



Senate Daily Summary

Thursday 24, Friday 25 and Saturday
26 June 2004

The Senate met from 9.30am until midnight on Thursday 24 June, and from 9.00am on Friday 25 June until 1.57am on Saturday 26 June 2004

Privilege

The President made [a statement](#) relating to a matter of privilege concerning the unauthorised disclosure of a draft report of the Community Affairs References Committee. [The Senate agreed to a motion](#) moved by Senator McLucas that the matter be referred to the Committee of Privileges.

Legislation

[For full text of bills and other associated documents click here](#)

The following bills were introduced in the Senate

- ❑ Crimes Legislation Amendment (Telecommunications Offences and Other Measures) Bill 2004
- ❑ Customs Legislation Amendment (Airport, Port and Cargo Security) Bill 2004

The following bills were passed

[and also see *Messages from the House of Representatives*]

Without amendments or requests

[These bills will now be assented to]

- ❑ Appropriation Bill (No. 1) 2004-2005
- ❑ Appropriation Bill (No. 5) 2003-2004
- ❑ Appropriation Bill (No. 6) 2003-2004
- ❑ Appropriation (Parliamentary Departments) Bill (No. 1) 2004-2005
- ❑ Australian Energy Market Bill 2004
- ❑ Excise and Other Legislation Amendment (Compliance Measures) Bill 2004
- ❑ Family and Community Services and Veterans' Affairs Legislation Amendment (Income Streams) Bill 2004
- ❑ Family and Community Services and Veterans' Affairs Legislation Amendment (Sugar Reform) Bill 2004
- ❑ Health Legislation Amendment (Podiatric Surgery and Other Matters) Bill 2004
- ❑ Higher Education Legislation Amendment Bill (No. 2) 2004

- ❑ Industrial Chemicals (Notification and Assessment) Amendment (Low Regulatory Concern Chemicals) Bill 2004
- ❑ Tax Laws Amendment (2004 Measures No. 3) Bill 2004
- ❑ Trade Practices Amendment (Australian Energy Market) Bill 2004
- ❑ Treasury Legislation Amendment (Professional Standards) Bill 2004
- ❑ Veterans' Entitlements Amendment (Direct Deductions and Other Measures) Bill 2004

With amendments

- ❑ Agriculture, Fisheries and Forestry Legislation Amendment (Export Control) Bill 2004–1 Opposition [amendment agreed to](#) [The House of Representatives agreed to the amendment made by the Senate. The bill will now be assented to.]
- ❑ Customs Legislation Amendment (Airport, Port and Cargo Security) Bill 2004–5 Democrat [amendments agreed to](#) [The House of Representatives agreed to the amendments made by the Senate. The bill will now be assented to.]
- ❑ Electoral and Referendum Amendment (Enrolment Integrity and Other Measures) Bill 2004–1 Democrat and 6 Opposition [amendments agreed to](#), and 31 items omitted [The House of Representatives will now consider the amendments made by the Senate]
- ❑ National Health Amendment (Pharmaceutical Benefits–Budget Measures) Bill 2002 [No. 2]–3 [Government amendments](#) agreed to and 1 item omitted [The Senate agreed to restore the bill to the Notice Paper earlier in the day. The House of Representatives agreed to the amendments made by the Senate. The bill will now be assented to.]
- ❑ Superannuation Budget Measures Bill 2004–3 Independent [amendments agreed to](#) [The House of Representatives disagreed to the amendments made by the Senate. The Senate resolved not to insist on the amendments to which the House of Representatives disagreed and [made amendments](#) in place of those amendments (13 Independent amendments). The House agreed to these amendments. The bill will now be assented to.]
- ❑ Workplace Relations Amendment (Codifying Contempt Offences) Bill 2003–3 Government (1 amended by 6 Democrat) and 6 Democrat [amendments agreed to](#) [The House of Representatives will now consider the amendments made by the Senate]

The following bills were defeated by a majority vote

- ❑ Marriage Amendment Bill 2004 [The bill was defeated [at first reading stage](#)]
- ❑ Sex Discrimination Amendment (Teaching Profession) Bill 2004 [The bill was defeated at [second reading stage](#)]

