

Procedural Information Bulletin No. 86

For the sitting period 30 May to 9 June 1994

PRIVILEGE

The question of whether Mr Roger Boland was deprived of an appointment under the Industrial Relations Act, which he might otherwise have received, because of his evidence to the Employment, Education and Training Committee on the Industrial Relations Reform Bill 1993 was referred to the Privileges Committee on 31 May. The matter was raised with the President on the basis of a press report which suggested that this had occurred. In granting precedence to the matter, the President observed that any suggestion that witnesses had been penalised had always been taken very seriously by the Senate. The Leader of the Government in the Senate made a statement substantially denying the allegations in the press report, but the President having also observed that the Privileges Committee was best equipped to ascertain the truth of the matter, the motion was passed.

The Privileges Committee presented its 48th Report on 8 June on an alleged unauthorised disclosure of draft recommendations of the Joint Committee on Migration. The Committee reported that, as with most cases of unauthorised disclosure, it was unable to determine whether there was an unauthorised disclosure or who was responsible.

DELEGATED LEGISLATION

On 2 June Senator Bell tabled by leave some regulations under the Education Services for Overseas Students (Registration of Providers and Financial Regulation) Act and then gave notices of motion to disallow the regulations. By tabling the regulations himself rather than waiting for them to be laid before the Senate in the normal course, he was able to give his disallowance notices earlier than would otherwise have been the case.

Tabling of regulations by a senator in this way is effective for the purposes of the relevant statutory disallowance provisions. The High Court so held in *Dignan v*

Australian Steamships Pty Ltd 1931 45 CLR 188, after regulations had been tabled by a private senator and disallowed in that year, and there have been other precedents.

LEGISLATION REJECTED, AMENDED

Three bills were negatived at second reading, that is, rejected by the Senate, on 1 June: the Petroleum (Submerged Lands) (User Charge) Bill 1994, the Offshore Minerals (Exploration Licence User Charge) Bill 1993 and the Offshore Minerals (Retention Licence User Charge) Bill 1993. Another bill in the accompanying package was consequently amended.

On 8 June the Senate resolved to insist on requests for amendments to the Student Assistance Amendment Bill 1994 to which the House of Representatives had earlier disagreed. All non-government senators voted to insist on the requests, which related to provisions concerning Austudy which were contrary to announcements made by the government.

The Industrial Relations Amendment Bill 1994 was amended on 1 June on the motion of the Opposition in relation to the functions of a committee and the keeping of a register which was stated in debate to be of no practical use.

The Moomba-Sydney Pipeline System Sale Bill 1994 was extensively amended on 7 June.

PRIVATE SENATOR'S BILL

Senator Watson was again successful on 2 June in having a private senator's bill relating to taxation passed by the Senate. The bill relates to sales tax on certain kinds of utility vehicles.

ORDER FOR PRODUCTION OF DOCUMENTS

Reference was made in Bulletin No. 85 (pp 1-2) of the refusal of ministers to provide documents relating to leases involving Commonwealth agencies in response to an order of the Senate, and the censure of the ministers concerned. Senator Campbell, who moved the motion for the order, on 8 June gave contingent notices of motion which would allow him to move to impose "penalties" on the Minister for Trade, Senator McMullan, including preventing Senator McMullan introducing bills.

COMMITTEES

The Industry, Science, Technology, Transport, Communications and Infrastructure Committee received on 7 June, against the wishes of the government, a reference relating to rural research by the CSIRO, a matter which had caused some controversy.

The Select Committee on Certain Aspects of Foreign Ownership Decisions in Relation to the Print Media presented a voluminous first report on 9 June concerning allegations that the Prime Minister had allowed Mr Conrad Black to increase his investment in Australian newspapers in return for "balanced" election coverage. The Committee's report, containing a dissenting report by the government members of the Committee, included advice provided to the Committee on the powers of the Senate to compel evidence. The report was the subject of immediate and acrimonious debate.

The following committee reports were presented during the period:

Date tabled	Committee	Title
30.05.94	Legal and Constitutional Affairs	Report on Gender Bias and the Judiciary
30.05.94	Superannuation	Report on Super for Housing
31.05.94	Privileges	47th Report, Person referred to in the Senate (Councillor Michael Samaras)
31.05.94	Rural and Regional Affairs	Report on Plant Breeder's Rights Bill 1994
01.06.94	Scrutiny of Bills	7th Report and Alert Digest No. 8 of 1994
02.06.94	Electoral Matters	Report on Women, Elections and Parliament
02.06.94	Rural and Regional Affairs	Report on a Matter Arising from the Committee's Consideration of the Plant Breeder's Rights Bill 1994
02.06.94	Estimates Committees A — F	Reports

07.06.94	Legal and Constitutional Affairs	Report on the Witness Protection Bill 1994
07.06.94	Legal and Constitutional Affairs	Interim Report on the Evidence Bill 1994
08.04.94	Privileges	48th Report, Possible improper disclosure of document or proceedings of Migration Committee
08.06.94	Scrutiny of Bills	8th Report and Alert Digest No. 9 of 1994
09.06.94	Certain Aspects of Foreign Ownership Decisions in Relation to the Print Media	First Report, Percentage Players, The 1991 and 1993 Fairfax Ownership Decisions
09.06.94	Community Affairs	Report on Breast Cancer Screening and Treatment in Australia
09.06.94	Senators' Interests	First Report, Arrangements for the Compilation, Maintenance and Accessibility of a Register of Senators' Interests and Register of Senators' Interests