

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 4

MONDAY, 11 MARCH 2002

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1 **MEETING OF SENATE**

The Senate met at 12.30 pm. The Deputy President (Senator West) took the chair and read prayers.

2 **VACANCY IN THE REPRESENTATION OF TASMANIA—APPOINTMENT OF GUY BARNETT**

The Deputy President (Senator West) announced the resignation, on 22 February 2002, of Senator Gibson and advised the Senate that, pursuant to section 21 of the Constitution, the President had notified the Governor of Tasmania, through the Lieutenant-Governor of Tasmania, that there was a vacancy in the representation of that state.

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*Documents:* The Deputy President tabled the following documents:

Vacancy in the representation of Tasmania—Copies of letters from—  
President of the Senate to the Lieutenant-Governor of Tasmania (the Honourable Mr Justice WJE Cox, AC, RFD, ED), dated 22 February 2002.  
Senator Gibson to the President, dated 22 February 2002.

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The Deputy President further announced that the President had received, through the Governor-General, from the Governor of Tasmania, the certificate of the appointment by the Governor of Tasmania of Guy Barnett as a senator to fill the vacancy caused by the resignation of Senator Gibson.

The Deputy President tabled the certificate as follows:

Government House  
Tasmania  
26 February, 2002

His Excellency the Right Reverend  
Dr Peter Hollingworth AC OBE  
Governor-General of the Commonwealth of Australia  
Government House  
CANBERRA ACT 2600

Your Excellency,

I have the honour to inform you that pursuant to Section 15 of the Constitution of the Commonwealth of Australia I have today, on the advice of my Executive Council, appointed Guy Barnett to fill the vacancy in the representation of the State of Tasmania in the Senate resulting from the resignation of Senator Brian Francis Gibson.

I take this action because the Parliament of Tasmania is not in session. Following the commencement of the next session of the Parliament, a Joint Sitting of both Houses will be held to appoint a replacement to fill the vacancy until the expiry of the term. I shall advise you in due course of the outcome of the Joint Sitting.

Yours sincerely,  
GSM Green  
Governor.

The Deputy President announced that she had received from His Excellency the Governor-General a Commission authorising her to administer the oath or affirmation of allegiance to senators in the absence of the President.

The Clerk read the commission, as follows:

AUTHORITY TO ADMINISTER THE OATH OR  
AFFIRMATION OF ALLEGIANCE TO SENATORS

I, PETER JOHN HOLLINGWORTH, Governor-General of the Commonwealth of Australia, acting under section 42 of the Constitution, authorise SUZANNE MARGARET WEST, Acting President of the Senate, during any absence of the President of the Senate, to administer the oath or affirmation of allegiance to those Senators who have not already made and subscribed that oath or affirmation since being elected or appointed, or since last being elected or appointed, as Senators.

Dated 1st March 2002

Peter Hollingworth  
Governor-General

By His Excellency's Command  
John Howard  
Prime Minister.

*Senator sworn:* Senator Barnett, pursuant to the Constitution of the Commonwealth of Australia, then made and subscribed the oath of allegiance at the table.

**3 COMMITTEES—CHANGES IN MEMBERSHIP**

The Deputy President (Senator West) informed the Senate that the President had received letters requesting changes in the membership of various committees.

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), by leave, moved—That senators be discharged from and appointed to committees as follows:

**A Certain Maritime Incident—Select Committee—**

Appointed: Senators Brandis, Heffernan and Mason

Discharged: Senators Calvert, Ferguson and Payne

**Economics Legislation Committee—**

Substitute member: Senator Mason to replace Senator Chapman till 8 April 2002.

Debate ensued.

Question put and passed.

**4 REGIONAL FOREST AGREEMENTS BILL 2002**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Treasurer (Senator Ian Campbell)—That this bill be now read a second time.

Debate resumed.

Senator Brown moved the following amendment:

At the end of the motion, add “and that further consideration of this bill be deferred until Parliament has scrutinised:

- (a) the 5-year reviews due for the East Gippsland and Tasmanian Regional Forest Agreements; and
- (b) the report of a Parliamentary Commission of Inquiry into Forestry Tasmania, the Forest Practices Board and Private Forests Tasmania”.

Debate ensued.

*At 2 pm:* Debate was interrupted while Senator Allison was speaking.

**5 MINISTRY AND MINISTERIAL ARRANGEMENTS—STATEMENT BY LEAVE**

The Minister for Defence (Senator Hill), by leave, informed the Senate of a change to ministerial representation: the Special Minister of State (Senator Abetz) to represent the Minister for Small Business and Tourism.

**6 QUESTIONS**

Questions without notice were answered.

**7 HEALTH—ROYAL AUSTRALIAN COLLEGE OF GENERAL PRACTITIONERS—GRANT—ANSWERS TO QUESTIONS**

The Leader of the Opposition in the Senate (Senator Faulkner) moved—That the Senate take note of the answers given by the Minister for Health and Ageing (Senator Patterson) to questions without notice asked today relating to a grant to the Royal Australian College of General Practitioners.

Debate ensued.

Question put and passed.

**8 ENVIRONMENT—GREAT BARRIER REEF—OIL EXPLORATION—ANSWER TO QUESTION**

Senator Cherry moved—That the Senate take note of the answer given by the Minister for Defence (Senator Hill) to a question without notice asked by Senator Bartlett today relating to oil exploration in the Great Barrier Reef.

Question put and passed.

**9 DEATH OF FORMER GOVERNOR OF NEW SOUTH WALES SIR RODEN CUTLER, VC, AK, KCMG, KCVO, CBE**

The Deputy President (Senator West) informed the Senate of the death, on 21 February 2002, of former Governor of New South Wales Sir Roden Cutler, VC, AK, KCMG, KCVO, CBE.

The Leader of the Government in the Senate (Senator Hill), by leave, moved—That the Senate records its deep regret at the death, on Thursday, 21 February 2002, of an outstanding Australian, Sir Roden Cutler, VC, AK, KCMG, KCVO, CBE, who died in hospital after a long illness. The Senate extends its profound sympathy to his family in their bereavement.

