels other than the *John Ross* which were considered, and whether the owners of these alternative vessels were approached by the Commonwealth.
- (6) How much (in AUD) did the owners of each vessel request of the Commonwealth in return for that vessel joining the pursuit.
- (7) What were the specific capabilities of each vessel considered.
- (8) Why did the Commonwealth choose not to proceed with the hire of each of these other vessels.
- (9) Was the *John Ross* required to undertake salvage or towing operations to directly assist the *Southern Supporter* or any other vessel involved in the pursuit; if so, can full details be provided of the tasks undertaken by the *John Ross* in direct salvage or towing assistance of the *Southern Supporter* or any other vessel involved in the pursuit; if not, why not.

*Notice given 15 October 2003*

- 2306 **Senator Brown:** To ask the Minister for Local Government, Territories and Roads—With reference to a proposed runway at the Casey base in Antarctica: (a) is the construction of a rock-gravel runway one of the options under consideration; (b) what options have been proposed; (c) where will the runway be located; and (d) what will its cost, specifications and environmental impact be.
- 2307 **Senator Brown:** To ask the Minister for Local Government, Territories and Roads—With reference to the air link between the Hobart and the Casey base in Antarctica: (a) where will the Casey landing strip be; (b) what are its proposed specifications and environmental impacts; and (c) has an environmental impact study been done; if so, by whom.
- 2308 **Senator Brown:** To ask the Minister for Local Government, Territories and Roads—With reference to the Davis base in Antarctica: (a) when, and by whom, was approval granted for an intra-continental runway at the base; (b) has an environmental impact study been announced or completed; if so, what opportunities for public input are or were announced; (c) where is the runway; and (d) what are its costs, specifications and environmental impacts.

*Notice given 16 October 2003*

- 2313 **Senator Webber:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—
- (1) Has any investigation been undertaken by the department of the economic and social effects of removing the Afghan refugees from Albany, Western Australia.
  - (2) Has there been any consultation with the Albany community on the removal of the Afghan refugees.

*Notice given 22 October 2003*

- 2315 **Senator Bartlett:** To ask the Minister representing the Minister for the Environment and Heritage—
- (1) Will the Minister accredit regional natural resource management (NRM) plans under the Natural Heritage Trust (NHT) or National Action Plan for Salinity and Water Quality (NAP) if they are inconsistent with nationally-agreed NRM strategies, such as the National Water Quality Management Strategy, National Principles for the Provision of Water for

Ecosystems and the National Framework for Management and Monitoring of Native Vegetation.

- (2) Are regional NRM plans under the NHT and NAP intended to be vehicles for the implementation of the nationally-agreed NRM strategies; if so, what mechanisms are in place to ensure the nationally-agreed NRM strategies are implemented through the regional NRM plans.
- (3) In determining the allocation of funds under the NHT and NAP, does the Government give priority to the implementation of the nationally-agreed NRM strategies.
- (4) (a) Does the Government monitor the implementation of the nationally-agreed NRM strategies by the states and territories; and (b) has the Government found any instances in which a state or territory has failed to implement a nationally-agreed NRM strategy; if so, can details be provided of these instances and the action that has been taken to address this issue.
- (5) How does the Government intend to improve water quality in, and environmental flows to, coastal Ramsar wetlands through the regional delivery model being employed under the NHT and NAP.
- (6) (a) How does the Government intend to address the matters protected under Part 3, Division 1 of the *Environment Protection and Biodiversity Conservation Act 1999* (i.e. the so-called 'matters of national environmental significance') in accrediting regional NRM plans; and (b) will funding of priority projects for the protection and conservation of matters of national environmental significance take precedence over the priorities identified in regional NRM plans.
- (7) What criteria does the Government use to ensure regional NRM plans address the need to protect and conserve matters of national environmental significance.
- (8) Does the presence of matters of national environmental significance in a region influence the funds that are made available to the relevant regional body under the NHT and NAP.
- (9) How much money has been spent under the second phase of the NHT on priority projects outside the accredited NRM planning and investment framework.
- (10) Do all priority projects that have received funding under the second phase of the NHT include relevant resource condition targets; if not, why not.
- (11) For each of the first and second phases of the NHT and the NAP, what percentage of funds spent (to date) were spent on: (a) planning; (b) implementation; (c) monitoring; and (d) reporting.
- (12) In respect of the NAP and the second phase of the NHT, what percentage of funds does the Government expect to spend on: (a) planning; (b) implementation; (c) monitoring; and (d) reporting.
- (13) Does the Government monitor compliance by the states and territories with the terms and conditions in the bilateral agreements that have been entered into as part of the NHT and NAP; if so, how does it carry out this monitoring.
- (14) Has the Government identified any instances of breaches of the conditions of the NHT and NAP bilateral agreements; if so, can details of these breaches and the action taken to address the breaches be provided.

2317 **Senator Bartlett:** To ask the Minister representing the Minister for the Environment and Heritage—

- (1) With reference to the second phase of the Natural Heritage Trust (NHT): How much money has been spent:
  - (a) on the National Vegetation Initiative;
  - (b) on the Murray-Darling 2001 Program;
  - (c) on the Coasts and Clean Seas Initiative;
  - (d) on the National Land and Water Resources Audit;
  - (e) on the National Reserve System;
  - (f) on 'environment protection' (as defined under section 15 of the *Natural Heritage Trust of Australia Act 1997* (NHTA Act));
  - (g) on supporting 'sustainable agriculture' (as defined under section 16 of the NHTA Act).
  - (h) on 'natural resource management' (as defined under section 17 of the NHTA Act);
  - (i) on purposes that are incidental or ancillary to any of the purposes outlined in subsections 8(a) to (h) of the NHTA Act;
  - (j) for the purpose of making grants of financial assistance for any of the purposes outlined in subsections 8(a) to (h) of the NHTA Act;
  - (k) for accounting transfer purposes (as defined in section 18 of the NHTA Act).
- (2) How much money in the Natural Heritage Trust of Australia Reserve that represents proceeds of the sale of shares in Telstra has been debited for the purposes of: (a) the National Vegetation Initiative; (b) the Murray-Darling 2001 Program; (c) the National Land and Water Resources Audit; (d) the National Reserve System; (e) the Coasts and Clean Seas Initiative; (f) environmental protection (as defined by section 15 of the NHTA Act); (g) supporting sustainable agriculture (as defined by section 16 of the NHTA Act); (h) natural resources management (as defined by section 17 of the NHTA Act); (i) a purpose incidental or ancillary to any of the purposes outlined in subsections 8(a) to (h) of the NHTA Act; and (j) the making of grants of financial assistance for any of the purposes outlined in subsections 8(a) to (h) of the NHTA Act.
- (3) How do the four programs that are being funded through the second phase of the NHT, (i.e. Landcare, Bushcare, Coastcare and Rivercare) relate to the purposes of the Natural Heritage Trust of Australia Reserve that are set out in section 8 of the NHTA Act.
- (4) How does the Government reconcile the purposes of the Reserve, as defined in section 8 of the NHTA Act, with the three overarching objectives of the NHT that are described in government policy papers (i.e. sustainable use of natural resources, biodiversity conservation and community capacity building and institutional change).
- (5) Do the bilateral agreements that the Commonwealth has signed to date include frameworks for the achievement of outcomes that relate to 'environmental protection', 'natural resource management' and 'sustainable agriculture' (as defined in sections 15, 16 and 17 of the NHTA Act); if so, can the Minister explain how these outcomes will be achieved and how these outcomes relate to the three policy objectives of the NHT as referred to in question 4.

- (6) With reference to Section 21 of the NHTA Act, which requires the Minister to have regard to the principles of ecologically sustainable development in making a decision to approve a proposal to spend money in the Reserve: can the Minister describe how these principles were considered in making the decisions to approve the funding for the following:
- (a) the Queensland National Reserve System Program projects known as 'The Seven Confidential Land Acquisition Projects in Queensland' in 2001-02;
  - (b) the South-East Queensland Western Catchment project that was announced on 1 October 2003;
  - (c) the Burdekin Dry Tropics project that was announced on 1 October 2003;
  - (d) the \$2.14 million and \$967 000 of Queensland drought recovery measures that were announced on 7 May 2003 and on 28 March 2003 respectively;
  - (e) the South Australia Bushcare project known as 'Improving the Quality of Biodiversity of Protected Areas on Private Land' in 2001-02;
  - (f) the South Australia Bushcare project known as 'Natural Heritage Trust Coordination' in 2001-02;
  - (g) the \$134 149 and \$29 928 of South Australia drought recovery measures that were announced on 7 May 2003 and on 28 March 2003 respectively;
  - (h) the New South Wales project known as 'Integrated Delivery of Environmental Education in the Sydney Basin' that was announced on 16 July 2003; and
  - (i) the \$3.17 million and \$1.56 million of New South Wales drought recovery measures that were announced on 7 May 2003 and on 28 March 2003 respectively.
- (7) How much money has the Commonwealth derived from interests in property acquired using funds from the Reserve.
- (8) How much money has the Commonwealth transferred to the Reserve from the Consolidated Revenue Fund on account of moneys derived from interests in property acquired using funds from the Reserve.
- (9) Who are the current members of the NHT Advisory Committee and what qualifications or experience in natural resource management do they possess.
- (10) Has the NHT Advisory Committee provided advice to the NHT Board on:
- (a) the program structure of the NHT (i.e. national, regional and envirofund), and relative expenditures of money under this structure;
  - (b) the relative expenditures of monies between the Coastcare, Landcare, Bushcare and Rivercare programs;
  - (c) the relative expenditures between regions and between national component programs;
  - (d) accounting for the commitment given by the Howard Government in 2001 to spend \$350 million directly on water quality measures under the second phase of the NHT;
  - (e) the requirements for accreditation of regional plans; and

- (f) priorities for expenditure to achieve environmental protection, natural resource management and sustainable agriculture outcomes.
- (11) If the NHT Advisory Committee has provided advice on any of the matters outlined in question 10, can a copy of the advice be provided by no later than 2 November 2003.
- (12) Can a copy of the Investment Strategy for the Reserve referred to in section 41 of the NHTA Act be provided by no later than 2 November 2003.
- (13) (a) Which components of the NHT and programs under the national component currently have funding agreements for multiple years, including the 2003-04 and 2004-05 financial years; and (b) has the Natural Heritage Ministerial Board approved estimates for these components and programs, in accordance with section 41 of the NHTA Act; if so, can a copy of these estimates be provided by no later than 2 November 2003.
- (14) With reference to section 42 of the NHTA Act, what was the indexation for each of the following financial years: (a) 2002-03; and (b) 2003-04 .
- (15) Can a copy be provided of the guidelines for the preparation of the financial statements for the Reserve that have been issued by the Minister for Finance and Administration.
- (16) Can a copy be provided of any guidelines that have been prepared for accounting for in-kind contributions to projects funded under the NHT or the National Action Plan for Salinity and Water Quality.

2318 **Senator Bartlett:** To ask the Minister representing the Minister for the Environment and Heritage—

- (1) (a) When, and with what organisation, will the Government finalise a contract for development of a Water Quality Improvement Plan for Moreton Bay under the Coastal Catchments Initiative.
- (2) With reference to the Government-funded interim water quality projects in Douglas Shire, Peel-Harvey and Port Waterways, with significant commitments from the Natural Heritage Trust (NHT): (a) what interim water quality projects are proposed for Moreton Bay, and what will be the NHT commitment; (b) when will these commence; and (c) what consultations have been undertaken to identify and develop interim projects for Moreton Bay.
- (3) When, and with what organisation, will the Government finalise a contract for development of a Water Quality Improvement Plan for the Mary River/Great Sandy Strait.
- (4) (a) What interim water quality projects are proposed for the Mary River/Great Sandy Strait, and what will be the NHT commitment; (b) when will these commence; and (c) what consultations have been undertaken to identify and develop interim projects for this coastal area.
- (5) When will the final Great Barrier Reef Water Quality Protection Plan be released.
- (6) What role will the Coastal Catchments Initiative play in implementing the Reef Water Quality Protection Plan.
- (7) (a) What will be the priority catchments for implementing the Coastal Catchments Initiative in the areas adjacent to the Great Barrier Reef; and (b) how much will be spent on developing Water Quality Improvement Plans, interim projects and plan implementation in catchments that are adjacent to the Great Barrier Reef.



- (8) How will Water Quality Improvement Plans prepared under the Coastal Catchments Initiative relate to the regional natural resource management plans prepared under the NHT and the National Action Plan for Salinity and Water Quality (NAP).
- (9) How will the Great Barrier Reef coastal wetland program be integrated with the Coastal Catchments Initiative and the regional planning process that is being undertaken in relation to the NHT and the NAP.
- (10) What coastal water quality protection processes will be employed in catchments adjacent to the Great Barrier Reef in which no Coastal Catchments Initiative projects will be undertaken.
- (11) Will regional natural resource management committees be required or encouraged to develop Water Quality Improvement Plans in their regions in accordance with the Coastal Catchments Initiative.
- (12) Can details be provided (including a project description, project cost, NHT contribution and monitoring and reporting requirements) of the interim water quality projects that are being undertaken in the Douglas Shire.
- (13) Why has the Government not announced interim project funding under the Coastal Catchments Initiative in Douglas Shire, as it has for Port Waterways and the Peel-Harvey.
- (14) Why does the draft Great Barrier Reef Water Quality Protection Plan not refer to the 2001 Water Quality Targets that were set for the Great Barrier Reef.
- (15) Have the 2001 Water Quality Targets for the Great Barrier Reef been reviewed; if so, what were the findings of that review.
- (16) What priority is given to reef water quality protection in the accreditation of regional natural resource management plans for catchments adjacent to the Great Barrier Reef.
- (17) How much money from the second phase of the NHT has been spent directly on: (a) water quality improvement; and (b) water quality improvement in catchments adjacent to the Great Barrier Reef.
- (18) With reference to the Howard Government's commitment to spend \$350 million under the second phase of the NHT directly on measures to improve water quality:
  - (a) how does the Minister define 'direct' for the purposes of meeting this commitment;
  - (b) does the Minister include water quality planning and monitoring activities within the definition of 'direct' for the purposes of meeting this commitment; if so, how do planning and monitoring activities directly improve water quality;
  - (c) can a copy be provided, no later than 2 November 2003, of the guidelines that are used by the department for the purposes of determining whether a project is a measure that directly improves water quality; and
  - (d) (i) how much of the money that has been spent 'directly on measures to improve water quality' under the second phase of the NHT has been spent through the Coastal Catchments Initiative, and (ii) how much of this money is expected to be spent through the Coastal Catchments Initiative during the 2003-04, 2004-05 and 2005-06 financial years.

- (19) Can a list be provided, no later than 2 November 2003, of all projects allocated money under the second phase of NHT that include measures to directly improve water quality.

*Notice given 23 October 2003*

2321 **Senator Evans:** To ask the Minister for Defence—In relation to the flyover by F-111 aircraft in Canberra on 11 October 2003, to commemorate the 100th anniversary of the High Court of Australia:

- (1) When was it first announced that the flyover would take place.
- (2) Which organisations and/or individuals were consulted about the decision to conduct the flyover.
- (3) Who authorised the decision to conduct the flyover.
- (4) How many planes were involved.
- (5) What was the home base of the aircraft involved.
- (6) What was the total cost.

*Notice given 27 October 2003*

2328 **Senator Brown:** To ask the Minister for Fisheries, Forestry and Conservation—With reference to the \$35 million investment for research into the timber industry's market access and sustainability:

- (1) How much will the Australian Government pay, over what period of time, and to whom.
- (2) Where will this money come from.
- (3) (a) What is meant by 'sustainable forest management'; and (b) does 'forest' mean 'plantation'.

2330 **Senator Marshall:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—With reference to the *Migration Act 1958*:

- (1) In the past 2 years, how many people have been held, following the cancellation of a visa under section 501 or section 200 of the Act in: (a) detention centres; and (b) gaols.
- (2) How many people have been held in detention or gaol for more than 6 months following a visa cancellation under section 501 or section 200 of the Act.
- (3) What is the main reason, other than court appeals, for people whose visas have been cancelled under section 501 or section 200 of the Act, not being removed from Australia.
- (4) How many people have been removed from Australia in the past 12 months under section 501 or section 200 of the Act.
- (5) In the past 12 months, what percentage of visas cancelled under section 501 of the Act involved decisions recommended to the Minister by the department that were then subsequently endorsed by the Minister.
- (6) In the past 2 years, how many visa cancellations under section 501 of the Act have been personally signed by the Minister and are therefore unappealable.
- (7) What is the average cost per detainee, and the total cost to the Commonwealth, per year, of detaining people who have had their visas cancelled under section 501 or section 200 of the Act.

- (8) (a) In the past 12 months, how many appeals were made by the department against court orders to reinstate visas cancelled under section 501; and (b) why were these appeals made.
- (9) Is it departmental practice to ask immediate family members to identify people in order to remove them from Australia.
- (10) How many people who were prospective witnesses in cases have been deported.
- (11) Is there a time limit on instigating removal proceedings under section 501 for people in detention.

2331 **Senator Marshall:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) What facilities exist to house ‘illegal migrants’ in Australia.
- (2) How many and which of these are operated: (a) privately; and (b) by the Government.
- (3) How many ‘illegal migrants’ are held in each centre.
- (4) How many staff are employed in each centre.
- (5) What is the estimated cost, per annum, of operating each centre.
- (6) Of those persons held over the past 12 months in each of the ‘illegal migrant’ detention facilities, how many were: (a) family units; (b) men; (c) women; and (d) children.
- (7) Of those persons currently held in each of the ‘illegal migrant’ detention facilities, how many are: (a) family units; (b) men; (c) women; and (d) children.

*Notice given 28 October 2003*

2332 **Senator Bartlett:** To ask the Minister representing the Minister for Foreign Affairs—

- (1) Can the Minister confirm that Australian Consular Officer Mr Brian Brook has been served a subpoena to appear as a witness against Mr Kirk Pinner, an Australian citizen who is currently being held in custody on a criminal charge in the United States of America (US).
- (2) With reference to a letter, dated 4 September 2003, from the Australian Consulate-General in San Francisco to Mr Pinner, which states in part ‘we had been seeking to have Consular Officer Brian Brook exempted from subpoena, however the US Department of State has confirmed that this is not possible’: (a) what steps were taken by the Australian Consulate-General to have Mr Brook exempted from the subpoena; and (b) was any written request sent to the US Department of State, or any other US authority, to this effect.
- (3) In seeking to have Mr Brook exempted from the subpoena, did the Australian Consulate-General raise with US Department of State or any other US authority, the obligations of the US under the Vienna Convention on Consular Relations; if not, why not.
- (4) (a) If the issue of the obligations of the US under the Vienna Convention was raised, what was the response; and (b) does Australia accept that response.
- (5) Did Australia at any time waive its rights under the Vienna Convention in respect of the testimony of Mr Brook; if so: (a) was this communicated to

the US authorities in writing; (b) what were the reasons for the waiver on this occasion, given that the liberty of an Australian citizen who has not been convicted of any crime was at stake; and (c) why was such a waiver not communicated to Mr Pinner in the letter from the Consulate-General, dated 4 September 2003.

- (6) If Australia did not waive its rights under the Vienna Convention, does it accept the claim by the US Department of State that it is nevertheless 'not possible' to exempt Mr Brook from the subpoena; if so, as the letter from the Consulate-General implies, on what basis does the Australian Government believe that the subpoena over-rides the obligations of the US under the Vienna Convention.
- (7) Is there any formal or other arrangement between Australia and the US that takes precedence over the mutual obligations of each country under the Vienna Convention.
- (8) If Mr Brook has not been issued a subpoena in relation to the criminal proceedings against Mr Pinner, will he be providing evidence for the prosecution despite the absence of any subpoena; if so, will this be of his own free will or on the instructions of the department.
- (9) (a) Has the Australian Government provided any information, written or otherwise, to the US authorities in relation to Mr Pinner leaving the jurisdiction of the US while a criminal charge is pending against him; and (b) has the prosecution been provided with any information originating from the Australian Consulate in Los Angeles; if so, what reasons justified the provision of such information to US authorities, when there was no obligation to do so on account of the Vienna Convention.
- (10) Can a list of the documents provided by the Australian Government to US authorities in relation to Mr Pinner, as well as any information that may have been conveyed verbally by Australian Government officials to US authorities, be provided.
- (11) Does the Government have any concerns regarding the ability of Australian consulate staff to represent the interests of Australian citizens in the US if such staff can be obliged to testify against Australian citizens pursuant to subpoenas issued by US courts.