The following messages from the House of Representatives were considered

- ❑ Appropriation Bill (No. 2) 2004-2005–The message reported that the House of Representatives did not agree to the [amendment made by the Senate](#). [The Senate [resolved](#) not to insist on the amendment to which the House disagreed. The bill will now be assented to.]
- ❑ Anti-terrorism Bill 2004–The message reported that the House of Representatives agreed to [amendments](#) nos 1 to 8 made by the Senate and disagreed to amendments nos 9 and 10. [The Senate [resolved](#) not to insist on the amendments disagreed to by the House. The bill will now be assented to.]
- ❑ Corporate Law Economic Reform Program (Audit Reform and Corporate Disclosure) Bill 2003–The message reported that the House of Representatives agreed to amendments nos 1 to 11, 21 to 27, 35, 37 to 42, 45 to 84, 87 to 90, 93 to 107, 111 to 113, 120 to 126, 128, 129, 131 to 133, 136, 148 to 153, 179 to 222 and 224 made by the Senate and disagreed to amendments nos 12 to 20, 28 to 34, 36, 43, 44, 85, 86, 91, 92, 108 to 110, 114 to 119, 127, 130, 134, 135, 137 to 147, 154

to 178, 223 and 225. [The Senate resolved not to insist on its amendments to which the House of Representatives had disagreed, and agreed to 12 further amendments (moved jointly by the Australian Democrats and the Opposition). The House agreed to the further amendments made by the Senate. The bill will now be assented to.]

- ❑ Extension of Charitable Purpose Bill 2004—The message reported that the House of Representatives disagreed to [the amendment made by the Senate](#). [The Senate resolved not to insist on the amendment to which the House of Representatives disagreed. The bill will now be assented to.]
- ❑ Superannuation Laws Amendment (2004 Measures No. 2) Bill 2004—The message reported that the House of Representatives disagreed to [the amendments made by the Senate](#). [The Senate resolved to insist on its amendments to which the House of Representatives had disagreed. The House insisted on disagreeing to the amendments made and insisted on by the Senate and made amendments in place of those amendments. The Senate resolved not to further insist on its amendments disagreed to by the House and agreed to [the amendments made by the House](#) in place of those amendments. This bill will now be assented to.]
- ❑ Taxation Laws Amendment Bill (No. 7) 2003—The message reported that the House of Representatives agreed to the amendments [made and insisted on by the Senate](#) and disagreed to [the further amendment](#) [The Senate resolved not to insist on the further amendment to which the House of Representatives had disagreed. This bill will now be assented to.]
- ❑ Trade Practices Amendment (Personal Injuries and Death) Bill (No. 2) 2004—The message reported that the House of Representatives did not agree to the [amendments](#) made by the Senate [The Senate resolved not to insist on the amendments to which the House of Representatives had disagreed and [made amendments](#) in place of those amendments (4 Government amendments). The House agreed to these amendments. The bill will now be assented to.]

The following messages from the House of Representatives were reported

- ❑ Superannuation Legislation Amendment (Choice of Superannuation Funds) Bill 2004—The message reported that the House of Representatives agreed to the [amendments made by the Senate](#) [This bill will now be assented to]
- ❑ Veterans' Entitlements (Clarke Review) Bill 2004—The message reported that the House of Representatives agreed to the [amendments made by the Senate](#) [This bill will now be assented to]

The following bills were exempted from the cut-off order [to enable consideration this period of sittings]

- ❑ Australian Energy Market Bill 2004
- ❑ Customs Legislation Amendment (Airport, Port and Cargo Security) Bill 2004
- ❑ Family and Community Services and Veterans' Affairs Legislation Amendment (Sugar Reform) Bill 2004
- ❑ Higher Education Legislation Amendment Bill (No. 2) 2004
- ❑ Trade Practices Amendment (Australian Energy Market) Bill 2004

Assent to laws

[Assent to a number of laws](#) was reported in the Senate

Documents tabled

- ❑ Corporate Code of Conduct Bill 2004—Exposure draft and explanatory statement—by Senator Stott Despoja

See the **Committees** section for details of reports relating to legislation

Delegated legislation

[For a complete list of notices of motion to disallow \(and outcomes\) click here](#)

Disallowance motion defeated

[The Senate debated a motion](#) to disallow the Lands Acquisition Amendment Regulations 2004 (No. 2), as contained in Statutory Rules 2004 No. 82 and made under the *Lands Acquisition Act 1989*. The Senate agreed **not** to disallow the regulations.