The motion was supported and all senators present stood in silence—

Question passed.

**10 DEATH OF FORMER MEMBER EARL DOUGLAS CASH**

The Deputy President (Senator West) informed the Senate of the death, on 15 February 2002, of Earl Douglas Cash, a member of the House of Representatives for the division of Stirling from 1958 to 1961.

**11 PETITIONS**

The following 6 petitions, lodged with the Clerk by the senators indicated, were received:

Senator Bartlett, from 8 petitioners, requesting that the Senate take action to support reform of the welfare system.

Senator Bourne, from 18 petitioners, requesting that the Senate take action to ensure the independence of the Australian Broadcasting Corporation and to increase its funding.

Senator Bourne, from 14 petitioners, requesting that the Senate urge the Government to hold a referendum to preserve the environment.

Senator Bourne, from 18 petitioners, requesting that the Senate urge the Government to reconsider its policy on mandatory detention of boatpeople seeking asylum in Australia.

Senator Bourne, from 99 petitioners, requesting that the Senate call on the Government to meet its obligations under the United Nations Convention on Refugees and to make changes in the detention and processing of asylum seekers.

Senator Chapman, from 19 petitioners, requesting that the Senate take action to censure those judges who, by their public involvement in political issues, compromise the neutrality of the courts.

**12 NOTICES**

The Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Crane): To move on the next day of sitting—That the time for the presentation of the report of the Rural and Regional Affairs and Transport Legislation Committee on the 2001-02 additional estimates be extended to 21 March 2002. (*general business notice of motion no. 19*)

The Chair of the Foreign Affairs, Defence and Trade Legislation Committee (Senator Sandy Macdonald): To move on the next day of sitting—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade Legislation Committee on the 2001-02 additional estimates be extended to 21 March 2002. (*general business notice of motion no. 20*)

The Chair of the Foreign Affairs, Defence and Trade Legislation Committee (Senator Sandy Macdonald): To move on the next day of sitting—That the Foreign Affairs, Defence and Trade Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on 12 March 2002, from 6 pm to 7.30 pm, to take evidence for the committee's inquiry on the 2001-02 additional estimates for the Department of Veterans' Affairs. (*general business notice of motion no. 21*)

Senator Conroy: To move on the next day of sitting—

(1) That the Senate—

- (a) instructs the Economics Legislation Committee to reconvene for the consideration of additional estimates on 13 March 2002, from 9 am until no later than 1 pm, to hear further evidence from the Minister representing the Treasurer and relevant officers concerning the responsibilities of the Australian Office of Financial Management (AOFM);
- (b) directs the Minister to ensure that relevant officers, including Mr Michael Allen, Dr Martin Parkinson and officers serving on the Australian Office of Financial Management Advisory Board, appear before the committee at that hearing for that purpose; and
- (c) directs the Minister to ensure that the relevant officers bring to the hearing and make available to the committee for inspection and use, relevant documentation, including:
  - (i) copies of all reviews undertaken since 1996 of the management program for the Commonwealth debt portfolio, including but not limited to:
    - (A) AOFM: Review of Foreign Currency Exposure, 2000-01, as cited in the AOFM Annual Report, 2000-01,
    - (B) UBS: A Benchmark for the Commonwealth Debt Portfolio, May 1996, as cited on page 48 of Auditor-General's report no. 14 of 1999-2000,
    - (C) UBS: Review of the Benchmark, June 1998, as cited on page 50 of Auditor-General's report no. 14 of 1999-2000,
    - (D) Department of the Treasury: Review of the Benchmark, December 1996, as cited on page 54 of Auditor-General's report no. 14 of 1999-2000,
    - (E) Department of the Treasury: Review of the Benchmark, November 1997, as cited on page 54 of Auditor-General's report no. 14 of 1999-2000,
    - (F) Department of the Treasury: Review of the Benchmark, August 1998, as cited on page 54 of Auditor-General's report no. 14 of 1999-2000,
    - (G) Bankers Trust, Carmichael Consulting and Cooper's & Lybrand, Review of the Benchmark, 1997, as cited by the Treasurer in his press conference of 4 March 2002, and
    - (H) AOFM, Review of the Benchmark, November 1999, as cited in the AOFM submission to the Joint Committee of Public Accounts and Audit 'Audit Recommendations and Status of Action as at End April 2000',
  - (ii) File AOFM2000/00243 – Executive: Foreign Exchange Risk Management: Foreign Exchange Exposure Review Taskforce: CEO's working papers,
  - (iii) File AOFM2000/00381 – Debt Policy Unit: Debt Management Strategy: Development of Debt Management Strategy (Part 1),

- (iv) File AOFM2000/00382 – Debt Policy Unit: Debt Management Strategy: Development of Debt Management Strategy (Part 2),
- (v) File AOFM2000/00383 – Debt Policy Unit: Debt Management Strategy: Development of Debt Management Strategy (Part 3),
- (vi) File AOFM2000/00384 – Debt Policy Unit: Debt Management Strategy: Development of Debt Management Strategy (Part 4),
- (vii) File AOFM2000/00124 – Admin Unit: AOFM Advisory Board (Part 1),
- (viii) File AOFM2000/00124 – Admin Unit: AOFM Advisory Board (Part 2),
- (ix) File AOFM2001/00124 – Admin Unit: AOFM Advisory Board (Part 3),
- (x) File AOFM2001/00124 – Admin Unit: AOFM Advisory Board (Part 4),
- (xi) File AOFM2000/00316 – Portfolio Research Unit: Debt Management Strategy: AOFM Liability Management Committee Meeting Papers: from 25 October 2000 meeting,
- (xii) File AOFM2000/00147 – Debt Policy Unit: Foreign Exchange Risk Management: Report of the Taskforce on Commonwealth Foreign Exchange Risk Management,
- (xiii) File AOFM2000/00233 – Debt Policy Unit: Swaps Policy: Monthly Financial Reports for the Swaps Portfolio during 2000-01,
- (xiv) File AOFM2000/00234 – Debt Policy Unit: Swaps Policy: Notes Reporting on the Commonwealth of Australia’s Swap Activities during 2000-01,
- (xv) File AOFM2001/00015 – Portfolio Research Unit: Swaps Policy: Swap Counterparties Utilisation of Market Exposure Limits,
- (xvi) File AOFM2001/00017 – Portfolio Research Unit: Debt Management Strategy: AOFM Liability Management Committee Meeting Papers: from 10 January 2001 meeting, and
- (xvii) File AOFM2001/00152 – Portfolio Research Unit: Debt Management Strategy: AOFM Liability Management Committee Meeting Papers: from 2 May 2001 meeting.