*Notice given 29 October 2003*

2335 **Senator Bartlett:** To ask the Minister for Defence—

- (1) How many applications to join the Australian Defence Forces were received in the 2002-03 financial year; and of these, how many: (i) were withdrawn by the applicant, (ii) were rejected, (iii) were successful, and (iv) remain unresolved.
- (2) For each arm of the Defence forces, can statistics be provided about the average time period between an application to join and an affirmative or negative decision.

*Notice given 3 November 2003*

**Senator Ludwig:** To ask the Ministers listed below (Question Nos 2337-2338)—With reference to the implementation of recommendations contained in the report 'The Use of Bankruptcy and Family Law Schemes to Avoid Payment of Tax':

- (1) Given that Recommendation 1 states that 'The Australian Taxation Office (ATO) is currently developing these guidelines together with the

Attorney-General's (A-G's) department and expects to have new guidelines in place by 30 June 2003':

- (a) were these guidelines put in place on 30 June 2003; if not, what was the cause of the delay and when will this happen; if so, can a copy be provided;
  - (b) what training was provided to ATO 'decision makers' in relation to the implementation of these guidelines; and
  - (c) what consultations were held with the Privacy Commissioner to ensure that there were no breaches of the *Privacy Act 1988*.
- (2) Given that Recommendation 2 states that 'The Treasury, in consultation with the A-G's department are currently weighing up the various considerations involved in providing publicly available information to prescribed industry and professional associations, including the rights of individuals concerning access to their taxation information as recommended in the Taskforce Report. While legislative change may provide another avenue for such information to be provided, industry and professional associations can also consider the extent to which they may require the provision of such information directly from their members as a condition of membership':
- (a) what progress has been made to amend subsection 16(4) of the *Income Tax Assessment Act 1936* and section 3(c) of the *Taxation Administration Act 1953*, as recommended by the Taskforce;
  - (b) is legislation still being considered; if so, when can a draft be made available;
  - (c) has the Office of the Privacy Commissioner or any other agency been consulted in relation to any proposed legislative changes; if so, can the following details be provided: (i) who was consulted, (ii) what was the cost, and (iii) who participated in the consultation process; if not, does the Privacy Commissioner expect consultations to occur;
  - (d) have discussions or consultations commenced or been conducted with 'industry and professional associations'; if so, can details be provided of: (i) which 'industry and professional associations' attended discussions, and (ii) what to date has been the result of these discussions; and
  - (e) Has any agency been designated as the lead agency for these discussions; if so: (i) which agency, (ii) has this agency initiated discussions or consultations, (iii) is it required to report on progress made; if so, when can an update of the progress made be provided; if not, why not.
- (3) Given that Recommendation 7 states that: 'It is recommended that section 106B of the *Family Law Act 1975* be widened to allow third parties to apply to the court for an order or injunction preventing the disposition of property pending an application to set aside or overturn a section 79 order':
- (a) in respect of the decision in *Deputy Commissioner of Taxation and Kliman (2002)*: has the A-G's department reached a decision on the need for the above mentioned amendment; if not, when does the A-G's department expect this; and
  - (b) can the legal advice concerning this decision be made available.
- (4) Given that Recommendation 10 states that: 'It is recommended that there be a separation declaration for financial agreements generally not only for

superannuation agreements, to ensure that financial agreements are not entered into by couples for the purpose of avoiding creditors. An additional requirement might be included in section 90G of the *Family Law Act 1975*, to ensure that legal advice received in relation to an agreement includes notice that a declaration of separation is required’:

- (a) has the A-G’s department finalised advice it intends to forward to the Attorney-General in relation to implementing this recommendation; if not, why not, and (i) when will this advice been finalised, and (ii) who within the department has responsibility for the advice.
- (5) Given that Recommendation 12 states that: ‘It is recommended that penalties for key offences in the *Taxation Administration Act 1953* be reviewed in accordance with advice to be provided by the Criminal Justice Division of the A-G’s department with a view to enhancing their deterrent effect upon high income professionals avoiding payment of their income liabilities’:
- (a) what progress has been made in examining the efficacy of the existing penalties in deterring high income professionals, from avoiding payment of their income tax liabilities;
  - (b) what enhanced penalties are being considered;
  - (c) what advice has the Criminal Justice Division of the A-G’s department given in relation to increased penalties; and
  - (d) what ‘other alternative approaches’ are being considered to deter high income professionals from avoiding payment of their income tax liabilities.

2337 Minister representing the Treasurer

2338 Minister representing the Attorney-General

2339 **Senator Ludwig:** To ask the Minister representing the Attorney-General—With reference to the response to the recommendations of the Australian Law Reform Commission report ‘Managing Justice’, in which the Government stated, ‘We Support ADR techniques – we are reviewing the use of ADR as part of the Government’s overall commitment to act as a model litigant’: (a) who is undertaking the review; (b) has the review commenced; if not, when will it commence; (c) what are the terms of reference for the review; and (d) when will a report of this review be released.

**Senator Ludwig:** To ask the Ministers listed below (Question Nos 2340-2357)—

- (1) Does the department use Alternative Dispute Resolution (ADR) in an effort to avoid litigation; if not, why not; if so, are there specific guidelines for the Department to follow when using ADR.
- (2) If the department is not using ADR provisions, what process is used in cases that require resolution.
- (3) Has the department been advised of any development of guidelines for the use of ADR.
- (4) Does any of the legislation for which the department has responsibility contain ADR procedures; if so, (a) can each relevant provision be identified (eg. by statute name and section number); and (b) are guidelines provided for the use of ADR provisions in these instances; if so, can a copy of the guidelines be provided.

2340 Minister representing the Prime Minister

2341 Minister representing the Minister for Transport and Regional Services

- 2346 Minister representing the Minister for Health and Ageing
- 2347 Minister representing the Attorney-General
- 2348 Minister representing the Minister for the Environment and Heritage
- 2349 Minister representing the Minister for Communications, Information Technology and the Arts
- 2350 Minister for Finance and Administration
- 2351 Minister representing the Minister for Agriculture, Fisheries and Forestry
- 2352 Minister for Immigration and Multicultural and Indigenous Affairs
- 2355 Minister representing the Minister for Industry, Tourism and Resources
- 2357 Minister representing the Minister for Veterans' Affairs
- 2358 **Senator Ludwig:** To ask the Minister representing the Attorney-General—
- (1) In light of the report of a Review of the Impact on the Judiciary Amendment Act 1999, what steps have been taken by the Office of Legal Services Coordination to draw government departments and agencies to the desirability of using Alternative Dispute Resolution (ADR) in appropriate cases.
  - (2) What steps have been taken to ensure that each government agency establishes a dispute avoidance, management and resolution plan.
  - (3) In line with recommendations 69-69 of the Australian Law Reform Commission report 'Managing Justice', has a 'best practice' blueprint been developed; if not, why not; if so: (a) how was it developed; (b) who developed the guidelines, and (c) when are the guidelines applicable across government departments and agencies?
  - (4) Which department is the lead agency on the development of an ADR 'best practice' blueprint.
  - (5) Has the department commenced work on the blueprint; if so, when did it commence work.
  - (6) Has the department completed a 'best practice' blueprint for the use of ADR; if so, can copy of the document be provided; if not: (a) why not; (b) what drafts, if any, has the department developed on ADR procedures and guidelines; and (c) can these drafts be provided.
- 2359 **Senator Marshall:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—
- (1) What circumstances could lead to a detainee in an Immigration Detention Centre (IDC) being segregated from other detainees.
  - (2) When detainees in IDCs are segregated from other detainees what departmental or company processes are followed.
  - (3) Who makes the decision to segregate a detainee.
  - (4) At the time of their segregation are detainees advised how long they will remain segregated and why they are to be segregated.
  - (5) Whilst segregated from other detainees: (a) what access to services and facilities do detainees have; and (b) what services or facilities are denied.
  - (6) In relation to detainees in each IDC held in solitary confinement during the past year, how many were held for longer than 5 days; and, in each case, for how much longer was each detainee held.

- (7) When a detainee is held in solitary confinement is a report on the circumstances leading to the segregation of the detainee lodged with the department; if not, why not.
- (8) Is solitary confinement of detainees ever used as a form of punishment; if not, why have detainees who have been held in solitary confinement been denied reading and music materials.
- (9) Do detainees undertake psychological and/or psychiatric assessments prior to, during and/or after they spend time in solitary confinement; if not, why not; if so, are detainees provided with access to their own psychological or psychiatric assessments; if not, why not.

*Notice given 5 November 2003*

2360 **Senator Allison:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) As at 1 October 2003: (a) how many children and young people aged less than 18 years were being held in each of the mainland and offshore detention centres; (b) how long has each of these children been in detention; and (c) how many of these children, by detention centre, are currently proposed or being considered for moving to alternative places of detention in accordance with Migration Series Instruction No. 371: (i) during November 2003, (ii) during November and December 2003, and (iii) at any other time.
- (2) In each case, why are those children currently being held in mainland detention centres not already placed in alternative detention arrangements in accordance with the Migration Series Instruction No. 371.
- (3) Does the Minister acknowledge the long-term mental and emotional damage these children are suffering as a result of being held in detention centres.
- (4) Given that the Royal Australian and New Zealand College of Psychiatrists, the Royal Australian College of Physicians, the Committee of Presidents of Combined Medical Colleges, the Australian Medical Association and the Australian Psychological Society all oppose the policy of indefinite mandatory detention, will the Government change its policy; if not, why not.
- (5) Does the Government agree with the National Rural Health Alliance argument, as reported in the Alliance's newsletter of September 2003, that in relation to Australasian Correctional Management, which run immigration detention centres, 'A culture of profit, lack of transparent accountability, conflict of interest (the source of the distress provides the service that purports to treat it) and resulting compromises of professional ethics, affect all health treatment decisions'; if not, why not.
- (6) Does the Government agree that the creation of temporary protection visas appears to compound pre-existing psychological trauma; if not, what evidence does the Government have to demonstrate otherwise.

*Notice given 6 November 2003*

2362 **Senator Nettle:** To ask the President of the Senate—

- (1) When did, the Joint House Department commission the company One Planet Solutions to work on an early childhood centre for Parliament House.



- (2) How was the company selected.
- (3) Who is the company required to consult in the course of fulfilling its contract.
- (4) What is the timeline for the project, and what is the expected date for commencement.
- (5) Have any decisions been made, and, if so, by whom, about: (a) where the centre will be located; (b) who will be permitted to use the centre; (c) who will operate the centre; (d) what the hours and days of operation will be; and (d) whether fees are to be charged and, if so, how these will be determined.

2363 **Senator Nettle:** To ask the Minister representing the Prime Minister—With reference to a letter dated 27 October 2003 referred to in the Council of Australian Governments (COAG) Communiqué, written by the Prime Minister to the members of the COAG in the lead-up to the November 2000 COAG meeting:

- (1) Can the names and positions be provided of the ‘senior COAG officials’ who drafted the amendments to the National Competition Policy Arrangements passed at the November 2000 COAG meeting.
- (2) Can names and positions be provided of the ‘senior COAG officials’ who were given the task of consulting with the National Competition Council about its forward work program, activities, assessments, communications, guidance and interpretation and helping to formulate ‘appropriate assessment benchmarks’.
- (3) (a) How was this team (or these teams, if there is more than one team) of officials chosen and by whom; and (b) to whom do these officials report.

2364 **Senator Nettle:** To ask the Minister representing the Minister for Health and Ageing—With reference to the recently completed *Guidelines for Medication Management in Residential Aged Care Facilities*, which states on page 5, ‘[Consumer Medicine Information] should be provided to residents who are administering their own medications as an aid to counselling about their medicines. Where residents are not administering their own medications, CMI should be available to either residents or their carers’:

- (1) Do residential aged care facilities have to comply with the guidelines in order to receive Commonwealth accreditation and/or funding; if so, how is compliance monitored; if not, why not.
- (2) What role do these guidelines have in the accreditation and auditing process for residential aged care facilities.
- (3) Are any other measures in place to ensure that all carers in residential aged care facilities have access to and knowledge of consumer medicine information sheets.

*Notice given 7 November 2003*

2366 **Senator Brown:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—With reference to the answer to question on notice no. 1820 (Senate *Hansard*, 11 September 2003, p.15078): Have there been any direct or indirect exchanges of information about Father Frank Brennan between the Australian Government and the Government of Nauru.

2367 **Senator Brown:** To ask the Minister representing the Minister for Health and Ageing—With reference to a report in the *Sunday Tasmanian* of 5 October 2003:

- (1) What evidence does the Government accept as demonstrating an increase in cancer rates associated with British nuclear weapons testing in Australia.
- (2) Are some forms of cancer increased by radioactive fallout from such tests; if so, which.
- (3) Will the Government institute a thorough, independent, investigation into the issue.

2368 **Senator Bishop:** To ask the Minister representing the Minister for Veterans' Affairs—

- (1) (a) What was the expenditure of the Vietnam Veterans' Counselling Service (VVCS) by state for the financial years: (i) 1999-2000, (ii) 2000-01, (iii) 2001-02 and (iii) 2002-03; and (b) what were the allocations by state for 2003-04.
- (2) (a) What programs does the VVCS currently run in each state; (b) what is the current allocation to each program; (c) how many clients have participated in each program in the past 3 years; and (d) what is the average length of participation.
- (3) Which programs have been professionally evaluated in each of the past 3 years.
- (4) Given that the health program is funded from a standing appropriation: (a) why are the funds allocated to VVCS programs capped; and (b) what is the decision-making process in determining annual allocations.
- (5) For each office of the VVCS, how many permanent staff are employed.
- (6) (a) By postcode, how many contract counsellors are accredited to the VVCS; (b) what was the average number of veteran clients counselled during the 2002-03 financial year; and (c) what was the average total payment made to counsellors in the 2002-03 financial year.
- (7) (a) How many Vietnam Veterans' were admitted to psychiatric care in the 2002-03 financial year; and (b) what was the average length of stay.
- (8) (a) How many psychiatric institutions are currently accredited to the Repatriation Commission; and (b) how much was paid in total to each, by name, in the 2002-03 financial year.
- (9) What is the weekly cost of psychiatric care at: (a) St John of God at Richmond and Burwood; and (b) Eversham at Neutral Bay, New South Wales; and (i) how much was paid in total to each establishment in the 2002-03 financial year, and (ii) how many veteran clients did each treat.
- (10) Has the department received any complaints about the standard of care at any psychiatric service provider institution in the year 2003 to date; if so, how many were made in respect of each institution.

2370 **Senator Kirk:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) In respect of minors who 'self-harm' while in detention centres, can a breakdown be provided of: (a) age; (b) country of origin; (c) sex; (d) nature of self-harm; and (d) whether or not the minor resides with other family members.
- (2) What definition of 'self-harm' is used to collect these statistics.
- (3) What actions have been taken by the department to ensure the physical and mental health of: (a) minors who have 'self-harmed'; and (b) minors deemed at risk of 'self-harm'.

*Notice given 10 November 2003*

- 2371 **Senator Evans:** To ask the Minister representing the Minister for Health and Ageing—With reference to unreferral general practitioner (GP) attendances, in relation to each electoral division, can the following information be provided for the twelve months ending; (a) 30 September 2000; (b) 30 September 2001; (c) 30 September 2002; and (d) 30 September 2003:
- (1) The percentage of attendances that were bulk billed.
  - (2) The total number of attendances that were bulk billed.
  - (3) The average patient contribution per service (patient billed services only).
  - (4) The total number of services.
- 2372 **Senator Evans:** To ask the Minister representing the Minister for Health and Ageing—With reference to unreferral general practitioner (GP) attendances, in relation to each electoral division, can the following information be provided for the quarter ending; (a) 30 September 2000; (b) 30 September 2001; (c) 30 September 2002; and (d) 30 September 2003:
- (1) The percentage of attendances that were bulk billed.
  - (2) The total number of attendances that were bulk billed.
  - (3) The average patient contribution per service (patient billed services only).
  - (4) The total number of services.
- 2373 **Senator Evans:** To ask the Minister representing the Minister for Health and Ageing—With reference to unreferral general practitioner (GP) attendances, in relation to each state and territory, can the following information be provided for the quarter ending; (a) 30 September 2000; (b) 30 September 2001; (c) 30 September 2002; and (d) 30 September 2003:
- (1) The percentage of attendances that were bulk billed.
  - (2) The total number of attendances that were bulk billed.
  - (3) The average patient contribution per service (patient billed services only).
  - (4) The total number of services.
- 2374 **Senator Evans:** To ask the Minister representing the Minister for Health and Ageing—
- (1) With reference to unreferral general practitioner (GP) attendances, in relation to each Rural and Remote Area (RRMA), can the following information be provided for the 12 months ending; (a) 30 September 2000; (b) 30 September 2001; (c) 30 September 2002; and (d) 30 September 2003:
    - (i) the percentage of attendances that were bulk billed;
    - (ii) the total number of attendances that were bulk billed;
    - (iii) the average patient contribution per service (patient billed services only); and
    - (iv) the total number of services.
  - (2) With reference to only those GPs who provided 1000 or more services in the 12 months ending 30 September 2003, can a breakdown by RRMA be provided, in the following bands, of the percentage that bulk billed for unreferral services: (a) less than 5 per cent; (b) 5 percent to 25 percent; (c) 25 percent to 50 percent; (d) 50 percent to 70 percent; (e) 70 percent to 75 percent; (f) 75 percent to 80 percent; (g) 80 percent to 95 percent; and (h) greater than 95 per cent.

2375 **Senator Lundy:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—With reference to the Digital Data Service Special Rebate:

- (1) (a) How many people have applied for the rebate; (b) how many applications have been; (i) successful, and (ii) unsuccessful.
- (2) How much money has been allocated to this initiative, and of this money, how much has been spent.
- (3) Can a table be provided showing the grounds commonly given for rejecting applications and how many times each has been given.
- (4) On how many occasions did a rejection occur in an area which currently does not receive an Integrated Services Digital Network (ISDN) service but is deemed to be potentially capable of receiving this service.
- (5) On what grounds would an area be deemed to be potentially capable of receiving an ISDN service, rather than not capable.
- (6) On how many occasions has an application for the rebate been denied because an area which cannot currently receive ISDN is deemed to be potentially capable of receiving an ISDN service, rather than not capable.

2376 **Senator Brown:** To ask the Minister representing the Minister for Trade—With reference to the proposed free trade agreement with the United States of America:

- (1) Is a chapter on trade in services under consideration; if so, which services would be included or excluded.
- (2) Are provisions similar to the following articles in the Singapore and Australia Free Trade Agreement under consideration: Chapter 7, Article 4.1, National Treatment; and Chapter 7, Article 11.5, Domestic Regulation.
- (3) Is an investor-state dispute resolution mechanism under consideration for disputes relating to trade in services; if so, what form might it take.
- (4) What effects could provisions relating to trade in services have on the ability of Australian governments to regulate in the public interest to protect the environment, human health and safety and similar matters.

**Senator Brown:** To ask the Ministers listed below (Question Nos 2377-2378)—With reference to the proposed free trade agreement with the United States of America:

- (1) What impact might the agreement have on Australia's environment and the ability of Australian governments to protect the environment.
- (2) Will the Government conduct an environmental impact assessment on the proposed agreement.
- (3) Will the Minister ensure that the precautionary principle is embodied in the agreement.
- (4) It is possible that the agreement could affect Australia's ability to introduce a carbon tax or carbon trading, or to take any other measures to reduce greenhouse gas emissions; if so, will the Minister ensure that it has no such effect.

2377 Minister representing the Minister for Foreign Affairs

2378 Minister representing the Minister for Trade

2379 **Senator Brown:** To ask the Minister representing the Minister for Trade—With reference to the proposed free trade agreement with the United States of America (US) and the possible inclusion of national treatment, expropriation and investor-state dispute resolution mechanisms:

- (1) (a) Is the Minister considering the inclusion in the agreement of any or all of these provisions; if so, what form is under consideration for each; and (b) would they be similar to the provisions in Chapter 11 of the North American Free Trade Agreement (NAFTA), Chapter 8, Article 3, 'National Treatment', and Chapter 8, Article 9.1, 'Expropriation' in the Singapore Australia Free Trade Agreement.
- (2) What impact would each of these provisions have on the ability of Australian governments to regulate in the public interest on matters including protection of the environment and protection of human health and safety.
- (3) If there is an 'expropriation' provision which includes compensation for US companies, would this give US companies greater rights than companies to challenge Australian laws; if not, how.
- (4) What would prevent a free trade agreement with the US giving rise to compensation claims similar to those brought against the Canadian Government under NAFTA by the Ethyl Corporation and S D Myers.

