

No. 132

for the sitting periods 11-14 May and 24-27 May 1999

31 May 1999

LEGISLATION

The first week of the period was occupied with lengthy consideration of the government's taxation package, and several major amendments to the principal bill were dealt with. Consideration of the legislation was effectively suspended after Senator Harradine's statement on 14 May that he would not support it beyond the committee stage. Attention then moved to other legislation, the government securing the co-operation of the Senate to alter the order in which government legislation was considered.

The focus was then on the Broadcasting Services Amendment (Online Services) Bill, the government's controversial legislation to control material on the Internet. This bill was also considered and amended, including by non-government amendments, and finally passed on 26 May.

The legislation to privatise Wool International was passed with an amendment moved by a government backbencher on 27 May. The Financial Sector Reform package of bills was also passed with extensive amendments on the same day. These bills were considered during the period for non-controversial legislation on Thursday, again indicating that "non-controversial" does not mean "free of amendment".

Consideration was resumed of the telecommunications package of bills, including the bill to fully privatise Telstra. The bills were given a second reading on 27 May and extensively amended but consideration of them was not concluded.

PARLIAMENTARY PRIVILEGE

The Privileges Committee received on 27 May a complex reference arising from the tabling by the Community Affairs References Committee of the responses by witnesses before the committee to the Allars report (see Bulletin No. 131, p. 1). The committee raised with the

President a matter of privilege based on the committee's assessment that, in the compilation and subsequent treatment of the Allars report, the following contempts of the Senate may have been committed:

- witnesses who gave evidence before the committee may have been punished for their evidence by the inclusion of certain material in the report and its subsequent publication by the department
- the proceedings of the committee may have been misused in order to make damaging statements about, and to inflict harm upon, witnesses before the committee
- the proceedings of the committee may have been misrepresented
- there may have been an unauthorised publication of a document compiled for submission to the committee and submitted to the committee.

The President gave the matter precedence and a motion to refer it to the Privileges Committee was immediately moved under the provision in standing order 81 relating to matters determined by the President on the last day of a sitting period when the Senate is to rise for a week or more.

DELEGATED LEGISLATION

The Regulations and Ordinances Committee presented a special report on 27 May relating to its scrutiny of orders made under the Financial Management and Accountability Act. The committee undertook a very lengthy and thorough examination of these orders to determine whether they contained matters more appropriate for parliamentary enactment, a criterion of the committee not often invoked. The committee eventually came to the conclusion that the orders should be allowed to stand, but received undertakings from the government to amend them.

COMMITTEES

The Legal and Constitutional References Committee received from the Senate on 13 May a very detailed reference on Australia's refugee and humanitarian program, covering many specific matters including some specific cases of alleged deprivation of human rights. The reference was influenced by recent controversy about allegations of maltreatment of refugees.

The government's legislation for the referendum on establishing a republic was referred to a joint select committee on the motion of the government on 25 May. The legislation has been issued in draft form but has not yet been introduced into either House.

The following committee reports were presented during the period:

Date tabled	Committee	Title
11.5	Environment, Communications, Information Technology and the Arts Legislation	Report—Radiocommunications Legislation Amendment Bills
“	Information Technologies	Report—Broadcasting Services Amendment (Online Services) Bill 1999
12.5	Scrutiny of Bills	8 th Report of 1999
“	Legal and Constitutional Legislation	Additional Information—Estimates 1998-99 and Additional Estimates 1998-99
“	Corporations and Securities	Report—Corporate Law Economic Reform Program Bill 1998
13.5	Economics Legislation	Report—Financial Sector Reform Bills
25.5	Employment, Workplace Relations, Small Business and Education Legislation	Report—Higher Education Legislation Amendment Bill 1999
“	Community Affairs Legislation	Report—A New Tax System (Family Assistance) Bills
“	Community Affairs Legislation	Report—Compensation for Non-economic Loss (Social Security and Veterans’ Entitlements Legislation Amendment) Bill 1999
“	Rural and Regional Affairs and Transport Legislation	Report—Wool International Privatisation Bill 1999
26.5	Scrutiny of Bills	9 th Report of 1999 and Alert Digest No. 8 of 1999
27.5	Community Affairs Legislation	Additional Information—Additional Estimates 1998-99
“	Economics Legislation	Report—Taxation Laws Amendment Bill (No. 2) 1999
“	Regulations and Ordinances	107 th Report
“	Environment, Communications, Information Technology and the Arts References	Report—Commonwealth Environment Powers

Inquiries: Clerk's Office

☎ (02) 6277 3364