- (2) That the time for the presentation of the report of the Economics Legislation Committee on the 2001-02 additional estimates be extended to 19 March 2002. (*general business notice of motion no. 22*)

Senator McGauran: To move on the next day of sitting—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. (*general business notice of motion no. 23*)

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Financial Corporations (Transfer of Assets and Liabilities) Act 1993*, and for related purposes. ***Financial Corporations (Transfer of Assets and Liabilities) Amendment Bill 2002.***

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell): To move on the next day of sitting—That on Tuesday, 12 March 2002:

- (a) the hours of meeting shall be 2 pm to 6.30 pm and 7.30 pm to 11.10 pm;
- (b) the routine of business from 7.30 pm to 10.30 pm shall be the consideration of the address-in-reply;
- (c) if a division is called for after 7.30 pm, the matter before the Senate shall be adjourned until the next day of sitting at a time fixed by the Senate; and
- (d) the question for the adjournment of the Senate shall be proposed at 10.30 pm.

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell): To move on the next day of sitting—That consideration of the Advance to the Finance Minister as a final charge for the year ended 30 June 2001 in committee of the whole be made an order of the day for the day on which legislation committees report on their examination of the Advance.

Senator Bourne: To move on 13 March 2002—That—

- (1) The Senate—
  - (a) notes:
    - (i) the statement made on the 'Agni' missile launch by the President of the European Community on 29 January 2002,
    - (ii) the statements made by the Minister for Foreign Affairs (Mr Downer) on 2 January and 25 January 2002, and representations made by the Australian Government to the Indian and Pakistani high commissions,

- (iii) the proposal made on 23 January 2002 by President Musharraf for a denuclearised South Asia, and
  - (iv) that a nuclear exchange in South Asia would be an unimaginable catastrophe, with casualty estimates starting in the millions and upper estimates exceeding 100 million;
- (b) calls on:
- (i) India and Pakistan not to use either conventional or nuclear force against each other to resolve the problems of Kashmir or cross-border terrorism,
  - (ii) the Indian and Pakistani governments to take specific measures, including no-first use guarantees and non-deployment, to positively ensure that nuclear weapons will never be used,
  - (iii) India and Pakistan to take measures to ensure that conventional conflict does not take place, including moving troops away from forward deployments especially at the line of control,
  - (iv) the governments of India and Pakistan to restore road, rail and air links, and
  - (v) India and Pakistan to commence a process of dialogue over Kashmir and the elimination of cross-border terrorism, and the establishment of a lasting and just peace in South Asia; and
- (c) urges both nations to consider signing the Comprehensive Test Ban Treaty and to roll back their nuclear weapons programs.
- (2) This resolution be transmitted to President Musharraf, Prime Minister Vajpayee, the foreign and defence ministers of India and Pakistan, and their high commissions in Canberra.
- (3) The Senate urges the Australian Government to make further representations to the above effect. (*general business notice of motion no. 24*)

The Leader of the Australian Democrats (Senator Stott Despoja): To move on the next day of sitting—That there be laid on the table, by the Minister for Health and Ageing (Senator Patterson), no later than immediately after motions to take note of answers on Tuesday, 19 March 2002, the following documents:

- (a) the post-September 11 security review of the nuclear reactor at Lucas Heights carried out by the Australian Nuclear Science and Technology Organisation; including the original analysis, and review documents from the Australian Safeguards and Non-Proliferation Office, and the Australian Radiation Protection and Nuclear Safety Office;
- (b) all documents relating to the modelling and analysis of a deliberate large aircraft crash into the nuclear reactor at Lucas Heights;
- (c) all documents relating to the claim made by John Loy at Senate estimates hearings on 20 February 2002, that should the reactor at Lucas Heights be breached, the ‘doses to any individual would be relatively small’ and that ‘the total collective radiation dose that is figured in that would be comparable to, but a little in excess of, the collective dose that was in the reference accident in the siting licence assessment for the Lucas Heights site, but not dramatically so’, including any documentation modelling this claim;

- (d) any documents relating to the financial capacity and viability of INVAP since 1 January 2002;
- (e) all documents relating to the selection of INVAP through the tender process; and
- (f) all documents relating to guarantees made by the Argentinian Government in relation to INVAP's tender and subsequent contract to construct the Lucas Heights reactor. (*general business notice of motion no. 25*)

The Leader of the Australian Democrats (Senator Stott Despoja) and Senator Murray: To move on 13 March 2002—That the following bill be introduced: A Bill for an Act to regulate certain post-retirement employment of Ministers of State, and for related purposes. **Ministers of State (Post-Retirement Employment Restrictions) Bill 2002.** (*general business notice of motion no. 26*)

The Chair of the Legal and Constitutional Legislation Committee (Senator Payne): To move on the next day of sitting—That the time for the presentation of the report of the Legal and Constitutional Legislation Committee on the 2001-02 additional estimates be extended to 21 March 2002. (*general business notice of motion no. 27*)

The Chair of the Legal and Constitutional Legislation Committee (Senator Payne): To move on the next day of sitting—That the Legal and Constitutional Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on 12 March 2002, from 7 pm, to take evidence for the committee's inquiry on the 2001-02 additional estimates. (*general business notice of motion no. 28*)