*Notice given 17 November 2003*

2380 **Senator O'Brien:** To ask the Minister representing the Minister for Trade—

- (1) For each year since 1998-99, what was the volume and value of Australia's flour exports to Indonesia.
- (2) What Australian companies have been granted accreditation by the Indonesian Government to export flour to Indonesia.
- (3) Were Australian flour imports into Indonesia restricted during 2003 by the Indonesian Government; if so:
  - (a) what restrictions were applied;
  - (b) when were the restrictions applied;
  - (c) what was the impact on Australia's flour exports;
  - (d) when was the department made aware of the restrictions and what was the source of this information;
  - (e) was the department asked to make representations on behalf of Australian flour exporters to overturn the restrictions; if so, who made this request and when was it made;
  - (f) what representations did the department make to the Indonesian Government in relation to these restrictions;
  - (g) did the department, including embassy staff in Jakarta, make direct representations to the Indonesian Trade Minister on behalf of Manildra Flour Mills; and
  - (h) have restrictions been lifted in response to the department's representations; if so, when were restrictions lifted and when was the department informed.

**Senator Brown:** To ask the Ministers listed below (Question Nos 2381-2382)—Have any Australian personnel who were directly or indirectly seconded to another country's military, police or security forces (including United States forces) been killed or injured in direct fire, helicopter crashes or in any other way in Iraq in 2003.

2382 Minister representing the Minister for Foreign Affairs

*Notice given 18 November 2003*

2383 **Senator Allison:** To ask the Minister for Defence—

- (1) When will the lease for Point Nepean be signed.
- (2) Which body will ultimately be responsible for overseeing and managing the lease.
- (3) As the guidelines laid out in the draft lease only refer to the protection of the beach and foreshore in terms of requiring the lessee to provide managed public access to these areas, can the Minister confirm there will be no development on the beach or foreshore; if so, what measures will be taken to ensure this; if not, why not.
- (4) Will the woodland area on the site be protected from clearing and development; if so, what measures will be taken to ensure this; if not, why not.
- (5) When will the site or the heritage parts of the site be added to the Commonwealth list.

*Notice given 19 November 2003*

2384 **Senator Evans:** To ask the Minister for Defence—

- (1) Is the department aware of the existence of the Internet site [www.mil-kit-review.com](http://www.mil-kit-review.com); if so, what is the department's view about this Internet site.
- (2) Does the department have any concerns about the content of this Internet site.
- (3) Is the department concerned that serving Australian Defence Force (ADF) personnel operate this site.
- (4) (a) Is the department aware of the concerns of the ADF personnel who operate this site; and (b) has the department responded to these ADF personnel about their concerns; if so, what has been the nature of the department's response; if the department has not responded, why not.
- (5) Is the department concerned that serving ADF personnel have such serious concerns about the appropriateness of the basic field equipment purchased by the Defence Materiel Organisation (DMO) Combat Clothing Section; if not, why not.
- (6) What has the department done in response to the concerns raised by the operators of the site.
- (7) Has the department: (a) made any approach or request to the operators of the site to modify or close the site down; if so, why; and (b) attempted to modify or close down the site by any other means; if so, why and how.
- (8) Has the department taken any form of legal action against the operators of the site.
- (9) How much has been spent on legal advice and/or action in attempting to close the site down.
- (10) Has the department met with the operators of the site; if so: (a) when; and (b) what was the nature of these meetings.
- (11) Does the department agree with the statement that in the past, the DMO has purchased basic field equipment (such as boots, packs, helmets and uniforms) that was 'far from being the best that money can buy'.
- (12) What problems have been encountered with the basic field equipment that has been purchased in the past.

- (13) Have any injuries to ADF personnel been caused by inappropriate or poorly constructed footwear or clothing.
- (14) What sorts of injuries attributable to inappropriate or poorly constructed footwear have ADF personnel received over the past 5 years.
- (15) What has been done to overcome these problems; and (b) has the combat clothing purchasing policy been modified in any way; if so, how; if not, why not.

*Notice given 20 November 2003*

2385 **Senator Marshall:** To ask the Minister for Defence—

- (1) How many servicepersons and ex-servicepersons are currently awaiting delivery of war and/or service medals; and can these figures be provided by type of medal.
- (2) How many medals earned by servicepersons and ex-servicepersons are currently awaiting approval.
- (3) How many medals earned by servicepersons and ex-servicepersons have been approved but are currently awaiting delivery to recipients.
- (4) How many medals have been delivered to servicepersons/ex-servicepersons in: (a) the past 12 months; and (b) the past 6 months.
- (5) With regard to individuals who are in poor health: (a) is approval and delivery of medals accelerated in any way for these people; (b) what circumstances would enable the acceleration of approval and delivery of war service medals; and (c) how many medals have been approved and delivered via this process: (i) in the past 6 months, and (ii) in the past 12 months.
- (6) With regard to persons whose medal approval and delivery is being accelerated: (a) how many people are in this category; and (b) of these, how many people are awaiting medals that have been approved but not yet delivered.
- (7) (a) How many medals are currently being dealt with in an accelerated manner, and of these: (i) how many are awaiting approval, and (ii) how many have received approval but are yet to be delivered to recipients.
- (8) How many persons have died awaiting receipt of war and/or service medals.
- (9) How many persons have died while awaiting receipt of war and/or service medals, approval and delivery of which was being accelerated because of ill-health.
- (10) How many medals are yet to be delivered to families of deceased ex-servicepersons.
- (11) What area of the department now has responsibility for war and/or service medals; and when, and for what reasons, did this change.
- (12) How many personnel are employed in this current area of the department.
- (13) How does this number differ from the previous arrangement.
- (14) What was the Commonwealth's expenditure on this area of the department for each of the following financial years: (a) 2001-02; and (b) 2002-03.

2386 **Senator Marshall:** To ask the Minister for Justice and Customs—In relation to a national firearms safety training program:

- (1) What steps have been taken by the Commonwealth to give effect to resolution 20 of the Australian Police Ministers Council's meeting held in November 2002.
- (2) What progress has been made in giving effect to this resolution.
- (3) What further steps are planned to complete the implementation of this resolution.

*Notice given 21 November 2003*

2387 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—

- (1) Has the Complementary Healthcare Consultative Forum been discontinued; if so, why; if not: (a) who are the members of the forum; and (b) when did they last meet.
- (2) Can the Minister confirm that this forum was set up in response to industry concerns at the time about the pharmaceutical bias within the Therapeutic Goods Administration.

2388 **Senator Allison:** To ask the Minister representing the Minister for Foreign Affairs—

- (1) Given that during the recent meeting of the United Nations (UN) First Committee, Australia was the lead sponsor of the Comprehensive Nuclear Test Ban Treaty resolution A/C.1/58/L.52 which was adopted by a vote of 151 to 1 with 4 abstentions; and that the United States (US) voted against the resolution, the US representative explaining that, 'the United States does not support the Comprehensive Nuclear Test Ban Treaty and will not become a party to that treaty': what steps is the Government taking to urge the US to support the Nuclear Non-Proliferation Treaty (NPT).
- (2) Given that the Senate supported a motion moved by Senator Allison that supported the New Agenda Coalition resolutions A/C.1/58/L.39 and A/C.1/58/L.40 before the UN General Assembly First Committee: what position did the Government take on those motions and why.
- (3) Has there been any reduction in the overall number of nuclear weapons globally since 1996.
- (4) Has the Government raised any concerns with the US in relation to their plans to develop so-called mini-nukes.
- (5) (a) What is the Government's attitude to the US policy of being prepared to use nuclear weapons, even against non-nuclear weapons states; and (b) have those views been expressed to the US.
- (6) What is the Government doing regarding the approximately 4 600 nuclear weapons on high alert and the risk of accidental launch.

*Notice given 24 November 2003*

2389 **Senator Evans:** To ask the Minister for Defence—

- (1) Are there any restrictions on joining the Australian Defence Force (ADF) because of colour blindness; if so, what is the nature of these restrictions, for example, what units will not accept recruits who are colour blind, are there restrictions on colour blind personnel serving in combat roles etc.
- (2) (a) For what scientific reasons does colour blindness preclude people from enlisting in the ADF in certain roles; and (b) what scientific research was used to make this decision.



2390 **Senator Nettle:** To ask the Special Minister of State—

- (1) Was an environmental impact assessment conducted when the preferred tenderer for the Australian Government vehicle fleet management and leasing services contract was being selected; if so, what was the outcome of this assessment; if not, why not.
- (2) Was consideration given to increasing the proportion of hybrid or more environmentally-friendly or fuel efficient vehicles in the Australian Government vehicle fleet; if so, what was the outcome; if not, why not.
- (3) How many vehicles are in the fleet.
- (4) (a) What is the total annual carbon dioxide output of a single vehicle of the Australian Government vehicle fleet, based on estimated average usage; and (b) how does this compare with the total annual carbon dioxide output if the vehicle was a hybrid vehicle.

2391 **Senator Bishop:** To ask the Minister for Justice and Customs—

- (1) (a) How many backscatter x-ray machines, by type, does the Australian Customs Service operate; (b) when was each purchased; (c) what was the cost; and (d) where is each machine deployed.
- (2) In each year of operation, how many illegal imports have been detected at all ports by these machines.
- (3) Given that this equipment was purchased and continued to be purchased, what advantages does it have.
- (4) Was an evaluation ever conducted of the backscatter equipment's performance; if so, when, and what were the findings.
- (5) (a) What was the assessment process used in originally choosing the backscatter technology; and (b) what expertise was engaged in the evaluation.
- (6) Given the performance of this technology, why was its further purchase for Australian sea ports dismissed.
- (7) In the assessment of the further purchase of backscatter equipment for Australia's sea ports: (a) what technical expertise was obtained; (b) from which organisation; and (c) what were the qualifications of the key people providing the assessment.
- (8) In the assessment of the competing technologies for x-ray installation at Australia's sea ports, what was the relative cost of assessing units.
- (9) (a) What was the total cost of acquiring the selected technology; (b) how many units will be installed; and (c) how many backscatter machines could have been acquired with the same sum of money.
- (10) Are backscatter machines better at examining cluttered environments, and what advantages was the chosen technology seen to have over the backscatter alternative.

2392 **Senator Allison:** To ask the Minister representing the Minister for the Environment and Heritage—

- (1) What progress has been made under the Renewable Energy Action Agenda (REAA).
- (2) Is it the case that, at its current level of 9500 GWh, the Mandatory Renewable Energy Target is not expected to be sufficient to support the growth in sales required to achieve the \$4 billion target for the REAA by 2010; if so, what measures are proposed to meet the target.

- (3) With electricity sector emissions now up to 40.5 per cent on 1990 levels, what new measures, if any, are proposed to reduce that increase.

*Notice given 25 November 2003*

2393 **Senator O'Brien:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to an article in the *Sydney Morning Herald* of 24 November 2003, entitled 'Company accused over nuts scandal':

- (1) When did the Minister first become aware that macadamia nuts imported from Kenya were repackaged in boxes, relabelled 'product of Australia' and then sold to food wholesalers and retailers in Australia.
- (2) Can the Minister confirm that only Coles and Bi-Lo stores have received these repackaged and relabelled nuts; if not, can the name and location of all food wholesalers and retailers in Australia which have received the nuts be provided.
- (3) How and when did the department notify food retailers and wholesalers, consumer groups and the Australian Macadamia Society about the discovery of the repackaged and relabelled nuts.
- (4) What steps is the department taking to: (a) investigate how the repackaged and relabelled nuts entered the Australian food distribution chain under false labelling; and (b) prevent the similar repackaging and relabelling of imported macadamia nuts in the future.
- (5) What steps have been taken to test the nuts to ensure they comply with quarantine standards as set out by the Australian Quarantine Inspection Service.

2394 **Senator O'Brien:** To ask the Minister representing the Minister for Health and Ageing—With reference to an article in the *Sydney Morning Herald* of 24 November 2003, entitled 'Company accused over nuts scandal':

- (1) When did the Minister first become aware that macadamia nuts imported from Kenya were repackaged in boxes, relabelled 'product of Australia' and then sold to food wholesalers and retailers in Australia.
- (2) Can the Minister confirm that only Coles and Bi-Lo stores have received these repackaged and relabelled nuts; if not, can the name and location of all food wholesalers and retailers in Australia which have received the nuts be provided.
- (3) How and when did the department notify food retailers and wholesalers, consumer groups and the Australian Macadamia Society about the discovery of the repackaged and relabelled nuts.
- (4) What steps is the department taking to: (a) investigate how the repackaged and relabelled nuts entered the Australian food distribution chain under false labelling; and (b) prevent the similar repackaging and relabelling of imported macadamia nuts in the future.
- (5) What steps have been taken to test the repackaged and relabelled imported macadamia nuts to ensure they comply with chemical residue levels for food safety as set out by Food Standards Australia and New Zealand.

*Notice given 26 November 2003*

2395 **Senator Webber:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—As at 30 June 2003, what was the quantum of: (a) Dairy Structural Adjustment Program funds provided to Western Australian dairy

farmers; (b) Supplementary Dairy Assistance funds provided to Western Australian dairy farmers; and (c) Dairy Industry Adjustment Package funds levied from Western Australia consumers.

2396 **Senator Allison:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) With reference to the \$80 348 costs accrued in relation to detaining a mother and daughter in motel accommodation in South Australia for the month of June 2003, can a breakdown be provided of the expenditure.
- (2) What restrictions on freedom of movement apply to this woman and her daughter at the motel and outside the motel area.
- (3) Can a breakdown be provided of the expenditure of \$230 000 during June 2003 on motels in Western Australia, and the number of detainees to whom this figure relates.
- (4) How many self-harm incidents by children and adults held in mainland and offshore detention centres have occurred in 2003.
- (5) (a) How many children currently in mainland and offshore detention are suffering from mental illness; and (b) how many are on medication for mental illness.
- (6) How many adult and child detainees in mainland and offshore detention are currently being prescribed sleeping tablets.

2397 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—With reference to the answer to question on notice no. 1992 (*Senate Hansard*, 29 October 2003, p.16679)

- (1) Does the Government plan to establish central registers for: (a) autism; (b) Asperger's syndrome; and (c) pervasive developmental disorders; if so, when; if not, how will the Government ensure that there is sufficient attention available from treating clinicians in Australia for the people with these conditions.
- (2) Which states and territories keep data on the number of people with: (a) autism; (b) Asperger's syndrome; and (c) pervasive developmental disorders.
- (3) Do any state registers show increasing diagnoses of autism spectrum disorders (ASD).
- (4) (a) What is the extent of changes in diagnosis rates; (b) is there a consistent pattern in the available data; and (c) is the pattern similar to recent reports from overseas.
- (5) Is the Government aware that: (a) the Western Australia 'Register for Autism Spectrum Disorders 2001' report states that there were 159, 173 and 204 ASD diagnoses in 1999, 2000 and 2001 respectively; and (b) the figure of 204 diagnoses in 2001 corresponds to 0.77 per cent of the birth rate in Western Australia.
- (6) Is the Government aware that: (a) data from the Australian Capital Territory shows that the number of ASD diagnoses in 1989 and 1997 were 17 and 45 respectively; and (b) the figure of 45 ASD diagnoses in 1997 corresponds to 1 per cent of the birth rate in Australian Capital Territory.
- (7) Are the diagnosis rates observed in Western Australia and the Australian Capital Territory much higher than the estimate used by the Australian Institute of Health and Welfare (AIHW) in its 1999 report on the 'Burden of disease and injury'.

- (8) What is the basis for the department's claim that autism affects only 2.5 Australians per 10 000.
- (9) Given that the Government described the Australian Bureau of Statistics (ABS) Survey of Disability, Ageing and Carers as 'a point prevalence survey based on self-report data': is there a problem with a survey such as this, that shows 'adult rates of autism spectrum disorder to be significantly lower than those for children'; if so, what is being done to ensure that quality data describing disability and ASD is available to government policy and decision-makers.
- (10) Is it possible that the ABS's survey, which uses computer assisted telephone interviews with self-reporting for adults, could under-report adults with autism, since these are people whose diagnosis requires abnormal functioning (usually dysfunctional) in the areas of communication and social skills.
- (11) Given that data from the ABS survey shows that autism affected approximately 11 339 children aged 0 to 14 years in 1998, and that there are around 3.9 million children in this age range, does this mean that around 29 children per 10 000 have autism.
- (12) Given that data from the ABS survey data shows that autism affects around 1 646 adults aged 15 to 45 years, and that there are around 8.4 million adults in this age range, does this mean around 2 adults per 10 000 have autism.
- (13) Does the Government recognise that autism is a lifelong condition.
- (14) Does this data suggest that autism is significantly more common in children than in adults.
- (15) (a) Which individuals or organisations would be able to comment on the apparent disparity between childhood and adult rates of autism observed in the ABS data; and (b) does the Government intend to consult them.
- (16) Does the Government consider that there are no Australians over the age of 45 years with autism or a related disorder; if not, can an explanation be provided for their absence from the survey results.
- (17) If the opinion of Professor Fiona Stanley, an esteemed epidemiologist and Australian of the Year, is 'no evidence' of an autism epidemic: does the Government accept that her view at least indicates the possibility that such an epidemic exists.
- (18) Will the Government investigate whether Australia is experiencing an epidemic of autism and related disorders.
- (19) Which individuals or organisations would the Government regard as suitable to conduct such an investigation.
- (20) Given that the Government has stated that it has not acted to ensure that children with ASD can access a treating clinician within the health system, will the Government act to ensure children with ASD can access a treating clinician who will progress them towards their developmental goals.
- (21) Given that the Government recognises that autism is not an intellectual disability, will the Government ensure that the ABS, AIHW, the Department of Health and Ageing and the Department of Family and Community Services describe autism and related disorders as being in a distinct category, separate from intellectual disability.

- (22) Given that the Government is unable or unwilling to consider research with which it was not involved, will it conduct its own survey of paediatricians to determine whether autism is one of the most difficult areas of practice.
- (23) Will the Government's research examine whether paediatricians encounter difficulties because they are unable to refer children with ASD to specialist treating clinicians.
- (24) Given that the Medical Journal of Australia editorial, 2003, stated, in relation to autism spectrum disorder that, 'The early intervention that has been subjected to the most rigorous assessment is behavioural intervention. There is now definite evidence that behavioural intervention improves cognitive, communication, adaptive and social skills in young children with autism. Most young children with autism in Australia do not receive intensive behavioural intervention programs – partly because such programs are not recommended by many health professionals and partly because of their prohibitive cost for families'; and given that state and territory disability programs usually provide the services but that there is no national data on diagnostic profiles: what evidence does the Government have that the states and territories provide the clinical attention required by children with ASD for their effective rehabilitation.
- (25) Given that in its response the Government states that it has not considered establishing a specialist research centre for ASD, will the Government consider establishing such a centre in the near future.
- (26) Given that important allies such as Britain and the United States of America have responded to increasing rates of autism through targeted services and increased research, does the Government plan to join with a 'Coalition of the Willing' to combat ASD.
- (27) Given that the Government states that 'the NHMRC [National Health and Medical Research Council] is currently funding seven grants relevant to Autism Spectrum Disorders, with a 2003 budget of approximately \$717,500': can each of these seven grants be identified, including funding and how each of the seven grants is relevant to people with autism.
- (28) Given that the NHMRC will provide approximately \$31 million in 2003 for funding other research projects into mental health and neurosciences that may have the potential to benefit those suffering from a range of conditions including autism, can details of these grants be provided including the amount of the grant and the potential benefit of each for people with autism.

2398 **Senator Webber:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) How many incidents of people being placed in isolation have occurred at the Baxter Detention Centre in each of the following years: (a) 1996; (b) 1997; (c) 1998; (d) 1999; (e) 2000; (f) 2001; (g) 2002; and (h) to date in 2003.
- (2) What guidelines for placing people in isolation, if any, are in place at the Baxter Detention Centre.
- (3) Have there been any incidents in which Australasian Correctional Management staff abused their right to place people in isolation at the Baxter Detention Centre.

- (4) Did an incident occur at lunchtime on 26 October 2002 in the dining room at the Baxter Detention Centre, resulting in staff closing the dining room and everyone going without food.
- (5) Are staff at the Baxter Detention Centre permitted to use the denial of food as a punishment device.
- (6) Have there been any incidents of people in the Baxter Detention Centre being denied medical treatment for toothache or any other complaints.
- (7) Are physical and chemical restraints such as electricity, Valium, Zolofit and Temazepan used on people in the Baxter Detention Centre.

2399 **Senator Webber:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) With reference to the eight recommendations contained in the report by Greg Chambers, Glen Milliner and Keith Hamburger of Knowledge Enterprises, commissioned on 18 October 2000: (a) in detail, what are the eight recommendations; and (b) what actions have been taken by the department in respect of these recommendations.
- (2) Why has the department refused to release the body of the report.
- (3) When will the department make the full report available.
- (4) What action, if any, was taken against the then departmental secretary, Mr Bill Farmer, for advising a parliamentary committee on 30 May 2001 that the department had not received the report, when it had received the report some three months previously.

