

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 15

TUESDAY, 18 JUNE 2002

**Contents**

1	Meeting of Senate.....	377
2	Government Documents.....	377
3	Questions .....	378
4	Australian Quarantine Inspection Service—Superannuation—Answers to Questions .....	378
5	Defence—International Criminal Court—Answers to Questions .....	378
6	Superannuation—Enhanced Cash Management Trust—Order for Production of Document—Document .....	378
7	Petitions .....	379
8	Notices .....	379
9	Rural and Regional Affairs and Transport Legislation Committee—Leave to Meet During Sitting.....	382
10	Postponements.....	383
11	Animal Welfare—National Health and Medical Research Council Primate Colonies—Order for Production of Document .....	383
12	Foreign Affairs—United States—Detention of Australian Citizens .....	383
13	Appropriations and Staffing—Standing Committee—36th Report .....	384
14	Legal and Constitutional Legislation Committee—Interim Report— Migration Legislation Amendment (Procedural Fairness) Bill 2002.....	384
15	Legal and Constitutional Legislation Committee—Interim Report— Migration Legislation Amendment Bill (No. 1) 2002 .....	384
16	Legal and Constitutional Legislation Committee—Report—Migration Legislation Amendment (Procedural Fairness) Bill 2002.....	384
17	Legal and Constitutional Legislation Committee—Report—Migration Legislation Amendment Bill (No. 1) 2002.....	384
18	Legal and Constitutional Legislation Committee—Report—Australian Protective Service Amendment Bill 2002.....	385

19	Finance and Public Administration References Committee—Government Response—Accountability to the Senate in Relation to Government Contracts .....	385
20	Government Document—Presented Since Last Sitting of Senate .....	385
21	Auditor-General—Audit Reports Nos 51 to 58 of 2001-02—Documents .....	385
22	Indexed Lists of Departmental and Agency Files—Order for Production of Documents—Document .....	386
23	Health—Nuclear Testing—Order for Production of Documents—Documents .....	386
24	Consideration of Documents .....	386
25	Estimates of Proposed Expenditure for 2002-03—Portfolio Budget Statements—Department of the Senate—Document .....	387
26	Estimates of Proposed Expenditure for 2002-03—Portfolio Budget Statements—Portfolios and Executive Departments—Documents .....	387
27	Community Affairs Legislation Committee—Additional Information—Additional Estimates 2001-02 .....	387
28	Legal and Constitutional Legislation Committee—Report—Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002 .....	387
29	ASIO, ASIS and DSD—Joint Committee—Report No. 1—Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002 .....	387
30	Rural and Regional Affairs and Transport Legislation Committee—Report—Australian Motor Vehicle Standards .....	388
31	Australian Parliamentary Delegation to the Asia Pacific Parliamentary Forum—Document .....	388
32	Documents .....	388
33	Governor-General's Proclamation—Commencement of Provisions of an Act .....	393
34	Migration Regulations—Consideration .....	393
35	Government Documents—Consideration .....	394
36	Adjournment .....	394
37	Attendance .....	394

1 **MEETING OF SENATE**

The Senate met at 2 pm. The President (Senator the Honourable Margaret Reid) took the chair and read prayers.

2 **GOVERNMENT DOCUMENTS**

The following government documents were tabled:

Australian Competition and Consumer Commission—Telecommunications reports for 2000-01—Report 1: Telecommunications competitive safeguards; Report 2: Changes in prices paid for telecommunications services in Australia; Report 3: Telstra's compliance with price control arrangements.

Australian Maritime College—Report for 2001.

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period—

1 July to 30 September 2001.

1 October to 31 December 2001.

Australian Trade Commission (AUSTRADE)—Export Market Development Grants—List of grant recipients for 2000-01.

CrimTrac Agency—Report for 2000-01—Corrigenda.

Department of Communications, Information Technology and the Arts—The future of community television, June 2002.

Gene Technology Regulator—Quarterly report for the period 1 October to 31 December 2001.

Murray-Darling Basin Commission—Report for 2000-01.

*National Health Act 1953*—Private health insurance premium increases—Report for the quarter commencing 1 January 2002.

National Rural Advisory Council—Report for 2000-01, including a report on the Rural Adjustment Scheme.

Natural Heritage Trust—Report for 2000-01.

Pharmaceutical Benefits Pricing Authority—Report for 2000-01.

Productivity Commission—Report—No. 20—Citrus growing and processing, 30 April 2002.

Treaties—

*Bilateral*—Text, together with national interest analysis—

Agreement between the Government of Australia and the Government of the Cook Islands relating to Air Services, done at Apia on 18 September 2001.