Senator Allison: To move on the next day of sitting—That the Senate—

- (a) notes that:
  - (i) the press coverage for the Australian Grand Prix in Melbourne on 28 February to 3 March 2002 again provided tobacco companies with unparalleled advertising opportunities, and
  - (ii) this will be the seventh year that the race has made an operating loss, and again Victoria taxpayers will underwrite the event;
- (b) urges the Federal Government to ban incidental advertising of tobacco products outside the confines of the Grand Prix; and
- (c) urges the Victorian Government to:
  - (i) investigate alternative venues for the Grand Prix,
  - (ii) make public the contract signed with the Grand Prix Corporation, and
  - (iii) reveal the extent to which it subsidised the race. (*general business notice of motion no. 29*)

The Leader of the Government in the Senate (Senator Hill): To move on the next day of sitting—That the Senate—

- (a) records its deep regret at the death, on 17 February 2002, of Sergeant Andrew Russell during active service in Afghanistan;
- (b) notes with appreciation the efforts of all Australian military personnel engaged in the war against terrorism;
- (c) recognises the major risks our defence forces are prepared to take to reduce the risk to Australians and our friends of harm through terrorist attacks; and

- (d) extends its sincere condolences to the wife and family of the late Sergeant Andrew Russell.

Senator Brown: To move on the next day of sitting—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. (*general business notice of motion no. 30*)

### 13 POSTPONEMENTS

Items of business were postponed as follows:

Business of the Senate notice of motion no. 1 standing in the name of Senator Bartlett for today, relating to the reference of matters to the Legal and Constitutional References Committee, postponed till 19 March 2002.

General business notice of motion no. 1 standing in the name of the Leader of the Australian Democrats (Senator Stott Despoja) for today, relating to a request to the Inspector-General of Intelligence and Security to investigate certain actions in relation to the MV *Tampa*, postponed till 13 March 2002.

General business notice of motion no. 4 standing in the name of Senator Bourne for today, relating to the Dalai Lama, postponed till 12 March 2002.

General business notice of motion no. 18 standing in the name of Senator Bourne for today, relating to the introduction of the Australian Broadcasting Corporation Amendment Bill 2002, postponed till 15 May 2002.

General business notice of motion no. 2 standing in the name of Senator Allison for today, relating to the establishment of a select committee on superannuation, postponed till 12 March 2002.

General business notice of motion no. 10 standing in the name of Senator Murphy for today, relating to the establishment of a select committee on forestry and plantation matters, postponed till 19 March 2002.

### 14 LEAVE OF ABSENCE

Senator Calvert, by leave, moved—That leave of absence be granted to Senator Chapman for the period 11 March to 21 March 2002, to Senator Ferguson for the period 11 March to 14 March 2002, and to Senator Ferris for the period 14 March to 21 March 2002, on account of parliamentary business overseas.

Question put and passed.

**15 EDUCATION—TEACHING VACANCIES**

Senator Allison, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 13—That the Senate—

- (a) notes that:
  - (i) Victorian school principals are struggling to fill teaching vacancies for the 2002 school year,
  - (ii) Victoria has a shortage of mathematics, science, information technology, languages other than English, accounting and woodwork teachers, and
  - (iii) schools in regional areas and country towns experience the greatest difficulty filling teacher vacancies; and
- (b) urges the Government to do more to increase the number of available teachers by improving conditions and incentives for teachers, particularly in rural areas, and by increasing university places and funding for teacher education.

Question put and passed.

**16 TEMPORARY CHAIR OF COMMITTEES**

The Acting Deputy President (Senator Bartlett) tabled a warrant, dated 5 March 2002, nominating Senator Lightfoot as a temporary chair of committees.

**17 PARLIAMENTARY COMMITTEE REPORTS—PRESIDENT'S REPORT—GOVERNMENT RESPONSES OUTSTANDING**

The Acting Deputy President (Senator Bartlett) tabled the following document received on 15 February 2002:

President's report to the Senate on government responses outstanding to parliamentary committee reports as at 14 February 2002.

**18 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ESTIMATES 2001-02**

The Acting Deputy President (Senator Bartlett) tabled the following documents received on 15 February 2002:

Environment, Communications, Information Technology and the Arts Legislation Committee—Additional information received by the committee (Estimates 2001-02—vols 1-4).

**19 SCRUTINY OF BILLS—STANDING COMMITTEE—1ST REPORT AND ALERT DIGEST NO. 1 OF 2002**

The Acting Deputy President (Senator Bartlett) tabled the following report and document received on 21 February 2002:

Scrutiny of Bills—Standing Committee—

1st report of 2002, dated 20 February 2002.

Alert Digest No. 1 of 2002, dated 20 February 2002.

Report ordered to be printed on the motion of Senator Calvert.

**20 GOVERNMENT DOCUMENTS—PRESENTED SINCE LAST SITTING OF SENATE**

The Acting Deputy President (Senator Bartlett) tabled the following documents received since the last sitting of the Senate:

Department of the Prime Minister and Cabinet—Expenditure on travel by former Governors-General between 1 January and 30 June 2001. [*Received 6 March 2002*]

Gene Technology Regulator—Quarterly report for the period 1 July to 30 September 2001. [*Received 18 February 2002*]

National Institute of Clinical Studies Limited—Report for the period 21 December 2000 to 30 June 2001. [*Received 8 March 2002*]

**21 AUDITOR-GENERAL—AUDIT REPORTS NOS 33 AND 34 OF 2001-02—DOCUMENTS**

The Acting Deputy President (Senator Bartlett) tabled the following documents received since the last sitting of the Senate:

Auditor-General—Audit reports for 2001-02—

No. 33—Assurance and control assessment audit—Senate order of 20 June 2001 (February 2002). [*Received 25 February 2002*]

No. 34—Assurance and control assessment audit—Management of travel: Use of taxis. [*Received 26 February 2002*]

**22 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT**

The Acting Deputy President (Senator Bartlett) tabled the following document pursuant to the order of the Senate of 20 June 2001, as amended on 27 September 2001:

Departmental and agency contracts—Letters of advice—Dairy Adjustment Board. [*Received 21 February 2002*]

**23 INDEXED LISTS OF DEPARTMENTAL AND AGENCY FILES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**

The Acting Deputy President (Senator Bartlett) tabled the following documents pursuant to the order of the Senate of 30 May 1996, as amended on 3 December 1998:

Indexed lists of departmental and agency files for the period 1 July to 31 December 2001—Statements of compliance—

Department of Foreign Affairs and Trade. [*Received 28 February 2002*]

Department of Transport and Regional Services. [*Received 6 March 2002*]

International Air Services Commission. [*Received 15 February 2002*]

**24 AUDITOR-GENERAL—AUDIT REPORT NO. 35 OF 2001-02—DOCUMENT**

The Acting Deputy President (Senator Bartlett) tabled the following document:

Auditor-General—Performance audit—ATO progress in addressing the cash economy—Australian Taxation Office (Report no. 35 of 2001-02).