See the **Documents** section for details of instruments [*Clerk's documents*] tabled

Committees

[For scheduled public committee hearings click here](#)

[For committee reports click here](#)

Estimates

Additional information

- ❑ Environment, Communications, Information Technology and the Arts Legislation Committee—Additional estimates 2003-04
- ❑ Foreign Affairs, Defence and Trade Legislation Committee—Additional estimates 2003-04

Reports tabled

- ❑ Budget estimates 2004-05—Foreign Affairs, Defence and Trade Legislation Committee
- ❑ Examination of annual reports for 2002-2003—Native Title and the Aboriginal and Torres Strait Islander Land Fund Joint Committee
- ❑ Free Trade Agreement between Australia and the United States of America Select Committee—Interim report
- ❑ Human rights and good governance education in the Asia Pacific—Foreign Affairs, Defence and Trade Joint Committee
- ❑ Publications Committee—[18th Report](#) [report adopted]
- ❑ Review of aviation security in Australia—400th report—Public Accounts and Audit Joint Committee
- ❑ The structure and distributive effects of the Australian taxation system—Economics References Committee
- ❑ Trafficking of women for sexual servitude—Australian Crime Commission Joint Committee

Documents tabled

- ❑ Hepatitis C and the blood supply in Australia—Community Affairs References Committee—Additional information
- ❑ Superannuation Budget Measures Bill 2004, Superannuation Laws Amendment (2004 Measures No. 1) Bill 2004 and Superannuation Laws Amendment (2004 Measures No. 2) Bill 2004—Economics Legislation Committee—Corrigendum to report

Government responses

Government response to President's report on Government responses tabled

Government response to the schedule of government responses outstanding to committee reports tabled by the President of the Senate on 4 December 2003

President's report on Government responses tabled

President's report on government responses outstanding to committee reports as at 24 June 2004

Membership

The Senate agreed to the following changes to committee membership:

- ❑ Community Affairs References Committee—Senator Allison to replace Senator Lees and Senator Forshaw to replace Senator Moore for the committee's inquiry into aged care; Senators Lees and Moore to be participating members
- ❑ Economics Legislation Committee—Senator Ridgeway to replace Senator Murray for the committee's inquiry into the Textile, Clothing and Footwear Strategic Investment Program Amendment (Post-2005 scheme) Bill 2004 and a related bill; Senator Murray to be a participating member
- ❑ Finance and Public Administration References Committee—Senator Murray to replace Senator Ridgeway for the committee's inquiry into government advertising and accountability; Senator Ridgeway to be a participating member
- ❑ Scrutiny of Bills Committee—Discharged: Senator Crossin; appointed: Senator Marshall

New inquiries

The Senate agreed to the following new inquiries:

- ❑ Budgetary and environmental implications of the Government's Energy White Paper—Environment, Communications, Information Technology and the Arts References Committee—to report by 2 September 2004
- ❑ Workplace Relations Amendment (Codifying Contempt Offences) Bill 2003—[Proposed Schedule 1B](#) as contained in amendment (2) moved by Senator Murray on [sheet \[4266\]](#)—Employment, Workplace Relations and Education Legislation Committee—to report by 30 November 2004

Reporting dates

The Senate agreed to the following extension of time for committees to report:

- ❑ Children in institutional care—Community Affairs References Committee—to report by 31 August 2004
- ❑ Commonwealth Electoral Amendment (Preventing Smoking Related Deaths) Bill 2004—Economics Legislation Committee—to report by 30 September 2004

Motions agreed to

The Senate agreed to motions about:

- ❑ [Involvement of children](#) in armed conflict—Optional Protocol—moved by Senator Nettle
- ❑ [Midwives](#)—moved by Senator Ridgeway
- ❑ [National Water Initiative](#)—moved by Senator Brown

- [Parliamentary zone](#)—proposal by the Department of Parliamentary Services to enhance the security around Parliament House. The President made [a statement](#) relating to the proposed capital works.