*Notice given 27 November 2003*

**Senator O'Brien:** To ask the Ministers listed below (Question Nos 2400-2401)—

- (1) For each of the past 5 financial years, from which countries has Australia imported macadamia nuts and in what quantity.
- (2) In relation to each country from which Australia currently imports macadamia nuts: (a) what chemicals are used in the production process; (b) what testing regimes are in place in that country for chemical residues; and (c) which agencies undertake these tests before the nuts are exported.
- (3) (a) What chemical residue testing regimes are in place in Australia for macadamia nut imports; (b) for what chemicals used in the production process is testing conducted; (c) which agency undertakes these tests; and (d) in relation to each chemical, what sampling rates apply.
- (4) Where chemical residue testing on macadamia nuts bound for Australia is conducted by the exporting countries, what action is taken by the Commonwealth to ensure the veracity of the testing.
- (5) Can details be provided of any instances in the past 5 financial years where chemical residue testing of macadamia nuts bound for Australia has been found by the Commonwealth to be inadequate.
- (6) What penalties or sanctions have been applied to the supplying nation, shipping operator, trader or agency in cases where chemical residue testing of macadamia nuts bound for Australia has been found by the Commonwealth to be inadequate.
- (7) In relation to each country from which Australia has imported macadamia nuts, for each of the past 5 financial years: (a) on how many occasions have macadamia nuts bound for Australia been rejected on the basis that chemical residue testing has detected unacceptable levels of chemical

residues; and (b) in each case: (i) which chemical was involved, (ii) what was the concentration of the chemical, and (iii) what was Food Standards Australia and New Zealand's approved level for each chemical at the time.

- 2400 Minister representing the Minister for Agriculture, Fisheries and Forestry
- 2401 Minister representing the Minister for Agriculture, Fisheries and Forestry
- 2402 **Senator Brown:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—Can the Minister confirm that one or two Afghans sent back to Afghanistan from Nauru are now dead; if so, can details be provided.
- 2403 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—How many individuals who accepted redundancy packages from the Australian Broadcasting Corporation (ABC) during the period 1 January 2000 to 1 January 2002 and who have subsequently returned to the ABC to perform paid work for the broadcaster, on a full-time, part-time, casual, contract, fee-for-service or consultancy basis, returned to the ABC within 12 months of accepting their redundancy packages.
- 2404 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—With reference to the answer to question no. 175 taken on notice during the 2002-03 Budget estimates hearings of the Environment, Communications, Information Technology and the Arts Legislation Committee, concerning occupational health and safety issues for contractors and licensees, in which the Minister implied that customers should assist licensees lifting parcels over 16 kg:
- (1) What action is taken if the licensee is unable to lift parcels due to age, injury, or pregnancy, and the customer is unable to assist or refuses to assist.
  - (2) What action is taken if an oversize parcel does not fit in a car or similar vehicle.
  - (3) How does Australia Post differentiate between what is freight and what is a parcel.
  - (4) Why does Australia Post accept parcels weighing over 16 kgs, if these are classified as freight, not parcels.
  - (5) Does Australia Post specify in the contractor's tender documents the type of lifting equipment that a contractor is required to carry.
  - (6) Are all parcel contractors required, as part of their contracts, to provide lifting equipment.
  - (7) Is Australia Post responsible if injury occurs to any of its contractors (licensees or mail contractors).
- 2405 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—
- (1) Will any any mail be delivered on the post-Christmas holiday Australia Post has authorised for its staff.
  - (2) Who will be required to work on the authorised holiday.
  - (3) Will corporate post offices be open for business.
  - (4) Will licensees, mail contractors and van drivers be required to work.
- 2406 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—

- (1) In how many dispute resolution procedures, using the Office of Mediation Adviser process, has Australia Post been involved in respect of licensees.
  - (2) What authority to make decisions does Australia Post give its representatives at Office of Mediation sessions.
  - (3) How much autonomy do Australia Post representatives have in these instances.
- 2407 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—
- (1) What is the current policy of Australia Post in relation to the merging of parcel contracts in metropolitan areas.
  - (2) How many instances of such merged contracts occurred during the 2002-03 financial year; and (b) how many have there been for the 2003-04 financial year to date.
  - (3) How will these types of mergers affect primary contractors.
  - (4) What compensation is available to primary contractors for the additional risk arising from being required to employ subcontractors.
- 2408 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—With reference to the answer to question no. 174 taken on notice during the 2002-03 Budget estimates hearings of the Environment, Communications, Information Technology and the Arts Legislation Committee: have any Australia Post mail contractors been required to incorporate part-way through a contract; if so, how do mail contractors recoup the costs of incorporation.
- 2409 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—With reference to the recent armed hold-up and consequent death of a customer in the Australian Capital Territory:
- (1) How has Australia Post improved security at licensed post offices in the Australian Capital Territory following this incident.
  - (2) What assistance has Australia Post extended to the deceased's family.
  - (3) If costs for security at licensed post offices outweigh the commissions received, what action does Australia Post propose to address this problem.
- 2410 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—
- (1) What is Australia Posts' policy in relation to business centres competing for business with licensed post offices.
  - (2) Does Australia Post offer any incentives that may encourage customers to move their business from a licensed post office to a business centre.
  - (3) In the event of a licensed post office losing a customer to a business centre, what compensation is payable for the loss of ongoing business.
- 2411 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—
- (1) How much money has Australia Post budgeted for Licensee Advisory Councils, including the national and the six state licensee advisory councils.
  - (2) What has been the expenditure to date in relation to these councils.
  - (3) Is the Minister confident that this expenditure represents 'good value for money'.



(4) Under what item in Australia Post's budget is this expenditure funded.

2412 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—

- (1) Can the Minister advise whether Australia Post intends to sell the Old Launceston Post Office building; if so, when, and can the details of the proposal be provided.
- (2) Which agents are managing the sale or any remaining tenancy agreements.
- (3) (a) What instructions do the agents have; and (b) have these instructions changed in any way in the past 6 months.
- (4) Which organisation or individual currently holds the head lease of the building and have there been any negotiations with a new head lease tenant, or with other tenants.
- (5) Were there any disputes with or complaints from the former head lease tenant.
- (6) Is Australia Post charging management fees.
- (7) Are there any plans to extend the occupancy of the Australia Post business centre, if not, why not.
- (8) Which organisations or individuals currently occupy other parts of the building.
- (9) What maintenance has been carried out on the building in the past 2 years.

*Notice given 28 November 2003*

2413 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—What is the impact on Australia Post of the ongoing delays to the construction of the gateway facilities in Sydney and Melbourne.

2414 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—

- (1) What costs have been incurred to date in the Federal Court case in which Justice Conti found that Australia Post had breached the *Disability Discrimination Act 1992* by refusing to allow an employee to sit on a stool whilst performing counter duties.
- (2) What costs are likely to be incurred in the future in defending a policy that the court has found to be discriminatory.
- (3) What action has been taken to ensure that Australia Post removes its unlawful 'no chairs at retail counters' policy and complies with its legal obligations under the Act.

2415 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—

- (1) Can the Minister confirm that Telstra's basic access revenue increased by \$211 million to \$3.091 billion during the 2002-03 financial year following large line rental increases, despite the number of Telstra basic access lines decreasing from 10.4 million to 10.1 million; and (b) given that call costs do not appear to have decreased, does this represent a \$200 million increase in Telstra's profits.
- (2) Can the Minister confirm that local call revenue decreased by \$76 million to \$1.567 billion, or approximately 5 per cent, in the 2002-03 financial year and the number of billable local calls also decreased by around 5 per cent

from 10.269 billion to 9.794 billion; and (b) does the similar revenue and volume decrease in local calls indicate that Telstra is not passing on reduced local call costs in 2002-03, as required by the price controls which require local call prices to decrease together with other call costs.

- (3) Given that Telstra's annual report apparently indicates that Telstra is making a windfall out of line rental increases, and that the Australian Competition and Consumer Commission has already raised doubts about whether Telstra is complying with price controls, will the Minister investigate whether Telstra is complying with their already generous price control arrangements.

2416 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—

- (1) Can information be provided about Telstra's faxstream business product.
- (2) Can the Minister confirm that this service was particularly fault ridden in 2002.
- (3) Has Telstra sold or outsourced this service; if so: (a) was there any tender or public notice advising potential suppliers or buyers; and (b) who was the successful contracted supplier or buyer of the service.

2417 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—

- (1) Does Telstra have an automatic credit limit for all consumer accounts; if not, why not.
- (2) In the absence of credit limits on standard phone accounts, how can Telstra prevent customers inadvertently running up huge thousand dollar plus bills on premium rate services.
- (3) Given that the Telecommunications Industry Ombudsman's annual report showed an increase in landline credit control complaints of 82 per cent in the 2002-03 financial year, what strategies does Telstra have for improving its credit control practices.

2418 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—

- (1) Given that under the *Telecommunications Act 1997* Telstra is obliged to provide an interception capability and to be transparent and release information about who is responsible for interception technology: which individual or organisation currently provides the technology and systems maintenance that enables Telstra to meet its obligations under the Act.
- (2) Has any other company previously undertaken this function for Telstra.
- (3) For the past 3 financial years, can details be provided of contractual or other financial relationships between Telstra and those providing an interception capability.

2419 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—

- (1) Can the Minister confirm newspaper reports of July 2003 that Telstra staff had their individual call centre performance records displayed on white boards for all staff to see.
- (2) Are Telstra call centre staff electronically monitored for toilet breaks and personal calls, as suggested in these newspaper reports.

- (3) Are Telstra call centre staff working to targets that require them to end customer calls as quickly as possible; if so, what are those targets; if not, can an explanation be provided of why Telstra employees often disconnect calls without giving customers the opportunity to thank them for providing a number or change a direction when a customer uses the premium 12456 call connect service.
  - (4) (a) What proportion of Telstra customer service call centre staff are in-house Telstra employees; and (b) what proportion of this work is outsourced to private companies.
  - (5) Is any Telstra telephone customer service work outsourced overseas; if so, can details be provided.
- 2420 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—Can information be provided about all Special Broadcasting Service staff who have travelled overseas during the past 2 years, including the cost, purpose and duration of such travel.
- 2421 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—
- (1) When does the Government plan to reintroduce the Communications Legislation Amendment Bill (No. 2) into the Senate.
  - (2) Given that Ms Catherine Smith of the Attorney-General's Department stated during the inquiry by the Environment, Communications, Information Technology and the Arts Legislation Committee into the Communications Legislation Amendment Bill (No. 2) 2003, that the intention of the bill was not to disconnect individuals' phone services: will the Government consider the recommendation in the committee's minority report that the provisions of the bill that potentially enable the Government to disconnect individuals' telephone services be redrafted.
- 2422 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—
- (1) (a) What is the timetable for the Government to review the number of television licenses in operation; and (b) has the Government yet formed a view on whether there is a need for a fourth commercial television licence in Australia.
  - (2) (a) How many households are currently using digital television; and (b) what percentage of total households does this represent.
  - (3) What action, if any, does the Government intend to take in order to accelerate the uptake of digital television.
  - (4) (a) When will the scheduled review of multi-channelling occur; and (b) will the Government consider allowing commercial television stations to multi-channel.
  - (5) Will the Minister reconsider the decision of the previous Minister to dismiss the Australian Competition and Consumer Commission's recommendation in its recent report on pay television, that Telstra divest itself of its interest in Foxtel; if not, why not.
- 2423 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—Has the review of the adequacy of local news and information programs in regional Australia been completed; if so: (a) has the board of the Australian Broadcasting Authority considered any report arising from the review; if so, what were the main findings

of the review; and can details be provided of any recommendations and how these recommendations will be implemented; if not, when is this review expected to be completed; and can details of the review's findings and recommendations be provided.

2424 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—

- (1) Has the relevant research and report of the Australian Broadcasting Authority (ABA) in relation to the codes of conduct for commercial radio been completed.
- (2) Has the ABA commenced consultations with Commercial Radio Australia (CRA) in relation to the report.
- (3) When will CRA commence public consultation on the proposed revised codes.
- (4) Will CRA be providing details of the public consultation process and its results to the ABA; if so, when will the ABA receive this information.
- (5) Does the ABA still expect to register the revised codes early in 2004; if not, when does the ABA anticipate will this occur.

2425 **Senator Mackay:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—For the period January to October 2003, can details be provided of travel undertaken by Professor Flint in his capacity as head of the Australian Broadcasting Authority, including: (a) dates; (b) destinations; (c) appointments; and (d) purpose of the travel.

2426 **Senator Ludwig:** To ask the Minister representing the Attorney-General—

- (1) Is the department aware of any criticism of the Legal Aid Needs Study conducted by John Walker Consulting Services and Rush Social Research on behalf of the department; if so, can details of the criticism be provided.
- (2) Is the legal aid funding model derived from the Legal Aid Needs Study subject to review; if so: (a) which organisation or individual is conducting the review; and (b) when will it be completed.
- (3) Has any new research into a revised legal aid funding model been commissioned since the John Walker Consulting Services and Rush Social Research study; if so: (a) when was the research commissioned; (b) which organisation or individual is conducting the research; and (c) what is the cost of the research.
- (4) If research into a new legal aid funding model has not been commissioned, why not.

2427 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—

- (1) In the past 5 years, what funding and support has been given to: (a) the fluorocarbon industry and associated groups; and (b) the natural refrigerant industry and associated groups.
- (2) Is it viable to phase out hydrofluorocarbons; if not, why not.
- (3) What programs are in place to promote the transition to natural refrigerants.

2428 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the national industry board proposed for the refrigeration and air conditioning industry which is to administer the new licensing system established under the ozone protection legislation:

- (1) (a) What is the process for selecting an existing industry organisation to take on the role of a national industry board; and (b) when will the board be established.
- (2) Is it correct that the Australian Greenhouse Office called for expressions of interest but rejected all except the National Refrigeration and Air Conditioning Council; if so, why were the other organisations rejected.
- (3) What roles will the national industry board have; will its role include responsibility for managing or advising on the Ozone Protection and Synthetic Greenhouse Gases Account or allocation of any funding.
- (4) Will the national industry board be required to include representation from all industry sectors, including natural refrigerants and community organisations representing the environment and consumers; if not, why not.

2429 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the Ozone Protection and Synthetic Greenhouse Gases Account:

- (1) Will funding from this account be used to assist and advance the natural refrigerants industry.
- (2) Will funding from this account be used to assist and advance techniques to improve the energy efficiency of buildings and reduce the need for airconditioning.
- (3) (a) Who are the members of the advisory committee for the existing Ozone Protection Reserve; and (b) who will advise on the distribution of funds from the new account.

2430 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the National Refrigeration and Airconditioning Council (NRAC):

- (1) (a) What targets and milestones was NRAC required to meet under its Greenhouse Gas Abatement grant; and (b) can details be provided of how each target or milestone has been met.
- (2) Can a breakdown be provided of how the \$3.6 million grant has expended.
- (3) What are NRAC's current and future sources of funding, apart from the government grant.
- (4) Given that there are many industry groups already in existence, why did the Government decide to use greenhouse abatement funds to establish a new organisation.

*Notice given 1 December 2003*

2431 **Senator Faulkner:** To ask the Minister representing the Prime Minister—

- (1) Since March 1996, on how many occasions has the Prime Minister stayed at Claridges Hotel in Mayfair, London.
- (2) On what dates did the Prime Minister stay at this self-described “five star, de luxe, luxury” hotel.
- (3) On his most recent trip to London, did the Prime Minister stay in the Brook Apartment penthouse suite, described by the hotel as ‘220 square metres/2,368 square feet (approximately), 2 King Beds. This stunning apartment has been restored in the Art Deco style with an elegant, gentle mauve décor, light oak floors and original fittings from the 1930s. The bedrooms are large and luxurious, each with their own dressing-rooms. The

marble bathrooms are equally splendid with extra deep baths and separate showers. A beautiful sitting-room with full height windows looks out onto a stunning private roof terrace. In addition, there is an elegant dining-room with a cocktail bar and cloakroom. A personal butler service is provided with the penthouse’.

- (4) What was the cost of the Prime Minister’s: (a) accommodation; (b) food; (c) beverages; and (c) other items (please specify) at Claridges for this recent trip.
- (5) How many other rooms and suites were used by the Prime Minister’s party for this trip, and for what purposes.
- (6) For the Prime Minister’s most recent trip, what were the costs for the Prime Minister’s party, excluding the Prime Minister, of: (a) accommodation; (b) food; (c) beverages; and (d) other items (please specify).
- (7) Apart from the services provided and paid for outlined under (3) and (4) above, did the hotel provide any other services to the Prime Minister and his party.
- (8) Has the bill for the hotel been presented and paid; if not, why not; if so, who paid the bill.
- (9) On each of the occasions the Prime Minister has used this hotel since 1996, has he always stayed at the Brook Apartment penthouse suite; if not, on which occasion has he used other suites in the hotel, and which suites were used.
- (10) On each occasion that the Prime Minister stayed at the hotel, what was the cost of the Prime Minister’s: (a) accommodation; (b) food; (c) beverages; and (c) other items (please specify).
- (11) On each occasion that the Prime Minister stayed at the hotel since March 1996, how much was paid by the department to the hotel for associated costs excluding the amounts at (7) above.

2432 **Senator Faulkner:** To ask the Minister representing the Prime Minister—

- (1) During the recent visit to Australia of the President of the United States of America, George W Bush, did the President stay overnight at the United States Embassy in Canberra.
- (2) How many official international visits has the Prime Minister undertaken since March 1996.
- (3) Given the heightened security situation, on how many occasions has the Prime Minister used accommodation at any High Commission, Embassy or Consulate, or residence thereof.

2433 **Senator Faulkner:** To ask the Minister representing the Minister for Small Business and Tourism—

- (1) Did the Minister for Small Business and Tourism, the Hon Joe Hockey MP, present a \$50 000 donation to the Children’s Cancer Institute Australia, on the Nine Network’s television program *Reno Rumble* on 26 November 2003.
- (2) Can the Minister confirm that the \$50 000 donation, which was attributed directly to the Prime Minister by Mr Hockey on the program, was not Commonwealth Government funding.
- (3) If the \$50 000 was a Commonwealth grant: (a) from which departmental program was the \$50 000 drawn; and (b) was fact that the \$50 000 was a

taxpayer-funded grant acknowledged at any point in the reality television program.

2434 **Senator Allison:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) What is the current estimate of cost for Stage 1 of the internal bypass at Albury Wodonga.
- (2) Can a schedule be provided of the cost estimate changes over the past 3 years, together with the factors that have caused those changes
- (3) Is it the case that there has been a recent change in the design of the bypass to reduce the central median divider between the dual carriageways from 15 metres to 11 metres: if so: (a) was this change made in order to reduce costs; (b) how much is saved by this change; (c) what advice was sought with regard to the safety implications of the change and can a copy of the advice be provided; and (d) is it the case that there is no intention to construct a central crash barrier, despite the narrowing of the median divider; if not, what advice is available to indicate that the design change will not seriously affect safety on the roadway and contribute to more head-on accidents.
- (4) Can the Minister confirm that the 1995 Environmental Impact Statement (EIS)/Energy Efficient Strategies (EES) used rural freeway accident statistics from 1994, which involved a section of the Hume Freeway with approximately 2 000 vehicles per day.
- (5) Does the Minister agree that most of these vehicles would have been driven by professional drivers and yet the EIS applied this accident rate to both the external bypass and the internal bypass, which has very close interchanges, with many more vehicles than the external bypass.
- (6) Can the Minister confirm that this deficiency was recognised in the Granherne March 2001 hazardous goods report, which pointed to the experience from the F6 freeway at Wollongong, where the urban section had an accident rate 5.6 times higher than the rural section of the freeway.
- (7) Is the Minister aware of any expert reports which suggest that the situation at Albury will be significantly worse than that of the F6 freeway due to the closeness of the interchanges, the large amount of traffic mixing and the intention to operate the portion adjacent to the CBD at 80 to 90 kph instead of 110 kph; if so, will a full audited investigation of the accident risks, to be conducted by the NSW Roads and Traffic Authority before the project is put out to tender, be required; if not, why not.

2435 **Senator Marshall:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—

- (1) Does Australia currently have a Memorandum of Understanding (MOU) with Cambodia in relation to immigration matters and/or the repatriation of failed asylum seekers; if so: (a) when was it negotiated and signed; and (b) can a copy of the MOU be provided; if so, when; if not, why not.
- (2) If there is not a current MOU between Australia and Cambodia regarding immigration matters: (a) has the Government sought to negotiate one; if so, when; and (b) what has prevented the signing of such an agreement or understanding.
- (3) (a) Does Australia currently have a MOU with Vietnam in relation to immigration matters and/or the repatriation of failed asylum seekers; if so,

when was it negotiated and signed; and (b) can a copy of the MOU be provided; if so, when; if not, why not.