25 **PARLIAMENT ACT—PARLIAMENTARY ZONE—WORKS PROPOSALS—DOCUMENTS**

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell) tabled the following documents:

Parliament Act—Proposal, together with supporting documentation, relating to the refurbishment of the former Communications Centre in the John Gorton Building.

*Notice of motion:* Senator Ian Campbell, by leave, gave a notice of motion as follows: To move on the next day of sitting—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the National Capital Authority for capital works within the Parliamentary Zone, being the refurbishment of the former Communications Centre in the John Gorton Building.

Senator Ian Campbell tabled the following documents:

Parliament Act—Proposal, together with supporting documentation, relating to the construction of two outdoor playgrounds for the childcare centre to be constructed in the Treasury Building.

*Notice of motion:* Senator Ian Campbell, by leave, gave a notice of motion as follows: To move on the next day of sitting—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the National Capital Authority for capital works within the Parliamentary Zone, being the construction of two outdoor playgrounds for the childcare centre in the Treasury Building.

26 **LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—MATTERS REFERRED TO COMMITTEE IN PREVIOUS PARLIAMENT**

The Chair of the Legal and Constitutional References Committee (Senator McKiernan) tabled the following report:

The References Committee met on 14 February 2002 and considered references not disposed of at the end of the 39th Parliament and resolved to **recommend** to the Senate that:

The following inquiries of the 39th Parliament be re-adopted:

Human Rights (Mandatory Sentencing for Property Offences) Bill 2000, with a reporting date of 21 March 2002;

Inquiry into the Outsourcing of the Australian Customs Service's Information Technology, with a reporting date of 14 May 2002; and

Inquiry into sections 46 and 50 of the *Trade Practices Act 1974*, with a reporting date of 14 May 2002.

Senator Jim McKiernan

Chair

15th February 2002.

Senator McKiernan, by leave, moved—That the report be adopted.

Question put and passed.

**27 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—MATTERS REFERRED TO COMMITTEE IN PREVIOUS PARLIAMENT**

Senator Calvert, at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), tabled the following report:

The Legislation Committee met on 4 March 2002 and considered a reference not disposed of at the end of the 39th Parliament and resolved to **recommend** to the Senate that:

The following inquiry of the 39th Parliament be re-adopted  
Statutory Powers and Functions of the Australian Law Reform Commission,  
with a reporting date of 30 June 2002.

Senator Marise Payne

Chair

11 March 2002.

Senator Calvert, by leave, moved—That the report be adopted.

Question put and passed.

**28 REGULATIONS AND ORDINANCES—STANDING COMMITTEE—70TH ANNIVERSARY—STATEMENT BY CHAIRMAN**

The Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen), by leave, made a statement relating to the 70th anniversary of the committee.

**29 DOCUMENTS**

The following documents were tabled by the Clerk:

A New Tax System (Family Assistance) (Administration) Act—

Family Assistance Estimate Tolerance (Transition) Determination 2001.

Family Assistance (Public Interest Certificate Guidelines) Determination 2002.

Aged Care Act—Determination under section 52—ACA Ch. 3 No. 1/2002.

Air Navigation Act, Airports Act, Interstate Road Transport Act, Navigation Act and Stevedoring Levy (Collection) Act—Regulations—Statutory Rules 2002 No. 13.

Antarctic Marine Living Resources Conservation Act, Antarctic Treaty (Environment Protection) Act, Great Barrier Reef Marine Park Act, Historic Shipwrecks Act and Ozone Protection Act—Regulations—Statutory Rules 2002 No. 8.

Australia New Zealand Food Authority Act—Regulations—Statutory Rules 2002 No. 38.

Australian Antarctic Territory Act—Ordinance No. 1 of 2002 (Ordinances Amendment (Application of Criminal Code) Ordinance 2002 (No. 1)).

Australian Bureau of Statistics Act—Proposal No. 6 of 2002.

Australian Communications Authority Act—

Telecommunications (Charges) Determination 2002.

Telecommunications (Facility Installation Permit — Application Charge) Determination 2002.



- Telecommunications (Facility Installation Permit—Public Inquiry Charges) Determination 2002.
- Australian Federal Police Act—Regulations—Statutory Rules 2002 No. 4.
- Australian Research Council Act—  
Determination No. 5 of 2001—Determinations under section 51, dated 19 September [7]; and 4 October 2001 [2].  
Direction under section 7, dated 25 January 2002.
- Australian Securities and Investments Commission Act—Regulations—Statutory Rules 2002 No. 39.
- Banking Act—Regulations—Statutory Rules 2002 No. 40.
- Broadcasting Services Act—Broadcasting Services (Events) Notice No. 1 of 1994 (Amendment No. 1 of 2002).
- Census and Statistics Act—Australian Bureau of Statistics—Statement No. 1 of 2002.
- Charter of the United Nations Act—Regulations—Statutory Rules 2002 No. 35.
- Charter of the United Nations Act and Papua New Guinea (Staffing Assistance) Act—Regulations—Statutory Rules 2002 No. 37.
- Civil Aviation Act—Civil Aviation Regulations—  
Airworthiness Directives—Part—  
105, dated 18 and 20 [5] December 2001; 3 [7], 9, 11 and 14 [16] January; and 4 [3], 5 [7], 7 [6], 8 [13], 11 [3], 14 [2] and 20 [2] February 2002.  
106, dated 14 January; and 4, 8 and 13 February 2002.  
107, dated 14 January; and 4, 5, 6 and 7 February 2002.  
Civil Aviation Orders—  
Civil Aviation Amendment Order (No. 3) 2002.  
Exemption No. CASA EX03/2002.  
Instrument Nos CASA 107/02 and CASA 123/02.
- Class Rulings CR 2002/4-2002/11.
- Commonwealth Places (Mirror Taxes) Act—  
Commonwealth Places (Mirror Taxes) Modification of Applied Laws (Queensland) Notice 2002.  
Regulations—Statutory Rules 2002 No. 14.
- Corporations Act—Regulations—Statutory Rules 2002 Nos 15, 16 and 41.
- Corporations (Fees) Act—Regulations—Statutory Rules 2002 No. 42.
- Crimes Act—Regulations—Statutory Rules 2002 No. 5.
- Currency Act—Currency (Royal Australian Mint) Determination 2002 (No. 1).
- Customs Act—  
CEO Instruments of Approval Nos 1-14 of 2002.  
Regulations—Statutory Rules 2002 Nos 6 and 28-30.
- Defence Act—Determination under section 58B—Defence Determination—  
2001/34.  
2002/1.