Agreement between the Government of Australia and the Government of the Republic of Chile relating to Air Services, done at Santiago on 7 September 2001.

Agreement between the Government of Australia and the Government of the United States of America for the Enforcement of Maintenance (Support) Obligations.

*Multilateral*—Text, together with national interest analysis—

Agreement establishing the International Organisation of Vine and Wine, done at Paris on 3 April 2001.

Amendment, adopted at Geneva on 21 December 2001, to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects of 10 October 1980.

Australian declaration under paragraph 2 of Article 36 of the Statute of the International Court of Justice 1945, lodged at New York on 22 March 2002.

Australian declarations under Articles 287(1) and 298(1)(a) of the United Nations Convention on the Law of the Sea 1982, lodged at New York on 22 March 2002.

International Convention for the Suppression of the Financing of Terrorism, done at New York on 9 December 1999.

### 3 QUESTIONS

Questions without notice were answered.

### 4 AUSTRALIAN QUARANTINE INSPECTION SERVICE—SUPERANNUATION—ANSWERS TO QUESTIONS

Senator Sherry moved—That the Senate take note of the answers given by the Minister for Forestry and Conservation (Senator Ian Macdonald), the Minister for Finance and Administration (Senator Minchin) and the Minister for Revenue and Assistant Treasurer (Senator Coonan) to questions without notice asked by Senators O'Brien, Sherry and Buckland today relating to the Australian Quarantine Inspection Service and the superannuation guarantee.

Debate ensued.

Question put and passed.

### 5 DEFENCE—INTERNATIONAL CRIMINAL COURT—ANSWERS TO QUESTIONS

Senator Greig moved—That the Senate take note of the answers given by the Minister for Defence (Senator Hill) and the Minister for Justice and Customs (Senator Ellison) to questions without notice asked by Senators Evans and Greig today relating to the International Criminal Court.

Question put and passed.

### 6 SUPERANNUATION—ENHANCED CASH MANAGEMENT TRUST—ORDER FOR PRODUCTION OF DOCUMENT—DOCUMENT

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), by leave, made a statement relating to the order of the Senate of 16 May 2002 for the production of documents relating to Enhanced Cash Management Trust and, pursuant to that order, tabled the following document:

Superannuation—Enhanced Cash Management Trust—Report in relation to an investigation into the affairs of certain small APRA superannuation funds of which Commercial Nominees of Australia Limited was the former Trustee, dated 3 April 2002.

## 7 PETITIONS

The following 3 petitions, lodged with the Clerk by the senators indicated, were received:

Senators Carr and Kemp, from 55 and 63 petitioners, respectively, requesting that the Senate take action to review procedures relating to political asylum seekers and remove all practices which are manifestly inhumane or in contravention of national obligations.

Senator Lightfoot, from 1 259 petitioners, requesting that the Senate ensure that the Goldfields Medical Fund continues to operate as a separate identity in regional Western Australia.

## 8 NOTICES

*Notices of motion:*

Senator Sherry: To move on the next day of sitting—That there be laid on the table, on the last sitting day of the 2002 winter sittings, the revised costings document, including the correct phasing-in arrangements, of the Australian Labor Party's plan for a fairer superannuation system, prepared by Phil Gallagher (Manager, Retirement and Income Modelling Unit, Treasury), which was sent to the Treasurer's office in the week beginning 20 May 2002 and identified in Mr Gallagher's evidence before the Economics Legislation Committee on 4 June 2002. (*general business notice of motion no. 82*)

The Leader of the Australian Democrats (Senator Stott Despoja): To move on the next day of sitting—That there be laid on the table, immediately after the passage of this resolution, the Migration Amendment Regulations 2002 (No. 4), as contained in Statutory Rules 2002 No. 129 and made under the *Migration Act 1958*. (*general business notice of motion no. 83*)

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

(a) notes that:

- (i) Australia was among the leading advocates of the Rome Statute, which created the legal basis for the International Criminal Court (ICC) in 1998,
- (ii) the ICC will provide an avenue for the prosecution of war crimes, crimes against humanity and genocide, where domestic legal systems are unable to deliver justice,
- (iii) the Rome Statute will enter into force on 1 July 2002, having been ratified by more than 60 nations, and
- (iv) Australia will be excluded from participation in the first Assembly of States Parties if it does not ratify by 2 July 2002; and

(b) calls on the Government to ratify the Rome Statute for the ICC before 2 July 2002. (*general business notice of motion no. 84*)