- (4) If there is not a current MOU between Australia and Vietnam regarding immigration matters: (a) has the Government sought to negotiate one; if so, when; and (b) what has prevented the signing of such an agreement or understanding.

- 2436 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—With reference to the answer to question on notice no. 2184 (Senate *Hansard*, 24 November 2003, p. 17675): Given that the Government advised that it had commissioned research into the economic drivers of the illicit drug market and illicit drug marketing strategies: (a) when was the research was commissioned; (b) when is the report due to be tabled in Parliament; (c) what was the cost of the tender(s); and (d) who is the successful tenderer.

*Notice given 2 December 2003*

- 2437 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the answer to question on notice no. 2198 (Senate *Hansard*, 24 November 2003, p. 17686): Can details be provided of all proposals for runways in Antarctica with which the Government may be or is involved including: (a) the nature of the proposal, including site, capabilities, dimensions, and construction details; (b) the scheduling and/or outcome of any study required or conducted; (c) the estimated or confirmed expenditure to date; and (d) the proponent.
- 2438 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the answer to question on notice no. 1685 (Senate *Hansard*, 24 November 2003, p. 17579): (a) Has the Minister received a copy of the Recherche Bay heritage assessment conducted by the Tasmania Heritage Council; and (b) does the Government accept the Council's recommendations; if not, what is the schedule and what are the further requirements for its decision-making process on these recommendations.
- 2439 **Senator Brown:** To ask the Minister representing the Minister for the Environment and Heritage—With reference to the answer to question on notice no. 2190 (Senate *Hansard* 24 November 2003, p. 17678): Since 1996, who has received government assistance for projects relating to platypuses and, in each case, (i) how much money was or will be allocated, and (ii) what is the nature of the project.
- 2440 **Senator Brown:** To ask the Minister representing the Attorney-General—
- (1) What plastics are used in Australia Post's mail dispatch products, including mailing envelopes and bags.
  - (2) Are there biodegradable alternatives to these plastics currently available that could be used in these products; if so, will Australia Post switch to using such alternatives and when; if not, why not.

*Notice given 3 December 2003*

- \*2441 **Senator Marshall:** To ask the Minister representing the Minister for Health and Ageing— (a) For each quarter from January 1996, what were the bulk billing rates in each of the following local government areas: (i) Ballarat City Council, (ii) Moorabool Shire Council, (iii) Hepburn Shire Council; and (iv) Golden Shire Council; and (b) if this information cannot be provided, why not.



- \*2442 **Senator Santoro:** To ask the Minister representing the Minister for Communications, Information Technology and the Arts—(a) During 2003, what documentaries has the Australian Broadcasting Corporation examined with a view to buying, but not bought; and (b) what were the reasons for not purchasing these documentaries.

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## ORDERS OF THE SENATE

### Amendments to standing orders and orders of continuing effect

#### \*1 Bills—Committal

That paragraph (1) of standing order 115 be amended to read as follows:

- 115** (1) After the second reading, a bill shall be considered in a committee of the whole immediately, unless:
- (a) the bill is referred to a standing or select committee; or
  - (b) no senator has:
    - (i) circulated in the Senate a proposed amendment or request for amendment of the bill, or
    - (ii) required in debate or by notification to the chair that the bill be considered in committee of the whole.

*(Agreed to 3 December 2003.)*

#### 2 Committee meetings during adjournment debate

That standing order 33 be amended to read as follows:

##### **33 Meetings during sitting**

- (1) A committee of the Senate and a joint committee of both Houses of the Parliament may meet during sittings of the Senate for the purpose of deliberating in private session, but shall not make a decision at such a meeting unless:
  - (a) all members of the committee are present; or
  - (b) a member appointed to the committee on the nomination of the Leader of the Government in the Senate and a member appointed to the committee on the nomination of the Leader of the Opposition in the Senate are present, and the decision is agreed to unanimously by the members present.
- (2) **The restrictions on meetings of committees contained in paragraph (1) do not apply after the question for the adjournment of the Senate has been proposed by the President at the time provided on any day.**
- (3) A committee shall not otherwise meet during sittings of the Senate except by order of the Senate.
- (4) Proceedings of a committee at a meeting contrary to this standing order shall be void.

*(Agreed to 14 May 2003.)*

#### 3 Deadline for receipt of bills

That standing order 111 be amended to read as follows:

##### **111 Initiation**

- (5) Where a bill:
- (a) is first introduced in the Senate by a minister in a period of sittings; or
  - (b) is received from the House of Representatives and was introduced in that House in the same period of sittings; or
  - (c) is received from the House of Representatives after the expiration of two-thirds of the total number of days of sitting of the Senate scheduled for that period of sittings, and a motion is moved for the second reading of the bill, debate on that motion shall be adjourned at the conclusion of the speech of the senator moving the motion and resumption of the debate shall be made an order of the day for the first day of sitting in the next period of sittings without any question being put.
- (6) Paragraph (5) does not apply to a bill introduced in the Senate or received from the House of Representatives within the first two-thirds of the total number of days of sitting of the Senate scheduled for the first period of sittings after a general election of the House of Representatives, but consideration of such a bill shall not be resumed after the second reading is moved in the Senate unless 14 days have elapsed after the first introduction of the bill in either House.
- (7) **Paragraph (5) does not apply to a bill received by the Senate again in the circumstances described in the first paragraph of section 57 of the Constitution.**
- (8) In paragraphs (5) and (6) “period of sittings” means a period during which the Senate adjourns for not more than 20 days.

*(Agreed to 14 May 2003.)*

#### 4 Departmental and agency contracts—Order for production of documents

That the order be amended to read as follows:

- (1) There be laid on the table, by each minister in the Senate, in respect of each agency administered by that minister, or by a minister in the House of Representatives represented by that minister, by not later than **2 calendar months after the last day of the financial and calendar year**, a letter of advice that a list of contracts in accordance with paragraph (2) has been placed on the Internet, with access to the list through the department’s or agency’s home page.
- (2) The list of contracts referred to in paragraph (1) indicate:
  - (a) each contract entered into by the agency which has not been fully performed or which has been entered into during the previous 12 months, and which provides for a consideration to the value of \$100 000 or more;
  - (b) the contractor, the amount of the consideration and the subject matter of each such contract, **the commencement date of the contract, the duration of the contract, the relevant reporting period and the twelve-month period relating to the contract listings;**
  - (c) whether each such contract contains provisions requiring the parties to maintain confidentiality of any of its provisions, or whether there are any other requirements of confidentiality, and a statement of the reasons for the confidentiality; and

- (d) an estimate of the cost of complying with this order and a statement of the method used to make the estimate.
- (3) If a list under paragraph (1) does not fully comply with the requirements of paragraph (2), the letter under paragraph (1) indicate the extent of, and reasons for, non-compliance, and when full compliance is expected to be achieved. Examples of non-compliance may include:
  - (a) the list is not up to date;
  - (b) not all relevant agencies are included; and
  - (c) contracts all of which are confidential are not included.
- (4) Where no contracts have been entered into by a department or agency, the letter under paragraph (1) is to advise accordingly.
- (5) In respect of contracts identified as containing provisions of the kind referred to in paragraph (2)(c), the Auditor-General be requested to provide to the Senate, within 6 months after each day mentioned in paragraph (1), a report indicating that the Auditor-General has examined a number of such contracts selected by the Auditor-General, and indicating whether any inappropriate use of such provisions was detected in that examination.
- (6) In respect of letters including matter under paragraph (3), the Auditor-General be requested to indicate in a report under paragraph (5) that the Auditor-General has examined a number of contracts, selected by the Auditor-General, which have not been included in a list, and to indicate whether the contracts should be listed.
- (7) The Finance and Public Administration References Committee consider and report on the first **and second** year of operation of this order.
- (8) This order has effect on and after 1 July 2001.
- (9) In this order:
  - “**agency**” means an agency within the meaning of the *Financial Management and Accountability Act 1997*; **and**
  - “**previous 12 months**” means the period of 12 months ending on **either 31 December or 30 June in any year**, as the case may be.

(Agreed to 20 June 2001; amended 27 September 2001, 18 June and 26 June 2003.)

## 5 Questions on notice—Publication of replies

That standing order 74(3) be amended to read as follows:

The reply to a question on notice shall be given by delivering it to the Clerk, a copy shall be supplied to the senator who asked the question, **the publication of the reply is then authorised**, and the question and reply shall be printed in Hansard.

(Agreed to 8 September 2003.)

## 6 Senators breastfeeding infants

That standing order 175 be amended to read as follows:

### 175 Conduct of visitors

- (1) Visitors may attend, in the galleries provided, a sitting of the Senate.
- (2) A person other than a senator, a clerk at the table or an officer attending on the Senate may not:
  - (a) attend a meeting of the Senate in private session; or

- (b) enter any part of the Senate chamber reserved for senators while the Senate is sitting.
- (3) **Paragraph (2) does not apply in respect of a senator breastfeeding an infant.**
- (4) The Usher of the Black Rod shall, subject to any direction by the Senate or the President, take into custody any person who enters any part of the chamber reserved for senators while the Senate is sitting, or causes a disturbance in or near the chamber, and a person so taken into custody shall be discharged out of custody in accordance with an order of the Senate.

*(Agreed to 13 May 2003.)*

**7 Senators' Interests—Resolutions relating to senators' interests and declaration of gifts to the Senate and the Parliament**

That the orders be amended to read as follows:

**Senators' interests**

**1 Registration**

- (1) 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;

each senator shall provide to the Registrar of Senators' Interests a statement of:

- (a) the senator's registrable interests; and
- (b) the registrable interests of which the senator is aware:
  - (i) of the senator's spouse or partner, and
  - (ii) of any children who are wholly or mainly dependent on the senator for support;

in accordance with this resolution and in a form determined by the Committee of Senators' Interests from time to time, and shall also notify any alteration of those interests to the Registrar within 28 days of that alteration occurring.

- (2) Any senator who:
  - (a) knowingly fails to provide a statement of registrable interests to the Registrar of Senators' Interests by the due date;
  - (b) knowingly fails to notify any alteration of those interests to the Registrar of Senators' Interests within 28 days of the change occurring; or
  - (c) knowingly provides false or misleading information to the Registrar of Senators' Interests;

shall be guilty of a serious contempt of the Senate and shall be dealt with by the Senate accordingly, but the question whether any senator has committed such a serious contempt shall first be referred

to the Privileges Committee for inquiry and report and may not be considered by any other committee.

## **2 Registrable interests of spouses or partners and dependants**

Statements of the registrable interests of a senator's spouse or partner or of any dependent children submitted in accordance with paragraph (1) shall be maintained in a separate part of the register and shall remain confidential to the Committee of Senators' Interests except where the committee considers that a conflict of interest arises, at which time the committee may table the declaration.

## **3 Registrable interests**

The statement of a senator's registrable interests to be provided by a senator shall include the registrable interests of which the senator is aware of the senator's spouse or partner and of any children who are wholly or mainly dependent on the senator for support, and shall cover the following matters:

- (a) shareholdings in public and private companies (including holding companies) indicating the name of the company or companies;
- (b) family and business trusts and nominee companies:
  - (i) in which a beneficial interest is held, indicating the name of the trust and the nature of its operation and beneficial interest, and
  - (ii) in which the senator, the senator's spouse or partner, or a child who is wholly or mainly dependent on the senator for support, is a trustee (but not including a trustee of an estate where no beneficial interest is held by the senator, the senator's spouse or partner or dependent children), indicating the name of the trust, the nature of its operation and the beneficiary of the trust;
- (c) real estate, including the location (suburb or area only) and the purpose for which it is owned;
- (d) registered directorships of companies;
- (e) partnerships, indicating the nature of the interests and the activities of the partnership;
- (f) liabilities, indicating the nature of the liability and the creditor concerned;
- (g) the nature of any bonds, debentures and like investments;
- (h) saving or investment accounts, indicating their nature and the name of the bank or other institutions concerned;
- (i) the nature of any other assets (excluding household and personal effects) each valued at more than \$7 500;
- (j) the nature of any other substantial sources of income;
- (k) gifts valued at more than \$750 received from official sources (such sources being an Australian or foreign national, state, provincial or local government or a person holding an office in such a government) or at \$300 or more where received from other than official sources, provided that a gift received by a senator, the senator's spouse or partner or dependent children from family members or personal friends in a purely personal capacity need not be registered unless the senator judges that an appearance of conflict of interest may be seen to exist;
- (l) any sponsored travel or hospitality received where the value of the sponsorship or hospitality exceeds \$300;

- (m) being an officeholder of or financial contributor donating \$300 or more in any single calendar year to any organisation; and
- (n) any other interests where a conflict of interest with a senator's public duties could foreseeably arise or be seen to arise.

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

- (1) At the commencement of each Parliament, and at other times as necessary, the President shall appoint an officer of the Department of the Senate as the Registrar of Senators' Interests and that officer shall also be secretary of the Committee of Senators' Interests.
- (2) The Registrar of Senators' Interests shall, in accordance with procedures determined by the Committee of Senators' Interests, maintain a Register of Senators' Interests in a form to be determined by that committee from time to time.
- (3) As soon as possible after receipt of statement of registrable interests in accordance with resolution 1(1), the chairman of the Committee of Senators' Interests shall table in the Senate a copy of the completed Register of Senators' Interests and shall also table every 6 months any notification by a senator of alteration of those interests.
- (4) The Register of Senators' Interests shall be available for inspection by any person under conditions to be laid down by the Committee of Senators' Interests from time to time.
- (5) That part of the Register of Senators' Interests relating to spouses or partners and dependent children shall remain confidential to the Committee of Senators' Interests as provided for in paragraph 2.

#### **5 Interpretation**

For the purposes of paragraphs 1 to 4 of this resolution "partner" means a person who is living with another person in a *bona fide* domestic relationship.

(Agreed to 17 March 1994; amended 21 June 1995; 13 May 1998; 22 November 1999 and 15 September 2003.)

### **Receipt of gifts – declaration**

The Senate resolves that the following procedures apply for the declaration by senators of their receipt of any gift intended by the donor to be a gift to the Senate or the Parliament:

- (1) (a) Any senator, including any Senate office holder and any senator who is a leader or a member of a parliamentary delegation, who in any capacity receives any gift which is intended by the donor to be a gift to the Senate or the Parliament must, as soon as practicable, place the gift in the custody of the Registrar of Senators' Interests and declare receipt of the gift to the Registrar.
- (b) A gift is to be taken as intended to be a gift to the Senate or the Parliament where:
  - (i) the donor expressly states that the gift is to the Senate or to the Parliament; or
  - (ii) the identity of the donor, the nature of the occasion, or the intrinsic significance or value of the gift is such that it is reasonable to assume that the gift was intended for the Senate or the Parliament.

- (ba) In the absence of express intent, it will not be assumed that a gift was intended for the Senate or the Parliament where the gift has a value below the following thresholds:
  - (i) \$750 when given by an official government source; or
  - (ii) \$300 when given by a private person or non-government body on any occasion when the senator is present in his or her capacity as a senator, Senate office-holder or delegation leader or member.
- (bb) In the absence of express intent, it will not be assumed that a gift was intended for the Senate or the Parliament merely because the gift has a value above those thresholds.
- (c) The Registrar of Senators' Interests is to maintain a public Register of Gifts to the Senate and the Parliament.
- (d) The Committee of Senators' Interests is to recommend to the President whether, and how, the gift may be used or displayed in Parliament House, including in the office of any senator, or used or displayed on loan elsewhere, including in a museum, library, gallery, court building, government building, government office or other place.
- (e) Where a gift given to a senator is intended to be for the Parliament, the President is to consult with the Speaker prior to agreeing to a recommendation of the committee as to its use, display or loan.
- (f) Where the President disagrees with a recommendation of the committee, the President is to report the disagreement to the Senate, which may determine the use, display or loan of the gift in question.
- (g) In making recommendations the committee is to take into account the intention of the Senate that gifts are to be used, displayed or loaned in a way which:
  - (i) reflects proper respect for the intentions of the donor and the dignity of the Senate or the Parliament;
  - (ii) recognises the interest of the public in gifts to the Senate or the Parliament; and
  - (iii) takes account of practical issues including space, custody, preservation and propriety in the use, display or loan of such gifts.
- (h) Where a senator is uncertain of the nature of a gift the senator may request advice from the committee.
- (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 \$750 for a gift received from an official government source, or \$300 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.
- (l) Where a senator disagrees with the advice of the committee the senator is to report the disagreement to the Senate, which may determine the nature of the gift and its use, display or loan, if any.
- (m) In paragraph (1) a reference to a gift to the Parliament includes a gift given to a senator for the House of Representatives.
- (2) This resolution applies to a gift received by the spouse, family member or staff member of a senator on any occasion when the senator is present in his or her capacity as a senator, Senate office holder or delegation leader or member, as if the gift had been received by the senator.
- (3) The committee:
  - (a) is empowered to consider any matter placed before it pursuant to this resolution, and for the purposes of this resolution the committee has the powers provided in the resolution of 17 March 1994 establishing the committee; and
  - (b) may make, and must as soon as practicable thereafter table, procedural rules to facilitate the operation of this resolution.
- (4) Any senator who:
  - (a) knowingly fails to tender and declare a gift that is taken to be a gift to the Senate or the Parliament as required by this resolution; or
  - (b) knowingly fails to return to the Registrar a gift which it was agreed or determined the senator might use or display; or
  - (c) knowingly provides false or misleading information to the Registrar or the committee,

is guilty of a serious contempt of the Senate and is to be dealt with by the Senate accordingly, but the question whether any senator has committed such a contempt is to be referred to the Privileges Committee for inquiry and report and may not be considered by any other committee.

*(Agreed to 26 August 1997; amended 8 December 1999 and 15 September 2003.)*

## 8 Times of meeting and routine of business on Tuesday

That standing orders 55 and 57 be amended to read as follows:

### 55 Times of meetings

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

Monday	12.30 pm – 6.30 pm, 7.30 pm – 10.30 pm
Tuesday	<b>12.30 pm</b> – adjournment
Wednesday	9.30 am – 8 pm
Thursday	9.30 am – 8.40 pm.

### 57 Routine of business

- (1) The routine of business shall be:
  - (b) On Tuesday:



- (i) **Government business only**
- (ii) **At 2 pm**, questions
- (iii) Motions to take note of answers
- (iv) Petitions
- (v) Notices of motion
- (vi) Postponement and rearrangement of business
- (vii) Formal motions – discovery of formal business
- (viii) Any proposal to debate a matter of public importance or urgency
- (ix) Government business
- (x) At 6.50 pm, consideration of government documents for up to 30 minutes under standing order 61
- (xi) At 7.20 pm, adjournment proposed
- (xii) Adjournment.

(Agreed to 14 May 2003.)

## **Committees**

### **9 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.)

**\*10 Estimates hearings**

- (1) That estimates hearings by legislation committees for the year 2004 be scheduled as follows:

**2003-04 additional estimates:**

Monday, 16 February and Tuesday, 17 February and, if required, Friday, 20 February (*Group A*)

Wednesday, 18 February and Thursday, 19 February and, if required, Friday, 20 February (*Group B*)

**2004-05 Budget estimates:**

Monday, 24 May to Thursday, 27 May and, if required, Friday, 28 May (*Group A*)

Monday, 31 May to Thursday, 3 June and, if required, Friday, 4 June (*Group B*)

Monday, 1 November and Tuesday, 2 November (*supplementary hearings—Group A*)

Wednesday, 3 November and Thursday, 4 November (*supplementary hearings—Group B*).

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

- (3) That committees meet in the following groups:

**Group A:**

Environment, Communications, Information Technology and the Arts

Finance and Public Administration

Legal and Constitutional

Rural and Regional Affairs and Transport

**Group B:**

Community Affairs

Economics

Employment, Workplace Relations and Education

Foreign Affairs, Defence and Trade.

- (4) That the committees report to the Senate on the following dates:

Wednesday, 24 March 2004 in respect of the 2003-04 additional estimates, and

Thursday, 17 June 2004 in respect of the 2004-05 budget estimates.

(Agreed to 3 December 2003.)