- Defence Force Discipline Act—  
Regulations—Statutory Rules 2002 No. 7.  
Rules—Statutory Rules 2002 No. 24.
- Environment Protection and Biodiversity Conservation Act—Ningaloo Marine Park (Commonwealth Waters)—  
Comments on representations on the draft management plan, dated February 2001.  
Second Management Plan.
- Excise Act—Regulations—Statutory Rules 2002 No. 43.
- Export Finance and Insurance Corporation Act—Regulations—Statutory Rules 2002 No. 36.
- Family Law Act—Rules of Court—Statutory Rules 2002 No. 23.
- Fisheries Levy Act—Regulations—Statutory Rules 2002 No. 1.
- Fisheries Management Act—Regulations—Statutory Rules 2002 Nos 25 and 27.
- Fisheries Management Act and Fishing Levy Act—Regulations—Statutory Rules 2002 No. 26.
- Health Insurance Act—Health Insurance Determination HS/6/01.
- Heard Island and McDonald Islands Act—Ordinance No. 1 of 2002 (Ordinances Amendment (Application of Criminal Code) Ordinance 2002 (No. 1)).
- Higher Education Funding Act—Determination under section—  
15—Determination No.—  
T32-2001.  
T12-2002.  
27A—Determination No. T11-2002.
- Income Tax Assessment Act 1936*—Regulations—Statutory Rules 2002 Nos 44 and 45.
- Income Tax Assessment Act 1997*—Regulations—Statutory Rules 2002 No. 46.
- Industrial Chemicals (Notification and Assessment) Act, National Health Act and Therapeutic Goods Act—Regulations—Statutory Rules 2002 No. 9.
- Industry Research and Development Act—Guidelines for Research and Development Plans 2001.
- Insurance (Agents and Brokers) Act—Regulations—Statutory Rules 2002 No. 17.
- Insurance Contracts Act—Regulations—Statutory Rules 2002 No. 18.
- Life Insurance Act—Regulations—Statutory Rules 2002 No. 19.
- Migration Act—  
Regulations—Statutory Rules 2002 Nos 10 and 11.  
Statement for period 1 July to 31 December 2001 under section 417, dated 6 December 2001.
- National Health Act—  
Declaration No. PB 4 of 2002.  
Determination under Schedule 1—HSR 5/2002.
- Navigation Act—Marine Orders—Order No. 1 of 2002.

- Olympic Insignia Protection Act—Regulations—Statutory Rules 2002 No. 12.
- Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2002 No. 3.
- Privacy Act—Determinations under paragraph 11B(1)(b)—Determinations 2002 Nos 1 and 2.
- Product Ruling—  
PR 2000/5 (Addendum).  
PR 2002/14-PR 2002/25.
- Quarantine Act—Regulations—Statutory Rules 2002 No. 2.
- Radiocommunications Act—  
Radiocommunications (27 MHz Handphone Stations) Class Licence 2002.  
Radiocommunications (Citizen Band Radio Stations) Class Licence 2002.  
Radiocommunications (Infrared Devices) Class Licence 2002.  
Radiocommunications Miscellaneous Devices Class Licence Variation 2002 (No. 1).  
Radiocommunications (Radio-controlled Models) Class Licence 2002.
- Remuneration Tribunal Act—Determination—  
2001/23: Judicial and related offices – remuneration and allowances.  
2001/24: Remuneration and allowances for various public office holders.  
2001/25: Members of Parliament – Entitlements.
- Retirement Savings Accounts Act—Regulations—Statutory Rules 2002 Nos 20 and 47.
- Social Security Act—  
Child Disability Assessment Determination 2001.  
Social Security (Attribution of Assets) Principles 2001.  
Social Security (Attribution of Income) Principles 2002.  
Social Security (Attribution of Income — Ineligible Deductions) Determination 2001.  
Social Security (Declaration of Visa in a class of Visas — Newly Arrived Resident's Waiting Period for Special Benefit) Determination 2001.  
Social Security (Means Test Treatment of Private Companies — Excluded Companies) Declaration 2001.  
Social Security (Means Test Treatment of Private Trusts — Excluded Trusts) Declaration 2001.  
Social Security (Modification of Asset Deprivation Rules) Amendment Principles 2002 (No. 1).  
Social Security (Modification of Asset Deprivation Rules) Principles 2002.  
Social Security (Modification of Income Deprivation Rules) Principles 2002.  
Social Security (Primary Production Concession) Principles 2001.
- Social Security (Administration) Act—Social Security (Public Interest Certificate Guidelines) Determination 2002.
- Social Security (International Agreements) Act—Regulations—Statutory Rules 2002 Nos 31-34.

*Superannuation Act 1976*—Superannuation (CSS) Assets Transfer (PSS Fund) Determination No. 7.

Superannuation Industry (Supervision) Act—Regulations—Statutory Rules 2002 No. 21.