Motions defeated

The Senate did not agree to motions about:

- [Conventional weapons treaties](#)—moved by Senator Nettle
- [Educational Textbook Subsidy Scheme](#)—University of New South Wales and Monash University bookshops—moved by Senator Stott Despoja
- [People's Mojahedin Organisation of Iran](#)—moved by Senator Cherry

Questions on notice—failure to provide answers

Senator Allison asked the Minister representing the Minister for Agriculture, Fisheries and Forestry for an explanation for answers not being provided to questions on notice nos 2853 and 2854 relating to government advertising. [The Minister indicated](#) that answers would be provided.

Senator Allison asked the Minister representing the Minister for the Environment and Heritage for an explanation for answers not being provided to questions on notice nos 2855, 2856, 2857 and 2858 relating to the Natural Heritage Trust. [The Minister indicated](#) that an explanation would be provided.

Notices of motion

[For other notices of motion not mentioned elsewhere click here](#)

Orders for the production of documents

Motion agreed to

[The Senate ordered](#) the tabling of certain correspondence between Environment Australia and Hutchison 3G and Telstra in relation to the installation of videophone facilities in Oatley Park, Leichardt and Coogee (by 3pm on 30 June 2004)—moved by Senator Nettle

Statements by Ministers

- The Minister for Revenue and Assistant Treasurer made a statement relating to the order of the Senate [agreed to on [23 June 2004](#)] requiring the tabling of a copy of that part of the Office of National Assessments' (ONA) classified document log which relates to requests for, and movements of, the December 2002 ONA report on the humanitarian impact of the war in Iraq, during the period 16 June to 23 June 2003 (no later than 4pm on 24 June 2004). [The Special Minister of State indicated](#) that the government would not comply with the order. Senators [Faulkner](#) and [Ray](#) made statements relating to the matter.

The Minister for Local Government, Territories and Roads made statements relating to two orders of the Senate:

- Any assessment or analysis of the synthetic aperture radar work commissioned or acquired by Geoscience Australia, or related documents by the Minister representing the Minister for Industry, Tourism and Resources (no later than 6.30pm on 24 June 2004) [agreed to [23 June 2004](#)]. [The Minister indicated](#) that the documents would be provided by 3 August 2004.
- All documentation relating to the sale of Comland Limited to Lend Lease Corporation Limited that relates to the former Australian Defence Industries site at St Marys, New South Wales (no later than 3pm on 24 June 2004) [agreed to [16 June 2004](#)]. [The Minister indicated](#) that the documents would be provided by 30 June 2004.

Statement by Minister and documents provided

- The Minister for Local Government, Territories and Roads made a statement relating to the order of the Senate [agreed to [23 June 2004](#)] requiring the tabling of certain documents responding to applications 020/2002 (Monsanto) and 021/2002 (Bayer) to the Office of the Gene Technology Regulator for the commercial release of GE canola (by 6.30pm on 24 June 2004)]. [The Minister made a statement](#) and provided documents relating to the order.

Documents

The following documents were tabled:

- Auditor-General–Audit report no. 56 of 2003-04–Performance audit–Management of the processing of asylum seekers: Department of Immigration and Multicultural and Indigenous Affairs
- Auditor-General–Audit report no. 57 of 2003-04–Business support process audit–Administration of freedom of information requests
- Australian National Audit Office–Independent Auditor [KPMG]–Performance audit–Results of a performance audit of “value for money” provided by the ANAO
- [Clerk’s documents](#) [disallowable instruments and other documents required by statute to be tabled]
- Department of Defence–Special purpose flights–Schedule for the period 1 July to 31 December 2003
- [Petitioning document](#) demanding the withdrawal of Australian troops from Iraq
- Response to a Senate resolution about midwife services–from the New South Wales Minister for Health [resolution agreed to [3 March 2004](#)]
- Travel costs paid by the Department of Finance and Administration–Parliamentarians and former parliamentarians, July to December 2003
- Travel costs paid by the Department of the Prime Minister and Cabinet–Former Governors-General, 1 July to 31 December 2003
- [10 petitions](#) were received

No government documents were tabled

Also in the Senate yesterday

- Questions without notice and debate on issues arising in Question Time
- Adjournment debate

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