**11 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.)

**12 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

### 13 Customs Tariff Amendment Bill (No. 2) 2003—Excise Tariff Amendment Bill (No. 1) 2003—Further consideration of the bills

That:

- (1) For the reasons set out in paragraph (3), further consideration of the bills be postponed and be made an order of the day for the next day of sitting after the Government fully complies with the order for the production of documents relating to a proposed excise and production subsidy made on 16 October 2002.
- (2) Senators who have spoken to the motion 'That these bills be now read a second time' may speak again to that motion for up to 20 minutes each when the bill is again called on.
- (3) The reasons referred to in paragraph (1) are as follows:
  - (a) the bills remove the excise exemption for fuel ethanol and impose an excise duty rate equivalent to that applying to petroleum and impose an excise duty on imports of fuel ethanol;
  - (b) on 16 October 2002, the Senate ordered the production of documents related to the imposition of fuel ethanol excise and a production subsidy to be tabled on or before 21 October 2002;
  - (c) the Parliamentary Secretary to the Treasurer (Senator Ian Campbell) advised the Senate on 21 October 2002 that the documents, subject to the order, would be provided as soon as possible;
  - (d) Senator Ian Campbell advised the Senate on 13 December 2002 that the documents would be tabled out of session on 17 December 2002 and further advised the Senate on 5 February 2003 that the documents would be provided as soon as possible;
  - (e) the Senate called on the Government to comply with the order on 11 December 2002, 4 March 2003 and 26 March 2003;
  - (f) it has been revealed that documents relating to the order concern, among other matters, a meeting between the Prime Minister (Mr Howard) and Mr Dick Honan, Chairman of Manildra, on 1 August 2002; and
  - (g) passage of the bills now would be ill-advised in the absence of full information about the Government's consideration of ethanol policy.

(Agreed to 12 August 2003.)

### 14 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.)*

**\*15 Senate consideration—Variation**

That the provisions of paragraphs (5), (6) and (8) of standing order 111 not apply to the ASIO Legislation Amendment Bill 2003, allowing it to be considered during this period of sittings.

*(Agreed to 3 December 2003.)*

## Meeting of Senate

### 16 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, 24 November to Thursday, 27 November

Monday, 1 December to Thursday, 4 December.

*(Agreed to 12 November 2002; amended 11 September 2003.)*

**NB:** On 9 October 2003 the Senate agreed to meet jointly with the House of Representatives on **23 October** and **24 October 2003**. On 7 November 2003, the Senate met, at the request of a majority of senators and pursuant to standing order 55.

### 17 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.)*

#### 18 Meeting of Senate

That the days of meeting of the Senate for 2004 shall be as follows:

**Autumn sittings:**

Tuesday, 10 February to Thursday, 12 February  
Monday, 1 March to Thursday, 4 March  
Monday, 8 March to Thursday, 11 March  
Monday, 22 March to Thursday, 25 March  
Monday, 29 March to Thursday, 1 April

**Budget sittings:**

Tuesday, 11 May to Thursday, 13 May

**Winter sittings:**

Tuesday, 15 June to Thursday, 17 June  
Monday, 21 June to Thursday, 24 June

**Spring sittings:**

Tuesday, 3 August to Thursday, 5 August  
Monday, 9 August to Thursday, 12 August  
Monday, 30 August to Thursday, 2 September  
Monday, 6 September to Thursday, 9 September  
Monday, 27 September to Thursday, 30 September  
Tuesday, 5 October to Thursday, 7 October  
Monday, 25 October to Thursday, 28 October

**Summer sittings:**

Monday, 22 November to Thursday, 25 November  
Monday, 29 November to Thursday, 2 December.

*(Agreed to 25 November 2003.)*

### Orders for production of documents

#### 19 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.)

**20 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.)

**21 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.)

**22 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.)

**23 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.)

**24 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.)

**25 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.)

**26 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.)

**27 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.)

**28 Trade—General Agreement on Trade in Services—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.)

**29 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.)

**30 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.)

**31 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.)

**32 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.)

**33 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.)*

**34 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.)*

**35 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.)*

**36 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 March 2003, the written advice provided by the Department of Defence to the Department of Education, Science and Training concerning the defence-related issues in connection with the National Radioactive Waste Repository in South Australia

*(Agreed to 5 March 2003.)*

**37 Immigration—Illegal migration—Order for production of document**

That there be laid on the table, no later than 4 pm on Wednesday, 26 March 2003, the Memorandum of Understanding signed on or around 12 March 2003 between the Australian Government and the Islamic Republic of Iran, which includes measures to combat illegal migration.

*(Agreed to 25 March 2003.)*

**38 Foreign Affairs, Defence and Trade References Committee—Review of Test and Evaluation in Defence—Report by the Director of Trials—Order for production of document**

That the Senate adopt the following recommendations of the Foreign Affairs, Defence and Trade References Committee in its report on materiel acquisition and management in Defence:

- (a) that the Senate request the Auditor-General to direct that the proposed 2003-04 audit of the Defence Materiel Organisation (DMO) by the Australian National Audit Office include a cultural audit that will assess:
  - (i) DMO's espoused corporate values and standards and staff compliance with these,
  - (ii) management and staff values, behaviours and competencies measured against the capability requirement,
  - (iii) employee attitudes, morale, beliefs, motivation,
  - (iv) employee understanding of, for example, the DMO's customers, industry partners, strategies, business plans, roles and contributions to the overall mission of Defence,
  - (v) communication processes,
  - (vi) the effectiveness of change management programs, employee commitment to them and the extent of the benefits materialising, and
  - (vii) compliance with health and safety regulations;
- (b) that the Senate request the Auditor-General:
  - (i) to produce, on an annual basis, a report on progress in major defence projects, detailing cost, time and technical performance data for each project,
  - (ii) to model the report on that ordered by the British House of Commons and produced by the United Kingdom Comptroller and Auditor General, and
  - (iii) to include in the report such analysis of performance and emerging trends as will enable the Parliament to have high visibility of all current and pending major projects; and
- (c) that the Senate under standing order 164, order the production, upon its completion, of the report by the Director of Trials of the Review of Test and Evaluation in Defence, and refer the document to the Foreign Affairs, Defence and Trade References Committee for examination and report.

*(Agreed to 14 May 2003.)*

**39 Environment—Radioactive waste—National store—Order for production of document**

That there be laid on the table by the Minister representing the Minister for Science, no later than 1 pm on 15 May 2003, the document containing the list of potential sites for the location of a national store for intermediate level radioactive waste that has been prepared by the National Store Advisory Committee, referred to in the media release prepared by the Minister for Science, 'SA Ruled Out', dated 9 May 2003.

*(Agreed to 14 May 2003.)*

**40 Industry—Basslink—Order for production of documents**

That there be laid on the table, no later than 4 pm on Thursday, 15 May 2003, the letters exchanged between the Victorian and Federal Governments since 1 July 2001 concerning the Basslink project, other than those letters relating to the planning process.

(Agreed to 14 May 2003.)

**41 Energy Grants (Credits) Scheme—Draft regulations—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, 19 June 2003:

- (a) draft regulations to be made under the Energy Grants (Credits) Scheme Bill 2003;
- (b) draft regulations to be made under the Energy Grants (Credits) Scheme (Consequential Amendments) Bill 2003; and
- (c) records of any meetings at which members of industry or other groups with a potential to be affected by the passage of these bills were permitted to examine the draft regulations referred to above.

(Agreed to 19 June 2003.)

**42 Animal Welfare—Live sheep export—Order for production of documents**

That the Senate—

- (a) notes that:
  - (i) the *Cormo Express* shipment of 57 000 sheep rejected by Saudi Arabia 3 weeks ago, because of suspected scabby mouth, and subsequently rejected by a second unnamed country is now to be offered free to a third unnamed country in the region,
  - (ii) the *Cormo Express* sailed with a shipment of 57 000 sheep in mid-August 2003 but, by 12 September 2003, after around 5 weeks at sea, the number had been reduced by at least 6 per cent,
  - (iii) Saudi Arabia's rejection of Australian shipments because of disease concerns resulted in the cessation of the live sheep trade for a decade from 1991, and trade only resumed in 2000 after Australian exporters agreed to vaccinate all sheep against scabby mouth before shipment,
  - (iv) throughout the period the *Cormo Express* has been at sea, Livecorp spokespeople have continually assured the Australian Government, media and community that the *Cormo Express*' shipment of live sheep would soon find an alternative port,
  - (v) on Wednesday, 10 September 2003, it was reported in the Australian media that *Cormo Express*' shipment of 57 000 were still stranded; a day later Meat and Livestock Australia announced that Australia's live sheep exports were soaring, with reference made to exports to Saudi Arabia, Kuwait, Bahrain and Jordan all being on the increase,
  - (vi) Tuesday, 9 September 2003, saw the National Livestock Service announcing that the number of sheep slaughtered in Australia's eastern states was in decline due to the huge numbers of sheep euthanased and dead because of the drought,
  - (vii) the Australian Bureau of Statistics export data for the 2002-03 financial year and the Australian Bureau of Agricultural and Resource Economics estimates that the beef, veal, mutton and

lamb carcass trade was worth \$4 964 million while the live cattle and sheep trade was worth in the vicinity of \$976 million; and

- (b) demands that the Government:
- (i) provide full details to the Senate by 3 pm on Thursday, 18 September 2003 of the number of mortalities aboard the *Cormo Express*, and identify the second and any subsequent ports approached after the Saudi Arabian rejection of the shipment, and identify the port, if any, prepared to accept the sheep and at what cost, and
  - (ii) enforce minimum welfare standards in the live export trade and increases support for the chilled and frozen meat export trade.

(Agreed to 17 September 2003.)

**43 Health—National Drug Research Strategy—Order for production of document**

That there be laid on the table by the Minister representing the Minister for Health and Ageing, no later than the next day of sitting, the most recent draft of the National Drug Research Strategy, as prepared by the National Drug Research Committee.

(Agreed to 8 October 2003.)

**44 Health—Immunisation—Order for production of documents**

That there be laid on the table by the Minister representing the Minister for Health and Ageing, no later than the next day of sitting, the following documents:

- (a) the advice provided by the Australian Technical Advisory Group on Immunisation (ATAGI) in August 2002, as outlined in paragraph (3) of question on notice no. 1750 (Senate *Hansard*, 15 September 2003, p. 14473), relating to the options for vaccination programs ahead of other ATAGI recommendations;
- (b) the submissions received by the National Health and Medical Research Council as part of its public consultation on the draft 8th Australian Immunisation Handbook;
- (c) all documents relating to the government funding, its requirements of and the subsequent performance of the National Consortium for Education in Primary Medical Care Alternative Pathway Program since its inception, including any review documents; and
- (d) the latest report submitted by the Medical Benefit Schedule Attendance Item Restructure Working Group.

(Agreed to 8 October 2003.)

**45 Immigration—Management of detention centres—Order for production of documents**

That there be laid on the table by the Minister for Immigration and Multicultural and Indigenous Affairs, no later than 3 pm on Thursday, 16 October 2003:

- (a) the default notice issued to Australasian Correctional Management under the Government's general agreement contract to manage detention centres; and
- (b) the report prepared for the Department of Immigration and Multicultural and Indigenous Affairs by Knowledge Enterprises in 2001 on management of detention centres.

(Agreed to 13 October 2003.)

**46 Finance—Calculation of the IBNR levy—Order for production of documents**

That there be laid on the table by the Minister for Revenue and Assistant Treasurer, no later than 5 pm on Tuesday, 14 October 2003, all documents held by the Australian Government Actuary relating to its calculations of the Incurred But Not Reported (IBNR) levy following the collapse of the medical defence organisation United Medical Protection, including the formulae used to calculate the estimated unfunded liabilities for IBNR claims.

(Agreed to 13 October 2003.)

**47 Animal Welfare—Live sheep export—Order for production of documents**

That there be laid on the table, no later than 2 pm on Wednesday, 15 October 2003, the following documents concerning the voyage of the MV *Cormo Express*:

- (a) the import risk analysis report concerning the return of the sheep stranded aboard the vessel to Australia; and
- (b) the latest Master's report revealing mortality aboard the vessel.

(Agreed to 14 October 2003.)

**48 Environment—Sepon Mine—Order for production of documents**

That there be laid on the table by the Minister representing the Minister for Trade (Senator Hill), no later than 30 October 2003, documents detailing the results of the independent environmental and social audit of the Sepon Mine project in Laos, conducted by Graham A Brown and Associates and provided to the Export Finance Insurance Corporation, the providers of political risk insurance for this project.

(Agreed to 16 October 2003.)

**49 Science and Technology—Assisted reproductive technology—Order for production of documents**

That there be laid on the table by the Leader of the Government in the Senate (Senator Hill), no later than immediately after motions to take note of answers on 29 October 2003, the following two expert reports prepared for and subsequently issued to members of the Council of Australian Governments for its meeting on 29 August 2003:

- (a) a report that discussed protocols to prevent the creation of embryos for the purposes of scientific research, prepared by the Committee for the Review of Ethical Guidelines for Assisted Reproductive Technology, a subcommittee of the Australian Health Ethics Committee of the National Health and Medical Research Council (NHMRC); and
- (b) a report prepared by the NHMRC that considered the adequacy of supply and distribution for research of excess assisted reproductive technology embryos, which would otherwise have been allowed to succumb.

(Agreed to 28 October 2003.)

**50 Education—Higher education—Regional impact statement—Order for production of document**

That there be laid on the table by the Minister representing the Minister for Education, Science and Training, no later than Wednesday, 29 October 2003, the regional impact statement prepared by the Department of Education Science and Training, in support, explanation and justification of the higher education policy

package, referred to at the hearing of the Employment, Workplace Relations and Education References Committee on 17 October 2003 (*Hansard*, p. 119).

(Agreed to 28 October 2003.)

**51 Agency advertising and public information projects—Order for production of documents**

That—

- (1) There be laid on the table, by each minister in the Senate, in respect of each agency administered by that minister, or by a minister in the House of Representatives represented by that minister, a statement in accordance with the succeeding provisions of this order.
- (2) A statement be tabled in respect of each advertising or public information project undertaken by each agency where the cost of the project is estimated or contracted to be \$100 000 or more.
- (3) A statement be tabled within 5 sitting days of the Senate after the project is approved. If the Senate is not sitting when a statement is ready for presentation, the statement be presented to the President under standing order 166.
- (4) A statement indicate:
  - (a) the purpose and nature of the project;
  - (b) the intended recipients of the information to be communicated by the project;
  - (c) who authorised the project;
  - (d) the manner in which the project is to be carried out;
  - (e) who is to carry out the project;
  - (f) whether the project is to be carried out under a contract;
  - (g) whether such contract was let by tender;
  - (h) the estimated or contracted cost of the project;
  - (i) whether every part of the project conforms with the Audit and JCPAA guidelines; and
  - (j) if the project in any part does not conform with those guidelines, the extent of, and reasons for, the nonconformity.
- (5) In this order, “**Audit and JCPAA guidelines**” means the guidelines set out in Report No. 12 of 1998-99 of the Auditor-General, entitled *Taxation Reform: community education and information programme*, and Report No. 377 of the Joint Committee of Public Accounts and Audit, entitled *Guidelines for Government Advertising*, respectively.

(Agreed to 29 October 2003.)

**52 Finance—Deposit bonds—Order for production of documents**

- (1) That the Senate—
  - (a) notes:
    - (i) the opinion of the Reserve Bank of Australia that deposit bonds are likely to have encouraged the over-development of inner city rental units,
    - (ii) that deposit bonds have been a factor contributing to the current housing boom, and
    - (iii) that deposit bonds are issued by a range of organisations, some of which are not regulated by the Australian Prudential Regulation Authority; and



- (b) calls on the Government:
- (i) to review the regulation of deposit bonds and related instruments and to include both the Australian Prudential Regulation Authority and Australian Securities and Investment Commission in the review, and
  - (ii) to develop a regulatory scheme that will protect consumers and take some pressure from the housing boom and that will ensure:
    - (A) issuers of deposit bonds must conduct appropriate checks on the credit worthiness and ability to repay of applicants, and
    - (B) all deposit bond providers are regulated.
- (2) That there be laid on the table, no later than 3.30 pm on 1 December 2003, any documents prepared by the Australian Securities and Investment Commission, the Australian Prudential Regulation Authority and the Department of the Treasury in relation to deposit bonds.

*(Agreed to 25 November 2003.)*

**53 Taxation—First home owners—Order for production of documents**

That there be laid on the table by the Minister representing the Treasurer, no later than 3 pm, Thursday, 4 December 2003, any documents prepared by the Department of the Treasury in relation to:

- (a) the operation of the First Home Owner Grant scheme;
- (b) information on the impact of ‘bracket creep’; and
- (c) baseline information used in the preparation of the Intergenerational Report 2002-03 (Budget Paper No. 5).

*(Agreed to 1 December 2003.)*

**\*54 Health—Pharmaceutical Benefits Scheme—Order for production of documents**

That there be laid on the table, by 3 pm on 4 December 2003, the following:

- (a) all correspondence and documents, including e-mails, between the Department of Health and Ageing (the department) and the National Prescribing Service (NPS) and/or the Minister for Health and Ageing and/or the pharmaceutical drug companies Lilly and GlaxoSmithKline concerning the recent Pharmaceutical Benefits Scheme listing of Thiazolidinediones (Actos – Pioglitazone, and Avandia – Rosiglitazone) and the role of the NPS in conducting an education campaign about the drugs;
- (b) all correspondence and documents, including e-mails, between the department, the NPS and their new drug working group concerning a departmental request that the NPS should not conduct an education campaign about the Thiazolidinedione group of drugs; and
- (c) reports and/or correspondence from the Australian Adverse Drug Reaction Committee and/or the Therapeutic Goods Administration concerning adverse effects of Pioglitazone and Rosiglitazone directed at health practitioners, the department, the Pharmaceutical Benefits Advisory Committee, and the Minister.

*(Agreed to 3 December 2003.)*

**\*55 Environment—Sepon mine—Order for production of documents**

That there be laid on the table, by 3 pm on 4 December 2003, those parts of the audit report on the Sepon mine project in Laos referred to by the Minister for Finance and Administration in his statement to the Senate on 25 November 2003 which relate to the environmental and social impacts of the project.

(Agreed to 3 December 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
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

Date of order	Subject	Addressed to
20.09.2001	Transport—Ansett Australia	Minister representing the Prime Minister

## Senate and Senate Committees

### 56 Claims of commercial confidentiality

That the Senate and Senate committees shall not entertain any claim to withhold information from the Senate or a committee on the grounds that it is commercial-in-confidence, unless the claim is made by a minister and is accompanied by a statement setting out the basis for the claim, including a statement of any commercial harm that may result from the disclosure of the information.

*(Agreed to 30 October 2003.)*

## Qualification of senator

### 57 Provision of advice

That—

- (a) the Senate authorises the President of the Senate to engage Mr Brian Shaw, QC, to advise on answers to a list of questions relating to whether certain matters brought to the attention of the then President of the Senate by Senator Scullion on 10 May 2002 may have put him in conflict with section 44(v) of the Constitution; and
- (b) the person appointed under paragraph (a) shall be paid such fee as is approved by the President after consultation with senators.

*(Agreed to 18 September 2003.)*

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## CONTINGENT NOTICES OF MOTION

### Auditor-General's reports—Consideration

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

**Leader of the Australian Democrats (Senator Bartlett)**

**Senator Brown**

**Senator Harradine**

**Senator Harris**

**Senator Lees**

**Senator Nettle**

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

## Conduct of business

- 2 **Leader of the Government in the Senate (Senator Hill):** To move (contingent on the Senate on any day concluding its consideration of any item of business and prior to the Senate proceeding to the consideration of another item of business)—That so much of the standing orders be suspended as would prevent a minister moving a motion to provide for the consideration of any matter.
- 3 **Leader of the Opposition in the Senate (Senator Faulkner)**  
**Leader of The Nationals 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 Nationals 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 Nationals 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 Nationals 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 Nationals in the Senate (Senator Boswell)**

**Leader of the Australian Democrats (Senator Bartlett)**

**Senator Brown**

**Senator Harradine**

**Senator Harris**

**Senator Lees**

**Senator Nettle**

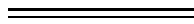
To move (contingent on any senator being refused leave to make a statement to the Senate)—That so much of the standing orders be suspended as would prevent that senator making that statement.

**Questions without notice****12 Leader of the Opposition in the Senate (Senator Faulkner)****Leader of The Nationals in the Senate (Senator Boswell)****Leader of the Australian Democrats (Senator Bartlett)****Senator Brown****Senator Harradine****Senator Harris****Senator Lees****Senator Nettle**

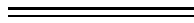
To move (contingent on a minister at question time on any day asking that further questions be placed on notice)—That so much of the standing orders be suspended as would prevent the senator moving a motion that, at question time on any day, questions may be put to ministers until 28 questions, including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

**Tabling of documents****13 Leader of the Opposition in the Senate (Senator Faulkner)****Leader of The Nationals 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, Cook, Ferguson, Hutchins, Kirk, Knowles, Lightfoot, Sandy Macdonald, Marshall, McLucas and Watson

**CATEGORIES OF COMMITTEES****Standing Committees**

Appropriations and Staffing

House

Library  
Privileges  
Procedure  
Publications  
Selection of Bills  
Senators' Interests

**Legislative Scrutiny Standing Committees**

Regulations and Ordinances  
Scrutiny of Bills

**Legislative and General Purpose Standing Committees**

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

**Select Committees**

A Certain Maritime Incident  
Medicare  
Ministerial Discretion in Migration Matters  
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.