Sydney Airport Curfew Act—Dispensations granted under section 20—Dispensation No. 1/02 [8 dispensations].

Taxation Ruling TR 2002/4.

Telecommunications Act—Telecommunications Numbering Plan Amendment 2002 (No. 1).

Telecommunications (Carrier Licence Charges) Act—Telecommunications (Carrier Licence Application Charge) Determination 2002.

Telecommunications (Consumer Protection and Service Standards) Act—Levy Debit Formula Modification Determination (No. 1) 2002.

Trade Practices Act—Regulations—Statutory Rules 2002 No. 22.

### 30 AUSTRALIAN RESEARCH COUNCIL ACT—DETERMINATION—CONSIDERATION

Senator Carr, by leave, moved—That the Senate take note of the document tabled earlier today (*see entry no. 29*):

Australian Research Council Act—Determination No. 5 of 2001—Determinations under section 51, dated 19 September [7]; and 4 October 2001 [2].

Question put and passed.

### 31 GOVERNOR-GENERAL'S PROCLAMATION—COMMENCEMENT OF AN ACT

A proclamation by His Excellency the Governor-General was tabled, notifying that he had proclaimed the following Act to come into operation on the date specified:

*Coal Industry Repeal Act 2001*—1 January 2002 (*Gazette* No. S 37, 1 February 2002).

### 32 INDEXED LISTS OF DEPARTMENTAL AND AGENCY FILES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

The following document was tabled pursuant to the order of the Senate of 30 May 1996, as amended on 3 December 1998:

Indexed lists of departmental and agency files for the period 1 July to 31 December 2001—Statements of compliance—Aboriginal and Torres Strait Islander Commission.

### 33 COMMITTEES—CHANGES IN MEMBERSHIP

The Acting Deputy President (Senator Bartlett) informed the Senate that the President had received letters requesting changes in the membership of various committees.

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), by leave, moved—That senators be discharged from and appointed to committees as follows:

#### **Community Affairs Legislation Committee—**

Participating member: Senator Forshaw

**Community Affairs References Committee—**

Participating members: Senators Abetz, Calvert, Chapman, Coonan, Crane, Eggleston, Ferguson, Ferris, Forshaw, Lightfoot, Mason, McGauran, Payne, Tierney and Watson

**Economics Legislation Committee—**

Participating member: Senator Forshaw

**Economics References Committee—**

Participating members: Senators Abetz, Boswell, Calvert, Coonan, Crane, Eggleston, Ferguson, Ferris, Forshaw, Knowles, Lightfoot, Mason, McGauran, Payne, Tchen, Tierney and Watson

**Employment, Workplace Relations and Education Legislation Committee—**

Participating members: Senators Abetz, Boswell, Calvert, Chapman, Coonan, Crane, Eggleston, Ferguson, Forshaw, Knowles, Lightfoot, Mason, McGauran, Payne and Watson

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

Participating members: Senators Abetz, Boswell, Calvert, Chapman, Coonan, Crane, Eggleston, Ferguson, Ferris, Forshaw, Knowles, Lightfoot, Mason, McGauran, Payne and Watson

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

Participating members: Senators Abetz, Boswell, Calvert, Chapman, Coonan, Crane, Eggleston, Ferguson, Ferris, Knowles, Mason, McGauran, Payne and Watson

**Finance and Public Administration References Committee—**

Participating members: Senators Abetz, Brandis, Calvert, Chapman, Coonan, Crane, Eggleston, Ferguson, Ferris, Knowles, Mason, McGauran, Payne, Tchen and Tierney

**Foreign Affairs, Defence and Trade Legislation Committee—**

Participating member: Senator Forshaw

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

Participating members: Senators Abetz, Boswell, Brandis, Calvert, Chapman, Coonan, Crane, Eggleston, Ferguson, Ferris, Forshaw, Knowles, Mason, McGauran, Payne, Tchen, Tierney and Watson

**Legal and Constitutional References Committee—**

Participating members: Senators Abetz, Brandis, Brown, Calvert, Chapman, Crane, Eggleston, Ferguson, Ferris, Knowles, Lightfoot, Mason, McGauran, Tchen, Tierney and Watson

Substitute member: Senator Murray to replace Senator Greig for the committee's inquiry into sections 46 and 50 of the *Trade Practices Act 1974*

**Rural and Regional Affairs and Transport References Committee—**

Participating members: Senators Abetz, Boswell, Calvert, Chapman, Coonan, Eggleston, Ferguson, Knowles, Lightfoot, Mason, McGauran, Sandy Macdonald, Payne, Tchen, Tierney and Watson.

Question put and passed.

**34 CRIMINAL CODE AMENDMENT (ANTI-HOAX AND OTHER MEASURES) BILL 2002**  
**MINISTERS OF STATE AMENDMENT BILL 2002**  
**RADIOCOMMUNICATIONS (TRANSMITTER LICENCE TAX) AMENDMENT BILL 2002**  
**COMMONWEALTH INSCRIBED STOCK AMENDMENT BILL 2002**  
**STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) AMENDMENT**  
**BILL 2002**  
**WORKPLACE RELATIONS AMENDMENT (FAIR DISMISSAL) BILL 2002**

Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:

Message no. 9, dated 19 February 2002—A Bill for an Act to amend the *Criminal Code Act 1995*, and for other purposes.

Message no. 10, dated 20 February 2002—A Bill for an Act to amend the *Ministers of State Act 1952*, and for related purposes.

Message no. 11, dated 20 February 2002—A Bill for an Act to amend the *Radiocommunications (Transmitter Licence Tax) Act 1983*, and for related purposes.

Message no. 12, dated 20 February 2002—A Bill for an Act to amend the *Commonwealth Inscribed Stock Act 1911*, and for related purposes.

Message no. 13, dated 20 February 2002—A Bill for an Act to amend the *States Grants (Primary and Secondary Education Assistance) Act 2000*, and for related purposes.

Message no. 14, dated 21 February 2002—A Bill for an Act to amend the *Workplace Relations Act 1996*, and for related purposes.