Senators Bishop and Bartlett: To move on the next day of sitting—

(1) That the following matters be referred to the Community Affairs References Committee for inquiry and report by 13 September 2002:

- (a) consideration of the adequacy, effectiveness and fairness of proposed legislative participation requirements for parents and mature-age unemployed Australians; and

- (b) the Family and Community Services Legislation Amendment (Australians Working Together and other 2001 Budget Measures) Bill 2002, with particular reference to:
- (i) the nature of the participation requirements proposed in the bill for parents and older unemployed people, including how they compare to existing requirements for other workforce-age income support recipients,
  - (ii) the nature of penalty (breaching) provisions provided in the bill for parents and older unemployed people, including how they compare to existing requirements for other workforce-age income support recipients, and
  - (iii) the fairness, efficiency and effectiveness of proposed legislative social security penalty provisions.
- (2) That, in undertaking this reference, the committee consider the report of the Independent Review of Breaches and Penalties in the Social Security System (the Pearce Review) to determine whether implementation of its recommendations would improve the capacity of the participation requirement regime to provide effective and efficient support to workforce-age income support payment recipients while improving rates of compliance.

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 2002-03 Budget estimates be extended to 26 June 2002. (*general business notice of motion no. 85*)

Senator Conroy: To move 9 sitting days after today—

- (1) That regulations 7.9.10 and 7.9.11 of the Corporations Amendment Regulations 2001 (No. 4), as contained in Statutory Rules 2001 No. 319 and made under the *Corporations Act 2001*, be disallowed.
- (2) That regulations 7.9.10, 7.9.11(1), 7.9.11(1)(a), 7.9.11(1)(b) and 7.9.11(2) of the Corporations Amendment Regulations 2002 (No. 2), as contained in Statutory Rules 2002 No. 16 and made under the *Corporations Act 2001*, be disallowed.
- (3) That regulation 7.8.22 of the Corporations Amendment Regulations 2002 (No. 3), as contained in Statutory Rules 2002 No. 41 and made under the *Corporations Act 2001*, be disallowed.

Senator Ferris: To move on the next day of sitting—That the Parliamentary Joint Committee on the National Crime Authority be authorised to hold a public meeting during the sitting of the Senate on Monday, 24 June 2002, from 8 pm, to take evidence for the committee's inquiry into the National Crime Authority annual report 2000-01. (*general business notice of motion no. 86*)

The Chair of the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund (Senator Ferris): To move on the next day of sitting—That the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 25 June 2002, from 4 pm, to take evidence for the committee's inquiry into the National Native Title Tribunal annual report 2000-01. (*general business notice of motion no. 87*)

Senator Brown: To move on the next day of sitting—That the Migration Amendment Regulations 2002 (No. 4), as contained in Statutory Rules 2002 No. 129 and made under the *Migration Act 1958*, be disallowed.

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 *Torres Strait Fisheries Act 1984*, and for related purposes. ***Torres Strait Fisheries Amendment Bill 2002.***

The Chair of the Employment, Workplace Relations and Education Legislation Committee (Senator Tierney): To move on the next day of sitting—That the time for the presentation of the report of the Employment, Workplace Relations and Education Legislation Committee on the 2002-03 Budget estimates be extended to 27 June 2002. (*general business notice of motion no. 88*)

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 2002-03 Budget estimates be extended to 25 June 2002. (*general business notice of motion no. 89*)

Senator Murphy: To move on the next day of sitting—That the following matters be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 28 August 2002:

- (a) the administration of the 'Plantations for Australia: The 2020 Vision' strategy;
- (b) whether or not the imperatives, goals and actions have been proceeded with or met in accordance with the aforementioned strategy;
- (c) whether or not the practices employed to implement the strategy thus far have been consistent with the stated intentions of the said strategy;
- (d) whether or not the current and proposed taxation structures are suitable and/or adequate for the purpose of achieving the 2020 Vision Strategy;
- (e) whether or not the states are employing world's best practice in sustainability and environmental applications for plantation development;
- (f) whether or not the review process conducted during December 2001 and January 2002 allowed for adequate public input; and
- (g) what the long-term strategies are for companies currently involved in the plantation industry.