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## 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*)

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### **Appropriations and Staffing—Standing Committee**

#### *Members*

The President (*Chairman*), the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and Senators Allison, Bolkus, Boswell, Ferris, Heffernan and Ray

#### *Reports presented*

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*)

38th report—Estimates for the Department of the Senate 2003-04 (*tabled 23 June 2003*)

39th report—Review of aspects of parliamentary administration (*tabled 23 June 2003*)  
Annual report for 2002-03 (*tabled 18 September 2003*)

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

#### *Members*

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

#### *Current inquiries*

Intelligence information received by Australia's intelligence services in relation to weapons of mass destruction (*referred 17 June 2003; reporting date: 1 March 2004*)

Intelligence Services Amendment Bill 2003 (*referred 15 October 2003*)

#### *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*)

Private review of agency security arrangements (*tabled 13 October 2003*)

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#### **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

##### *Current inquiries*

Recent trends in practices and methods of cybercrime (*adopted 6 March 2003*)

The Australian Crime Commission's response to the emerging trend of trafficking in women for sexual servitude (*adopted 26 June 2003*)

##### *Report presented*

Examination of the annual report for 2001-02 of the National Crime Authority (*tabled 30 October 2003*)

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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 Humphries (*Chair*), Senator Greig (*Deputy Chair*), Senators Barnett, Denman, Hutchins and Knowles

##### *Substitute member*

Senator Tchen to replace Senator Knowles from 22 August to 19 December 2003, inclusive

##### *Participating members*

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

Senator Allison for matters relating to the Health and Ageing portfolio

##### *Current inquiry*

Truth in Food Labelling Bill 2003 (*referred 29 October 2003; reporting date: 11 March 2004*)

*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*)  
 Additional estimates 2002-03, March 2003 (*tabled 19 March 2003*)  
 Annual reports (No. 1 of 2003), March 2003 (*tabled 20 March 2003*)  
 Health Legislation Amendment (Private Health Insurance Reform) Bill 2003 (*tabled 16 June 2003*)  
 Budget estimates 2003-04, June 2003 (*tabled 19 June 2003*)

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**Community Affairs References Committee***Members*

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

*Substitute members*

Senator Murray to replace Senator Lees for the committee's inquiry into children in institutional care  
 Senator Tchen to replace Senator Knowles from 22 August to 19 December 2003, inclusive

*Participating members*

Senators Abetz, Bishop, Carr, Chapman, Coonan, Crossin, Denman, Eggleston, Evans, Faulkner, Ferguson, Ferris, Forshaw, Harradine, Harris, Lightfoot, Ludwig, Mackay, 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  
 Senator Knowles from 22 August to 19 December 2003, inclusive

*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: 4 March 2004*)  
 Children in institutional care (*referred 4 March 2003; reporting date: 30 April 2004*)  
 Hepatitis C in Australia (*referred 19 August 2003; reporting date: 17 June 2004*)

*Reports presented*

Matters not disposed of at the end of the 39th Parliament (*tabled 14 February 2002*)  
 The patient profession: Time for action—Report on the inquiry into nursing (*tabled 26 June 2002*)  
 Participation requirements and penalties in the social security system [Family and Community Services Legislation Amendment (Australians Working Together and other 2001 Budget Measures) Bill 2002 and related issues] (*tabled 25 September 2002*)

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**Corporations and Financial Services—Joint Statutory Committee**

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

*Members*

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

*Current inquiries*

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

Australia's insolvency laws (*adopted 14 November 2002*)

Exposure draft of the Corporate Law Economic Reform Program (Audit Reform and Corporate Disclosure) Bill (*adopted 8 October 2003*)

*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*)

Review of the Australian Securities and Investment Commission (*tabled 26 March 2003*)

Corporations Amendment Regulations 2003 (No. 1), Statutory Rules 2003 No. 31 (*tabled 24 June 2003*)

Regulation 7.1.29 in Corporations Amendment Regulations 2003 (No. 3), Statutory Rules 2003 No. 85 (*tabled 26 June 2003*)

Inquiry into the disclosure of commissions on risk products (*tabled 12 August 2003*)

**Economics Legislation Committee***Portfolios*

Treasury; Industry, Tourism and Resources

*Members*

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

*Substitute members*

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

Senator Cherry to replace Senator Murray for the committee's consideration of the provisions of the Taxation Laws Amendment (Superannuation Contributions Splitting) Bill 2003 and associated regulations

*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, Mackay, Marshall, Mason, McGauran, Murphy, Payne, Ridgeway, Sherry, Stott Despoja, Tchen, Tierney and Wong

*Current inquiries*

Provisions of the Taxation Laws Amendment (Superannuation Contributions Splitting) Bill 2003 and associated regulations (*referred 17 September 2003; order varied 27 October 2003; reporting date: 4 December 2003*)

- \* Provisions of the Superannuation Safety Amendment Bill 2003 (*referred 3 December 2003; reporting date: 19 February 2004*)

*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*)

Additional estimates 2002-03, March 2003 (*tabled 19 March 2003*)

Corporations Amendment (Repayment of Directors' Bonuses) Bill 2002 (*tabled 19 March 2003*)

Annual reports (No. 1 of 2003), March 2003 (*tabled 20 March 2003*)

Additional estimates 2002-03, March 2003 (*tabled 20 March 2003*)

Energy Grants (Credits) Scheme Bill 2003 and Energy Grants (Credits) Scheme (Consequential Amendments) Bill 2003 (*tabled 24 March 2003*)

Corporations (Fees) Amendment Bill 2002, Corporations Legislation Amendment Bill 2002 and Corporations (Review Fees) Bill 2002 (*tabled 26 March 2003*)

Terrorism Insurance Bill 2003 (*tabled 14 May 2003*)

Designs Bill 2002 and Designs (Consequential Amendments) Bill 2002 (*presented to the President on 28 May 2003, pursuant to standing order 38(7); tabled 16 June 2003*)

Taxation Laws Amendment Bill (No. 4) 2003 (*tabled 19 June 2003*)

Taxation Laws Amendment Bill (No. 8) 2003 (*tabled 19 June 2003*)

Budget estimates 2003-04, June 2003 (*tabled 23 June 2003*)

New Business Tax System (Taxation of Financial Arrangements) Bill (No. 1) 2003 (*tabled 13 August 2003*)

Provisions of the Trade Practices Amendment (Personal Injuries and Death) Bill 2003 (*tabled 20 August 2003*)

Provisions of the Taxation Laws Amendment Bill (No. 5) 2003 (*tabled 21 August 2003*)

Provisions of the Financial Services Reform Amendment Bill 2003 (*tabled 21 August 2003*)

Provisions of the ACIS Administration Amendment Bill 2003 and the Customs Tariff Amendment (ACIS) Bill 2003 (*tabled 10 September 2003*)

Provisions of the Taxation Laws Amendment Bill (No. 7) 2003 (*tabled 10 September 2003*)

Annual reports (No. 2 of 2003), September 2003 (*tabled 10 September 2003*)

Provisions of the Energy Grants (Cleaner Fuels) Scheme Bill 2003 and the Energy Grants (Cleaner Fuels) Scheme (Consequential Amendments) Bill 2003 (*tabled 16 October 2003*) and errata (*tabled 24 October 2003*)

Late Payment of Commercial Debts (Interest) Bill 2003 (*tabled 29 October 2003*)

Provisions of the International Tax Agreements Amendment Bill 2003 (*presented to the President on 3 November 2003, pursuant to standing order 38(7); tabled 24 November 2003*)

- \* Financial Services Reform Amendment Bill 2003 and certain associated regulations (*tabled 3 December 2003*)

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## **Economics References Committee**

### *Members*

Senator Stephens (*Chair*), Senator Brandis (*Deputy Chair*), Senators Buckland, Chapman, Ridgeway and Webber

### *Substitute members*

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

Senator Murray to replace Senator Ridgeway for the committee's inquiry into the structure and distributive effects of the Australian taxation system

Senator Murray to replace Senator Ridgeway for the committee's inquiry into whether the *Trade Practices Act 1974* adequately protects small business

### *Participating members*

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

### *Current inquiries*

The structure and distributive effects of the Australian taxation system (*referred 12 December 2002; reporting date: last sitting day in June 2004*)

Whether the *Trade Practices Act 1974* adequately protects small business (*referred 25 June 2003; reporting date: 4 December 2003*)

### *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*)

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**Electoral Matters—Joint Standing Committee**

(appointed 14 February 2002)

*Members*

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

*Reports presented*

The integrity of the electoral roll: Review of ANAO report no. 42 of 2001-02 (*tabled 11 November 2002*)

The 2001 Federal Election: Report of the inquiry into the conduct of the 2001 Federal Election, and matters related thereto (*tabled 23 June 2003*)

Territory representation: Report of the inquiry into increasing the minimum representation for the Australian Capital Territory and the Northern Territory in the House of Representatives (*tabled 1 December 2003*)

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

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

*Portfolios*

Employment and Workplace Relations; Education, Science and Training

*Members*

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

*Substitute members*

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

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

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

*Participating members*

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

*Reports presented*

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

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

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

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

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

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

Workplace Relations Amendment (Paid Maternity Leave) Bill 2002 (*tabled 18 September 2002*)  
 Annual reports (No. 2 of 2002) (*tabled 18 September 2002*)  
 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*)  
 Additional estimates 2002-03, March 2003 (*tabled 19 March 2003*)  
 Annual reports (No. 1 of 2003), March 2003 (*tabled 20 March 2003*)  
 Workplace Relations Amendment (Termination of Employment) Bill 2002 (*tabled 26 March 2003*)  
 Workplace Relations Amendment (Protecting the Low Paid) Bill 2003—Interim report (*presented to the Deputy President on 2 May 2003, pursuant to standing order 38(7); tabled 13 May 2003*)  
 Budget estimates 2003-04, June 2003 (*tabled 19 June 2003*)  
 Workplace Relations Amendment (Protecting the Low Paid) Bill 2003 (*tabled 19 June 2003*)  
 Annual reports (No. 2 of 2003), September 2003 (*tabled 9 September 2003*)  
 Workplace Relations Amendment (Compliance with Court and Tribunal Orders) Bill 2003; provisions of the Workplace Relations Amendment (Codifying Contempt Offences) Bill 2003; Workplace Relations Amendment (Improved Remedies for Unprotected Action) Bill 2002 (*tabled 30 October 2003*)

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### **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

Senators Collins and Cook to replace Senators Carr and Crossin, respectively, for the committee's inquiry into the exposure draft of the Building and Construction Industry Improvement Bill 2003

Senator Johnston to replace Senator Barnett for the committee's inquiry into the exposure draft of the Building and Construction Industry Improvement Bill 2003

#### *Participating members*

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

#### *Current inquiry*

Exposure draft of the Building and Construction Industry Improvement Bill 2003 (*referred 16 October 2003*) and the provisions of the Building and Construction

Industry Improvement Bill 2003 and the Building and Construction Industry Improvement (Consequential and Transitional) Bill 2003 (*referred 3 December 2003; reporting date: 4 March 2004*)

*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*)

Education of students with disabilities—Corrigendum (*tabled 5 March 2003*)

Order for production of documents on university finances (*tabled 15 October 2003*)

Bridging the skills divide (*presented to the Deputy President on 6 November 2003, pursuant to standing order 38(7); tabled 24 November 2003*)

Hacking Australia's future: Threats to institutional autonomy, academic freedom and student choice in Australian higher education (*presented to the President on 7 November 2003, pursuant to standing order 38(7); tabled 24 November 2003*) and corrigenda (*presented to the President on 12 November 2003, pursuant to standing order 38(7); tabled 24 November 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

Senator Cherry to replace Senator Bartlett for matters relating to the Communications portfolio

*Participating members*

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

*Current inquiry*

Kyoto Protocol Ratification Bill 2003 [No. 2] (*referred 26 November 2003; reporting date: 4 March 2004*)

*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*)

Additional estimates 2002-03, March 2003 (*tabled 19 March 2003*)

Annual reports (No. 1 of 2003), March 2003 (*tabled 20 March 2003*)

Budget estimates 2003-04, June 2003 (*tabled 19 June 2003*)

Provisions of the Postal Services Legislation Amendment Bill 2003 (*tabled 19 August 2003*)

Annual reports (No. 2 of 2003), September 2003 (*tabled 9 September 2003*)

Communications Legislation Amendment Bill (No. 2) 2003 (*tabled 15 September 2003*)

Provisions of the Telstra (Transition to Full Private Ownership) Bill 2003 (*tabled 27 October 2003*)

Provisions of the Fuel Quality Standards Amendment Bill 2003 (*tabled 28 October 2003*)

Provisions of the Spam Bill 2003 and the Spam (Consequential Amendments) Bill 2003 (*tabled 29 October 2003*)

Plastic Bag Levy (Assessment and Collection) Bill 2002 [No. 2] and the Plastic Bag (Minimisation of Usage) Education Fund Bill 2002 [No. 2] (*tabled 26 November 2003*)

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

### *Members*

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

### *Participating members*

Senators Abetz, Allison, Bolkus, Boswell, Brown, Buckland, George Campbell, Carr, Chapman, Conroy, Coonan, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Harris, Humphries, 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 Wong for the committee's inquiry into the Australian telecommunications network

### *Current inquiries*

Australian telecommunications network (*referred 25 June 2002; reporting date: 12 February 2004*)

Competition in broadband services (*referred 26 June 2003; reporting date: last sitting day in March 2004*)

Regulation, control and management of invasive species (*referred 26 June 2003; reporting date: last sitting day in March 2004*)

Environment Protection and Biodiversity Conservation Amendment (Invasive Species) Bill 2002 (*referred 26 March 2003; order varied 26 June 2003; reporting date: last sitting day in March 2004*)

*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*)  
 Regulating the Ranger, Jabiluka, Beverley and Honeymoon uranium mines (*tabled 14 October 2003*)  
 Libraries in the online environment (*tabled 16 October 2003*)

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**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, O'Brien, 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*)  
 Additional estimates 2002-03, March 2003 (*tabled 19 March 2003*)  
 Annual reports (No. 1 of 2003), March 2003 (*tabled 20 March 2003*)  
 Budget estimates 2003-04, June 2003 (*tabled 19 June 2003*)  
 Annual reports (No. 2 of 2003), September 2003 (*tabled 9 September 2003*)

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**Finance and Public Administration References Committee**

*Members*

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

*Substitute members*

Senator Bartlett to replace Senator Ridgeway for the committee's inquiry into administrative review within the area of veteran and military compensation and income support

Senator Bishop to replace Senator Wong for the committee's inquiry into administrative review within the area of veteran and military compensation and income support

*Participating members*

Senators Abetz, Brandis, Carr, Chapman, Conroy, Coonan, Crossin, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Harris, Knowles, Lees, Lundy, Mackay, Mason, McGauran, Murphy, Murray, O'Brien, 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*)

Second year of operation of the Senate order for the production of lists of departmental and agency contracts (*ordered 18 June 2003*)

Administrative review within the area of veteran and military compensation and income support (*referred 19 June 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*)

A funding matter under the Dairy Regional Assistance Program (*tabled 26 June 2003*)

Recruitment and training in the Australian Public Service (*tabled 18 September 2003*)

Staff employed under the *Members of Parliament (Staff) Act 1984* (*tabled 16 October 2003*)

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**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*)

Relations with Indonesia (*adopted 22 August 2002*)

Australia's maritime strategy (*adopted 27 August 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 Australia-Indonesia Institute annual report for 2001-02 (*adopted 2 December 2002*)

Australia's defence relations with the United States (*adopted 26 November 2003*)

*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*)

Report of the 2003 New Zealand Parliamentary Committee Exchange, 6-11 April 2003 (*tabled 23 June 2003*)

Expanding Australia's trade and investment relationship with the countries of Central Europe (*tabled 15 September 2003*)

Review of the Defence annual report 2001-02 (*tabled 13 October 2003*)

Review of Foreign Affairs and Trade portfolio annual reports 2001-2002 (*tabled 13 October 2003*)

Immigration detention centres and the treatment of detainees (*statement made, by way of a report, 13 October 2003*)

Defence Sub-Committee visit to RAAF Williamtown, Darwin establishments, East Timor and RAAF Tindal, 14-17 July 2003 (*tabled 24 November 2003*)

**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, Conroy, 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

Senator Bartlett for matters relating to the Defence and Veterans' Affairs portfolio

*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*)  
 Additional estimates 2002-03, March 2003 (*tabled 19 March 2003*)  
 Annual reports (No. 1 of 2003), March 2003 (*tabled 20 March 2003*)  
 Budget estimates 2003-04, June 2003 (*tabled 19 June 2003*)  
 Export Market Development Grants Amendment Bill 2003 (*tabled 24 June 2003*)  
 Annual reports (No. 2 of 2003), September 2003 (*tabled 9 September 2003*)  
 Provisions of the Non-Proliferation Legislation Amendment Bill 2003 (*tabled 11 September 2003*)  
 Aspects of the *Veterans' Entitlements Act 1986* and the Military Compensation Scheme (*tabled 18 September 2003*)

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

#### *Members*

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

#### *Substitute members*

Senator Stott Despoja to replace Senator Ridgeway for the committee's inquiry into the performance of government agencies in the assessment and dissemination of security threats in South East Asia in the period 11 September 2001 to 12 October 2002

Senator Bartlett to replace Senator Ridgeway for the committee's inquiry into current health preparation arrangements for the deployment of Australian Defence Forces overseas

Senator Bishop to replace Senator Marshall for the committee's inquiry into current health preparation arrangements for the deployment of Australian Defence Forces overseas

Senator Bartlett to replace Senator Ridgeway for the committee's inquiry into the effectiveness of the Australian military justice system

Senator Evans to replace Senator Marshall for the committee's inquiry into the effectiveness of the Australian military justice system

#### *Participating members*

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

Senator Kirk for the committee's inquiry into the performance of government agencies in the assessment and dissemination of security threats in South East Asia in the period 11 September 2001 to 12 October 2002

Senator Bartlett for matters relating to the Defence and Veterans' Affairs portfolio

#### *Current inquiries*

An examination of the Government's foreign and trade policy strategy (*referred 10 December 2002; reporting date: last sitting day in 2003*)

The performance of government agencies in the assessment and dissemination of security threats in South East Asia in the period 11 September 2001 to 12 October 2002 (*referred 24 March 2003; reporting date: last sitting day in March 2004*)

Report by the Director of Trials of the Review of Test and Evaluation in Defence (*referred 14 May 2003 contingent upon the presentation of the document in the Senate*)

Current health preparation arrangements for the deployment of Australian Defence Forces overseas (*referred 19 June 2003*)

Effectiveness of the Australian military justice system (*referred 30 October 2003; reporting date: 12 May 2004*)

*Reports 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*)

Materiel acquisition and management in Defence (*tabled 27 March 2003*)

A Pacific engaged: Australia's relations with Papua New Guinea and the island states of the south-west Pacific (*tabled 12 August 2003*)

Voting on trade: The General Agreement on Trade in Services and an Australia-US free trade agreement (*tabled 27 November 2003*)

**House—Standing Committee**

*Members*

The President (*Chair*), the Deputy President, Senators Carr, Colbeck, Crossin, Lightfoot and Stephens

**Legal and Constitutional Legislation Committee**

*Portfolios*

Attorney-General; Immigration and Multicultural and Indigenous Affairs

*Members*

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

*Substitute member*

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

*Participating members*

Senators Abetz, Bishop, Brandis, Brown, Carr, Chapman, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Harris, Humphries, Kirk, Knowles, Lees, Lightfoot, Mackay, 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

*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*)

Statutory powers and functions of the Australian Law Reform Commission—Final report (*tabled 20 March 2003*)

Additional estimates 2002-03, March 2003 (*tabled 20 March 2003*)

Customs Legislation Amendment Bill (No. 2) 2002—Interim report (*tabled 25 March 2003*)

Customs Legislation Amendment Bill (No. 2) 2002 (*presented to the Temporary Chair of Committees, Senator Brandis, on 4 April 2003, pursuant to standing order 38(7); tabled 13 May 2003*)

Annual reports (No. 1 of 2003) (*tabled 15 May 2003*)

Human Rights Commission Legislation Bill 2003 (*presented to the Temporary Chair of Committees, Senator Brandis, on 29 May 2003, pursuant to standing order 38(7); tabled 16 June 2003*)

Human Rights Commission Legislation Bill 2003—Erratum (*presented to the Temporary Chair of Committees, Senator Collins, on 2 June 2003, pursuant to standing order 38(7); tabled 16 June 2003*)

Budget estimates 2003-04, June 2003 (*tabled 19 June 2003*)

