



**SENATE STANDING COMMITTEE  
ON ENVIRONMENT, RECREATION AND  
THE ARTS**

**REPORT ON THE CONSIDERATION OF THE  
AUSTRALIAN NATIONAL MARITIME MUSEUM  
BILL 1989 [1990]**

**13 SEPTEMBER 1990**

**SENATE STANDING COMMITTEE ON ENVIRONMENT,  
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**REPORT ON THE CONSIDERATION OF**

**THE AUSTRALIAN NATIONAL MARITIME MUSEUM BILL 1989 [1990]**

In accordance with the resolution of the Senate of 24 August relating to the recommendations of the Selection of Bills Committee Report No. 1 of 1990, the following Bill was transmitted to this Committee for report by 13 September 1990: *Australian National Maritime Museum Bill 1989 [1990]*.

For the purpose of the efficient examination of Bills transmitted to it, the Committee adopted a procedural resolution (see Appendix 1). The procedures stipulate, in part, that the Senate's standing orders shall apply; that proceedings shall be in public; that a Hansard record shall be taken and published; and that a bill may be dealt with as a whole, or clause by clause or by groups of clauses, with the postponement of clauses being permitted. The procedures also provide that the minister in charge of the bill, or another minister or parliamentary secretary on his or her behalf, shall be present throughout the proceedings.

On Wednesday 12 September 1990 the Committee met in public session to examine the Bill. The Minister representing the Minister for the Arts, Sport, the Environment, Tourism and Territories, the Hon. G. Richardson, attended accompanied by officials.

The Committee considered the Bill by clauses and groups of clauses. Senator Chapman suggested amendments, the effect of which would be to remove the age limit for retirement of the Members of the Museum Council and the Museum's Director. Those amendments were:

1. Clause 17, page 8, lines 26 to 29, leave out subclause 4.
2. Clause 30, page 13, lines 36 to 29, leave out subclause 2.

Appendix 2 shows the effect of those amendments on the Bill. The motions to recommend these amendments were defeated on the vote of the Committee.

Further, the Committee considered amendments suggested by Senator Richardson. The effect of those amendments would be to change the Bill's provisions relating to the destruction of items no longer required and to ensure that Ministerial directions be tabled within six sitting days of being given. Another amendment would provide requirements for the Museum's Annual Report. Those amendments were:

1. Page 7, clause 10, lines 3 to 6, leave out subclause (3), insert the following subclause:

'(3) The Council shall not determine that material included in the national maritime collection be disposed of by destruction unless the Council is satisfied that the material cannot be disposed of by sale, exchange or gift.'

2. Page 7, clause 14, at the end of the clause add the following subclauses:

'(3) The Minister shall cause a copy of each direction to be laid before each House of the Parliament within 6 sitting days of that House after the direction is given.'

'(4) A direction that is not laid before each House of the Parliament in accordance with subsection (3) ceases to have effect.'

3. Page 18, clause 48, lines 20 to 23, leave out subclause (3), insert the following subclause:

'(3) Each annual report submitted by the Museum under section 63M of the *Audit Act 1901*, as that section applies because of subsection (1) of this section, shall include:

- (a) particulars of each direction given by the Minister to the Council under section 14 of this Act during the financial year to which the report relates;
- (b) any operational plan, or revision of an operational plan, that came into force during the financial year; and
- (c) an assessment of the extent to which the Museum's operations during the financial year have contributed to the objectives set out in the strategic plan and the operational plan that were in force during the financial year.'

The motions to recommend these amendments were carried on the voices.

The Committee therefore recommends the Bill and the approved amendments to the Senate.

Rosemary Crowley  
Chair

**Procedural Resolution adopted by the Committee  
for considering Bills**

That the following procedures be adopted when the committee is considering the clauses of a bill referred by the Senate following a report from the Selection of Bills Committee:

- (1) Except as provided in paragraphs (2) to (4) below, and unless otherwise determined, the procedure shall be the same as that applying in the committee of the whole Senate. In particular,
  - (a) the Senate's standing orders shall apply;
  - (b) proceedings shall be in public;
  - (c) a Hansard record shall be taken and published;
  - (d) the Senate's rules for the radio and television broadcasting and rebroadcasting of proceedings shall apply and be restricted to the output by the Sound and Vision Office through the parliamentary system and, in the case of television, it is noted that the facilities available limit the coverage to one committee room;
  - (e) a bill may be dealt with as a whole, or clause by clause or by groups of clauses, with the postponement of clauses being permitted;
  - (f) the minister in charge of the bill, or another minister or parliamentary secretary on his or her behalf, shall be present throughout the proceedings;
  - (g) official advisers to the minister and the opposition shadow minister shall not be seated at the table but shall be seated so as to be similarly accessible to the minister and shadow minister respectively as in the chamber;
  - (h) the staff of senators may not enter the 'chamber area' as defined by the chair, but may ask an attendant to pass messages.
- (2) The committee chair shall be in charge of proceedings as if he or she were a temporary chair of committees, but shall also have the right to enter into debate.

- (3) When a division is required on a question, or when a request is made by the minister (or parliamentary secretary) or a committee member to enable information to be sought, consultation to occur or an amendment to be drafted, short suspensions of proceedings may be declared by the chair.
- (4) Any senator may participate in the debate, but the chair may give priority to a senator who is a member of the committee, to the minister (or parliamentary secretary), and to a senator who is the recognised spokesperson on the subject of the bill for the opposition or a minor party.

**Effect of Senator Chapman's Proposed Amendments  
on the Bill**

To delete:

- Clause 17 (4)      A person who has attained the age of 65 years shall not be appointed as a member and a person shall not be appointed as a member for a period that extends beyond the day on which the person will attain the age of 65 years.
- Clause 30 (2)      A person who has attained the age of 65 years shall not be appointed as Director and a person shall not be appointed as Director for a period that extends beyond the day on which the person will attain the age of 65 years.