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Ian Campbell moved—That these bills be now read a second time.

On the motion of Senator Ludwig the debate was adjourned till the next day of sitting.

*Consideration of legislation:* Senator Ian Campbell moved—That the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

**35 REGIONAL FOREST AGREEMENTS BILL 2002**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Treasurer (Senator Ian Campbell)—That this bill be now read a second time—and on the amendment moved by Senator Brown (see entry no. 4).

Debate resumed.

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*Document:* The Minister for Forestry and Conservation (Senator Ian Macdonald) tabled the following document:

Regional Forest Agreements Bill 2002—Regulation impact statement—Answer to a question on notice asked by Senator Bartlett at additional estimates hearings.

Debate continued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 9

Senators—

Allison	Brown	Greig	Murray
Bartlett	Cherry	Lees	Stott Despoja
Bourne (Teller)			

NOES, 52

Senators—

Barnett	Cooney	Heffernan	McKiernan
Bishop	Crane	Herron	McLucas
Boswell	Crossin	Hogg	O'Brien
Brandis	Crowley	Hutchins	Patterson
Buckland	Denman	Kemp	Payne
Calvert	Eggleston	Knowles	Ray
Campbell, George	Ellison	Lightfoot	Schacht
Carr	Evans	Ludwig	Scullion
Colbeck	Ferris (Teller)	Macdonald, Ian	Tchen
Collins	Forshaw	Macdonald, Sandy	Tierney
Conroy	Gibbs	Mackay	Troeth
Cook	Harradine	Mason	Watson
Coonan	Harris	McGauran	West

Question negatived.

*Proposed order for production of document:* Senator Allison moved the following amendment:

Omit all words after “That”, substitute “further consideration of the bill be an order of the day for the day after paragraph (2) of this resolution is complied with.

(2) That there be laid on the table by the Minister for Forestry and Conservation on or before 14 March 2002 the assessment of the Regulation Impact Statement for the Regional Forest Agreements Bill 2002 conducted by the Productivity Commission’s Office of Regulation Review”.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 9

Senators—

Allison	Brown	Greig	Murray
Bartlett	Cherry	Lees	Stott Despoja
Bourne (Teller)			

## NOES, 47

Senators—

Barnett	Crane	Herron	McKiernan
Bishop	Crossin (Teller)	Hogg	McLucas
Boswell	Crowley	Hutchins	O'Brien
Buckland	Denman	Kemp	Patterson
Calvert	Eggleston	Knowles	Schacht
Campbell, George	Ellison	Lightfoot	Scullion
Carr	Evans	Ludwig	Tchen
Colbeck	Ferris	Macdonald, Ian	Tierney
Conroy	Forshaw	Macdonald, Sandy	Troeth
Cook	Gibbs	Mackay	Watson
Coonan	Harradine	Mason	West
Cooney	Harris	McGauran	

Question negatived.

Main question put.

The Senate divided—

## AYES, 41

Senators—

Barnett	Crossin	Hutchins	Patterson
Bishop	Crowley	Knowles	Schacht
Boswell	Denman	Lightfoot	Scullion
Buckland	Eggleston	Ludwig	Tchen
Calvert (Teller)	Ferris	Macdonald, Ian	Tierney
Campbell, George	Forshaw	Macdonald, Sandy	Troeth
Carr	Gibbs	Mackay	Watson
Colbeck	Harradine	McGauran	West
Cook	Harris	McKiernan	
Cooney	Herron	McLucas	
Crane	Hogg	O'Brien	

## NOES, 9

Senators—

Allison	Brown	Greig	Murray
Bartlett	Cherry	Lees	Stott Despoja
Bourne (Teller)			

Question agreed to.

Bill read a second time.

The Senate resolved itself into committee for the consideration of the bill.

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*In the committee*

Bill, taken as a whole by leave, debated.



Senator Brown moved the following amendment:

Clause 3, page 2 (lines 13 and 14), omit paragraph (a), substitute:

- (a) to give effect to the obligations of the Commonwealth to conserve and protect the conservation value and heritage of Australian native forests;

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 9

Senators—

Allison	Brown	Greig	Murray
Bartlett	Cherry	Lees	Stott Despoja
Bourne (Teller)			

NOES, 42

Senators—

Barnett	Crossin	Hogg	Payne
Brandis	Crowley	Hutchins	Ray
Buckland (Teller)	Denman	Knowles	Schacht
Campbell, George	Eggleston	Lightfoot	Scullion
Carr	Evans	Macdonald, Ian	Tchen
Colbeck	Ferris	Mackay	Tierney
Collins	Forshaw	Mason	Vanstone
Cook	Gibbs	McGauran	Watson
Coonan	Harradine	McKiernan	West
Cooney	Harris	McLucas	
Crane	Herron	O'Brien	

Question negatived.

Senator Brown moved the following amendment:

Clause 4, page 3 (after line 9), after the definition of *forest and wood products industry*, insert:

*forest products industry* means an industry that derives a benefit from the use or existence of forests, including tourism, water production, honey production, land and water users that benefit from the protection of soil and water, and the like.

Debate ensued.

Question—That the amendment be agreed to—put and negatived.

Senator Brown moved the following amendment:

Clause 4, page 3 (lines 31 to 35), omit paragraphs (b) and (c) of the definition of *RFA* or *Regional Forest Agreement*, substitute:

- (b) the agreement includes legally binding provisions for the establishment of a comprehensive, adequate and representative reserve system;

- (c) the agreement includes a legally binding commitment to the ecologically sustainable management and use of forested areas in the region or regions;

Debate ensued.

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*At 9.50 pm:* The Deputy President (Senator West) resumed the chair and the Temporary Chair of Committees (Senator Hogg) reported progress.

**36 ADJOURNMENT**

The Deputy President (Senator West) proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 10.37 pm till Tuesday, 12 March 2002 at 2 pm.

**37 ATTENDANCE**

Present, all senators except Senators Chapman\*, Ferguson\*, Reid\* and Ridgeway (\* on leave).

**HARRY EVANS**  
Clerk of the Senate