Provisions of the Migration Legislation Amendment (Sponsorship Measures) Bill 2003 (*tabled 12 August 2003*)

Provisions of the Family Law Amendment Bill 2003 (*tabled 13 August 2003*)

Australian Protective Service Amendment Bill 2003 (*tabled 18 August 2003*)

Annual reports (No. 2 of 2003), September 2003 (*tabled 9 September 2003*)

Provisions of the Age Discrimination Bill 2003 (*tabled 18 September 2003*)

Provisions of the Migration Legislation Amendment (Identification and Authentication) Bill 2003 (*tabled 18 September 2003*)

Proposed government amendments to the Australian Protective Service Amendment Bill 2003 (*tabled 7 October 2003*)

Provisions of the Migration Legislation Amendment (Migration Agents Integrity Measures) Bill 2003 and the Migration Agents Registration Application Charge Amendment Bill 2003 (*tabled 25 November 2003*)

*Document presented*

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—Additional information (*tabled 27 March 2003*)

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**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 Stott Despoja to replace Senator Greig for the committee's inquiry into the establishment of an Australian republic with an Australian Head of State

Senator Murray to replace Senator Greig for the committee's consideration of the State Elections (One Vote, One Value) Bill 2001 [2002]

*Participating members*



Senators Abetz, Bishop, Brandis, Brown, Buckland, Carr, Chapman, Crossin, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Harris, Humphries, Knowles, Lees, Lightfoot, Ludwig, Mackay, Mason, McGauran, Murphy, Nettle, Sherry, Stott Despoja, Tchen, Tierney and Watson

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

*Current inquiries*

The capacity of current legal aid and access to justice arrangements to meet the community need for legal assistance (*referred 17 June 2003; reporting date: 3 March 2004*)

Establishment of an Australian republic with an Australian Head of State (*referred 26 June 2003*)

State Elections (One Vote, One Value) Bill 2001 [2002] (*referred 9 September 2003; reporting date: 1 March 2004*)

The needs of expatriate Australians (*referred 16 October 2003; reporting date: 1 September 2004*)

*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*)

Reconciliation: Off track (*tabled 9 October 2003*)

*Documents presented*

Sexuality discrimination—Additional information (*tabled 27 March 2003*)

**Library—Standing Committee**

*Members*

The President (*Chair*), Senators Kirk, Ludwig, Scullion, Tchen, Tierney and Wong

**Medicare—Select Committee**

(*appointed 15 May 2003; terms of appointment varied: 26 June and 21 August 2003; report tabled 30 October 2003; reappointed 25 November 2003*)

*Members*

Senator McLucas (*Chair*), Senator Barnett (*Deputy Chair*), Senators Allison, Forshaw, Humphries, Knowles, Lees, and Stephens

*Current inquiry*

Government's 'Medicare plus' package (*referred 25 November 2003; reporting date: 11 February 2004*)

*Report presented*

Medicare – healthcare or welfare? (tabled 30 October 2003)

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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 inquiry*

Review of skilled migration (referred 18 June 2002)

*Report presented*

2003 Review of Migration Regulation 4.31B (presented to the Deputy President on 29 April 2003, pursuant to standing order 38(7); tabled 13 May 2003)

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**Ministerial Discretion in Migration Matters—Select Committee**

(appointed 19 June 2003; terms of appointment varied 29 October 2003; reporting date: last day in February 2004)

*Members*

Senator Ludwig (*Chair*), Senator Santoro (*Deputy Chair*), Senators Bartlett, Humphries, Johnston, Sherry and Wong

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**National Capital and External Territories—Joint Standing Committee**

(appointed 14 February 2002)

*Members*

Senator Lightfoot (*Chair*), Senator Crossin (*Deputy Chair*), The Deputy President and Chairman of Committees, the Deputy Speaker, Senators 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)

Not a town centre: The proposal for pay parking in the Parliamentary Zone (tabled 13 October 2003)

\* Quis custodiet ipsos custodes? Inquiry into governance on Norfolk Island (tabled 3 December 2003)

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**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)

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**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, Mrs Ley, Mr McMullan, Mr Secker and Mr Snowdon

*Reports presented*

Examination of annual reports in fulfilment of the committee's duties pursuant to s.206(c) of the *Native Title Act 1993*—

2000-01 (tabled 12 December 2002)

2001-02 (*tabled 25 June 2003*)

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**Privileges—Standing Committee**

*Members*

Senator Ray (*Chair*), Senators Evans, Johnston, Humphries, McGauran†, Payne and Sherry

†Senator McGauran to be discharged from 22 December 2003 with Senator Knowles to be appointed in his place

*Current inquiries*

Matters arising from the joint meeting of the Senate and the House of Representatives on 23 October 2003 (*referred 29 October 2003*)

Matters arising from the joint meeting of the Senate and the House of Representatives on 24 October 2003 (*referred 29 October 2003*)

Whether there was any attempt improperly to interfere with a witness before the Rural and Regional Affairs and Transport Legislation Committee, and whether any contempt of the Senate was committed in that regard (*referred 2 December 2003*)

*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*)

113th report—Australian Press Council and Committee of Privileges: Exchange of correspondence (*tabled 25 June 2003*)

114th report—Execution of search warrants in senators' offices – Senator Harris: Matters arising from the 105th report of the Committee of Privileges (*tabled 20 August 2003*)

115th report—Persons referred to in the Senate (Board members of Electronic Frontiers Australia Inc.) (*tabled 18 September 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*)

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**Procedure—Standing Committee**

*Members*

The Deputy President (*Chair*), the President, the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and Senators Allison, Ian Campbell, Eggleston, Ferguson, Ludwig and Ray

*Current inquiries*

Recommendations in the Procedure Committee's first report of 2002 relating to standing order 74(5) (*referred 28 August 2002*)

Rules for joint meetings of the Parliament (*referred 28 October 2003*)

*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*)

First report of 2003—Times of meeting on Tuesday; Senators breastfeeding infants; Deadline for receipt of bills; Presentation of the budget; Committee meetings during adjournment debate; Formal motions (*presented to the Temporary Chair of Committees, Senator Sandy Macdonald, on 17 April 2003, pursuant to standing order 38(7); tabled 13 May 2003*)

Second report of 2003—Publication of questions on notice and answers: protection by parliamentary privilege (*tabled 21 August 2003*)

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**Public Accounts and Audit—Joint Statutory Committee**

*Members*

Mr Charles (*Chairman*), Ms Plibersek (*Vice Chairman*), Senators Lundy, Hogg, Humphries, 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 inquiry*

Management and integrity of electronic information in the Commonwealth (*referred 23 October 2002*)

*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*)

Report 394—Review of Australia's quarantine function (*tabled 5 March 2003*)

Report 395—Inquiry into the draft Financial Framework Legislation Amendment Bill (*tabled 20 August 2003*)

Report 396—Review of Auditor-General's reports 2002-03: First, second and third quarters (*tabled 8 October 2003*)

Report 397—Annual report 2002-03 (*tabled 26 November 2003*)

*Documents presented*

Executive minute responses to reports nos 373, 382, 383 and 385 (*tabled 14 November 2002*)

Executive minute responses to reports nos 374, 385, 388 and 389 (*tabled 24 June 2003*)

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**Public Works—Joint Statutory Committee**

*Members*

Mrs Moylan (*Chairman*), Mr BPJ O'Connor (*Deputy Chairman*), Senators Colbeck, Ferguson and Forshaw and Mr Jenkins, Mr Lindsay, Mr Lloyd and Mr Ripoll

*Reports presented*

Sixty-fifth annual report, March 2002 (*tabled 15 May 2002*)

Common use infrastructure on Christmas Island (First report of 2002) (*tabled 27 August 2002*)

RAAF Base Williamtown redevelopment stage 1 and facilities for the airborne early warning and control aircraft (Second report of 2002) (*tabled 18 September 2002*)

Sixty-sixth annual report, March 2003 (*tabled 19 March 2003*)

Proposed fit-out of new leased premises for the Bureau of Meteorology, 700 Collins Street, Docklands, Victoria (*tabled 26 March 2003*)

Development of off-base housing for Defence at Adamstown, Newcastle, NSW (*tabled 14 May 2003*)

Fit-out of new leased premises for the Australian Customs Service at Sydney International Terminal, Sydney, NSW (*tabled 19 June 2003*)

Provision of facilities for the Australian Capital Territory Multi User Depot, HMAS Harman, ACT (*tabled 25 June 2003*)

Redevelopment of the Australian Institute of Sport, Bruce, Australian Capital Territory (Fifth report of 2003) (*tabled 20 August 2003*)

Provision of facilities for the collocation and re-equipping of the 1st Aviation Regiment at Robertson Barracks, Darwin, NT (Sixth report of 2003) (*tabled 20 August 2003*)

- RAAF Base Tindal perimeter security fence, Katherine, Northern Territory (Seventh report of 2003) (*tabled 20 August 2003*)
- Construction of a new chancery building for the Australian High Commission, Colombo, Sri Lanka (Eighth report of 2003) (*tabled 10 September 2003*)
- Construction of a new chancery, New Delhi, India (Ninth report of 2003) (*tabled 17 September 2003*)
- Refurbishment of staff apartments, Australian Embassy complex, Paris, France (Tenth report of 2003) (*tabled 17 September 2003*)
- RAAF Base Richmond reinvestment project, Richmond, NSW (Eleventh report of 2003) (*tabled 15 October 2003*)
- New main entrance at the Lucas Heights Science and Technology Centre, Lucas Heights, NSW (Twelfth report of 2003) (*tabled 26 November 2003*)
- Proposed redevelopment of Radiopharmaceutical Building No. 23 at Lucas Heights, Sydney, NSW (Thirteenth report of 2003) (*tabled 26 November 2003*)
- Proposed development of off-base housing for Defence at Queanbeyan, NSW (Fourteenth report of 2003) (*tabled 2 December 2003*)
- Proposed respecified Christmas Island immigration centre and processing centre (Fifteenth report of 2003) (*tabled 2 December 2003*)
- Proposed community recreation centre on Christmas Island (Sixteenth report of 2003) (*tabled 2 December 2003*)
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#### **Publications—Standing Committee**

##### *Members*

Senator Colbeck (*Chair*), Senators Hutchins, Johnston, Kirk, Marshall, Moore and Scullion

##### *Reports presented*

- 1st report (*tabled 21 March 2002*)
- 2nd report (*tabled 29 August 2002*)
- 3rd report (*tabled 26 September 2002*)
- 4th report (*tabled 23 October 2002*)
- 5th report (*tabled 14 November 2002*)
- 6th report (*tabled 12 December 2002*)
- 7th report (*tabled 27 March 2003*)
- 8th report (*tabled 15 May 2003*)
- 9th report (*tabled 26 June 2003*)
- 10th report (*tabled 21 August 2003*)
- 11th report (*tabled 18 September 2003*)
- 12th report (*tabled 16 October 2003*)
- 13th report (*tabled 30 October 2003*)
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#### **Regulations and Ordinances—Legislative Scrutiny Standing Committee**

##### *Members*

Senator Tchen (*Chairman*), Senators Bartlett, Marshall, Mason, Moore and Santoro

##### *Current inquiry*

Provisions of the Legislative Instruments Bill 2003 and the Legislative Instruments (Transitional Provisions and Consequential Amendments) Bill 2003 (*referred 13 August 2003; reporting date: 16 October 2003*)

*Reports presented*

110th report—Annual report 2000-01 (*tabled 21 March 2002*)

111th report—Legislative Instruments Bill 2003 and Legislative Instruments (Transitional Provisions and Consequential Amendments) Bill 2003 (*tabled 16 October 2003*)

*Documents presented*

Ministerial correspondence relating to the scrutiny of delegated legislation, March – June 2002 (*tabled 26 June 2002*)

Delegated legislation monitor—Regulations and disallowable instruments tabled in the Senate in 2002, dated February 2003 (*tabled 6 March 2003*)

Ministerial correspondence relating to the scrutiny of delegated legislation, June 2002 to February 2003 (*tabled 6 March 2003*)

Ministerial correspondence relating to the scrutiny of delegated legislation, March to June 2003 (*tabled 20 August 2003*)

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

*Portfolios*

Transport and Regional Services; Agriculture, Fisheries and Forestry

*Members*

Senator Heffernan (*Chair*), Senator Buckland (*Deputy Chair*), Senators Cherry, Colbeck, Ferris and O'Brien

*Participating members*

Senators Abetz, Bishop, Boswell, Brown, Carr, Chapman, Coonan, Eggleston, Evans, Faulkner, Ferguson, Harradine, Harris, Hutchins, Knowles, Lightfoot, Mason, Sandy Macdonald, Mackay, McGauran, 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 under standing order 25(2)(b), 22 October 1999; readopted 13 March 2002; reporting date: 11 March 2004*)

Import risk assessment on New Zealand apples (*referred 2 November 2000; readopted 13 March 2002; reporting date: 11 March 2004*)

Administration of AusSAR in relation to the search for the *Margaret J* (*referred 25 June 2001; readopted 13 March 2002; reporting date: 11 March 2004*)

The application and expenditure of funds by Australian Wool Innovation Ltd (*adopted under standing order 25(2)(b), 26 May 2003*)

The administration of the Australian Transport Safety Bureau in relation to the crash of Whyalla Airlines aircraft VH-MZK on 31 May 2000 (*adopted under standing order 25(2)(b), 25 November 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*)  
 Additional estimates 2002-03, March 2003 (*tabled 19 March 2003*)  
 Annual reports (No. 1 of 2003), March 2003 (*tabled 20 March 2003*)  
 Dairy Industry Service Reform Bill 2003 and Primary Industries (Excise) Levies Amendment (Dairy) Bill 2003 (*tabled 27 March 2003*)  
 Wheat Marketing Amendment Bill 2002 (*tabled 18 June 2003*)  
 Budget estimates 2003-04, June 2003 (*tabled 19 June 2003*)  
 Civil Aviation Amendment Bill 2003 (*tabled 24 June 2003*)  
 Annual reports (No. 2 of 2003), September 2003 (*tabled 16 September 2003*)  
 Provisions of the Aviation Transport Security Bill 2003 and the Aviation Transport Security (Consequential Amendments and Transitional Provisions) Bill 2003 (*tabled 9 October 2003*)  
 Management of the quarantine risks associated with the possible return to Australia of sheep aboard the MV *Cormo Express* (*tabled 29 October 2003*)  
 Provisions of the Maritime Transport Security Bill 2003 (*tabled 27 November 2003*)  
 Draft Aviation Transport Security Regulations 2003 (*tabled 2 December 2003*)

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### **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, Mackay, 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: 11 March 2004*)

Rural water resource usage (*referred 21 October 2002; reporting date: 24 June 2004*)

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**Scrutiny of Bills—Legislative Scrutiny Standing Committee**

*Members*

Senator Crossin (*Chairman*), Senator Mason (*Deputy Chair*), Senators Barnett, Johnston, McLucas 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 (*tabled 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*)

No. 2 of 2003 (*tabled 5 March 2003*)

No. 3 of 2003 (*tabled 19 March 2003*)

No. 4 of 2003 (*tabled 26 March 2003*)

No. 5 of 2003 (*tabled 14 June 2003*)

No. 6 of 2003 (*tabled 18 June 2003*)

No. 7 of 2003 (*tabled 25 June 2003*)

No. 8 of 2003 (*tabled 13 August 2003*)

No. 9 of 2003 (*tabled 20 August 2003*)

No. 10 of 2003 (*tabled 10 September 2003*)

No. 11 of 2003 (*tabled 17 September 2003*)

No. 12 of 2003 (*tabled 8 October 2003*)

No. 13 of 2003 (*tabled 29 October 2003*)

No. 14 of 2003 (*presented to the President on 7 November 2003, pursuant to standing order 38(7); tabled 24 November 2003*)

No. 15 of 2003 (*tabled 26 November 2003*)

\* No. 16 of 2003 (*tabled 3 December 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*)

No. 2 of 2003 (*tabled 5 March 2003*)

No. 3 of 2003 (*tabled 26 March 2003*)

No. 4 of 2003 (*tabled 14 May 2003*)

No. 5 of 2003 (*tabled 18 June 2003*)

No. 6 of 2003 (*tabled 25 June 2003*)

No. 7 of 2003 (*tabled 13 August 2003*)

No. 8 of 2003 (*tabled 20 August 2003*)

No. 9 of 2003 (*tabled 10 September 2003*)

No. 10 of 2003 (*tabled 17 September 2003*)

No. 11 of 2003 (*tabled 8 October 2003*)

No. 12 of 2003 (*tabled 15 October 2003*)

No. 13 of 2003 (*presented to the President on 7 November 2003, pursuant to standing order 38(7); tabled 24 November 2003*)

No. 14 of 2003 (*tabled 26 November 2003*)

\* No. 15 of 2003 (*tabled 3 December 2003*)

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**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*)
- Report no. 2 of 2003 (*presented 5 March 2003*)
- Report no. 3 of 2003 (*presented 19 March 2003*)
- Report no. 4 of 2003 (*presented 26 March 2003*)
- Report no. 5 of 2003 (*presented 14 May 2003*)
- Report no. 6 of 2003 (*presented 18 June 2003*)
- Report no. 7 of 2003 (*presented 25 June 2003*)
- Report no. 8 of 2003 (*presented 13 August 2003*)
- Report no. 9 of 2003 (*presented 20 August 2003*)
- Report no. 10 of 2003 (*presented 10 September 2003*)
- Report no. 11 of 2003 (*presented 17 September 2003*)
- Report no. 12 of 2003 (*presented 8 October 2003*)
- Report no. 13 of 2003 (*presented 15 October 2003*)
- Report no. 14 of 2003 (*presented 29 October 2003*)
- Report no. 15 of 2003 (*presented 26 November 2003*)
- \* Report no. 16 of 2003 (*presented 3 December 2003*)

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**Senators' Interests—Standing Committee**

*Members*

Senator Denman (*Chair*), Senator Lightfoot (*Deputy Chair*), Senators Allison, Forshaw, Humphries, 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*)

Register of senators' interests incorporating statements of interests and notifications of alterations of interests lodged between 6 December 2002 and 19 June 2003 (*tabled 24 June 2003*)

Register of senators' interests incorporating notifications of alterations of interests lodged between 20 June and 27 November 2003 (*tabled 2 December 2003*)

*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*)

Report 1/2003: Annual report 2002 (*tabled 27 March 2003*)

*Document presented*

Declarations of senators' interests and gifts to the Senate and the Parliament: Resolutions, explanatory notes and related information (*tabled 16 October 2003*)

**Superannuation—Select Committee**

(*appointed 14 March 2002; final report tabled 10 September 2003*)

*Members*

Senator Watson (*Chair*), Senator Sherry (*Deputy Chair*), Senators Buckland, Chapman, Cherry, Lightfoot and Wong

*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 Industry (Supervision) Amendment Bill 2002 and Superannuation (Financial Assistance Funding) Levy Amendment Bill 2002 (*tabled 19 March 2003*)

Planning for retirement (*presented to the President on 29 July 2003, pursuant to standing order 38(7); tabled 11 August 2003*)

Draft Superannuation Industry (Supervision) Amendment Regulations 2003 and draft Retirement Savings Accounts Amendment Regulations 2003 (*tabled 10 September 2003*)

**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*)

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**Treaties—Joint Standing Committee**

(*appointed 14 February 2002*)

*Members*

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, Mr Scott and Dr Southcott

*Current inquiries*

Proposed agreement relating to US nationals and the International Criminal Court (*referred 2 December 2002*)

Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (*referred 26 November 2003; reporting date: 23 March 2004*)

*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*)

Report 51—Treaties tabled on 12 November and 3 December 2002 (*tabled 19 March 2003*)

Report 52—Treaties tabled in March 2003 (*tabled 26 June 2003*)

Report 53—Treaties tabled in May and June 2003 (*tabled 20 August 2003*)

Report 54—Treaties tabled in June and August 2003 (*tabled 17 September 2003*)

Report 55—Treaties tabled on 9 September 2002 (*tabled 16 October 2003*)

Report 56—Treaties tabled on 8 October 2003 (*tabled 1 December 2003*)

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**SENATE APPOINTMENTS TO STATUTORY AUTHORITIES**

**Advisory Council on Australian Archives**

Senator Faulkner—(*appointed 27 June 2002 for a period of 3 years*).

**Council of the National Library of Australia**

Senator Tierney (*appointed 14 February 2002 for a period of 3 years*).

**Parliamentary Retiring Allowances Trust**

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

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**HARRY EVANS**

Clerk of the Senate

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**MINISTERIAL REPRESENTATION**

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

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

## A GUIDE TO THE DAILY NOTICE PAPER

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

**Ministerial representation** lists Senate ministers and the portfolios they represent.

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## A GUIDE TO THE FULL NOTICE PAPER

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

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