Senator Bartlett: To move on the next day of sitting—That there be laid on the table, no later than 4 pm on Tuesday, 25 June 2002, the following documents:

- (a) the current mine lease or leases on Christmas Island held by Phosphate Resource Ltd (PRL), including all conditions;
- (b) the Environment Management Plan for the lease or leases;
- (c) any Environment Australia (EA) documents relating to compliance, oversight and enforcement of the lease or leases and conditions;
- (d) all materials relating to breaches of conditions, including claims, investigations and actions;
- (e) any audits of PRL's rehabilitation program;
- (f) any new mining proposals for Christmas Island;

- (g) a current tenure map of all blocks that have been mined;
- (h) any documents relating to the transfer of any lots to or from PRL;
- (i) any documents relating to the current mine rehabilitation budget for EA on Christmas Island;
- (j) any documents relating to the current status of rehabilitation on lease block 138;
- (k) any documents relating to the payment or non-payment of power bills by PRL;
- (l) any documents relating to alternative locations for the proposed detention centre on Christmas Island;
- (m) any documents containing responses of EA to the detention centre proposal; and
- (n) current funds held for purposes of mine rehabilitation on Christmas Island. (*general business notice of motion no. 90*)

Senator Harris: To move 7 sitting days after today—That the Motor Vehicle Standards Amendment Regulations 2001 (No. 1), as contained in Statutory Rules 2001 No. 350 and made under the *Motor Vehicle Standards Act 1989*, be disallowed.

Senator Bartlett: To move 10 sitting days after today—That the Environment Protection and Biodiversity Conservation Amendment Regulations 2001 (No. 3), as contained in Statutory Rules 2001 No. 327 and made under the *Environment Protection and Biodiversity Conservation Act 1999* and the *Environment Protection and Biodiversity Conservation Amendment (Wildlife Protection) Act 2001*, be disallowed.

*Notices of motion withdrawn:*

The Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen), pursuant to notice of intention given on 16 May 2002, withdrew business of the Senate notice of motion no. 1 standing in his name for 9 sitting days after today for the disallowance of the Fuel Quality Standards Regulations 2001, as contained in Statutory Rules 2001 No. 236 and made under the *Fuel Quality Standards Act 2000*.

Senator Calvert, at the request of the Chair of the Parliamentary Joint Committee on Corporations and Financial Services (Senator Chapman), withdrew general business notice of motion no. 81 standing in the name of Senator Chapman for today, relating to an authorisation for the committee to meet.

**9 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Calvert, by leave and at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Crane), moved—That the Rural and Regional Affairs and Transport Legislation Committee be authorised to hold a public meeting during the sitting of the Senate today, from 6 pm, to take evidence for the committee's inquiry into the administration of Airservices Australia in relation to matters arising from consideration of additional estimates 2001-02.

Question put and passed.



## 10 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 25 June 2002.

Business of the Senate notice of motion no. 2 standing in the name of Senator Murray for today, relating to the reference of matters to the Community Affairs References Committee, postponed till 25 June 2002.

Business of the Senate notice of motion no. 3 standing in the name of Senator Bartlett for today, relating to the disallowance of the Environment Protection and Biodiversity Conservation Amendment Regulations 2001 (No. 2), postponed till 24 June 2002.

Business of the Senate notice of motion no. 5 standing in the name of Senator O'Brien for today, relating to the reference of a matter to the Rural and Regional Affairs and Transport References Committee, postponed till 19 June 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 25 June 2002.

General business notice of motion no. 16 standing in the name of Senator Brown for today, relating to the introduction of the Parliamentary Commission of Inquiry (Forest Practices) Bill 2002, postponed till 20 June 2002.

General business notice of motion no. 53 standing in the name of Senator Greig for today, relating to the introduction of the Sexuality Anti-Vilification Bill 2002, postponed till 26 June 2002.

General business notice of motion no. 80 standing in the name of Senator Bartlett for today, proposing an order for the production of documents by the Minister representing the Minister for the Environment and Heritage (Senator Hill), postponed till 15 October 2002.

## 11 ANIMAL WELFARE—NATIONAL HEALTH AND MEDICAL RESEARCH COUNCIL PRIMATE COLONIES—ORDER FOR PRODUCTION OF DOCUMENT

Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 76—That there be laid on the table, no later than 3.30 pm on Monday, 24 June 2002, by the Minister for Health and Ageing, a copy of the colony visit reports written relating to the recent visits of the Animal Welfare Committee to the National Health and Medical Research Council primate colonies.

Question put and passed.

## 12 FOREIGN AFFAIRS—UNITED STATES—DETENTION OF AUSTRALIAN CITIZENS

Senator Brown, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 79—That the Senate—

- (a) notes the recent return to the United States of America (US) of another of its citizens from detention in the military prison at Guantanamo Bay in Cuba; and
- (b) calls for the immediate repatriation to Australia of Mamadouh Habib and David Hicks, the two Australian citizens being held by the US in the same military prison.

Question put and negated.

**13 APPROPRIATIONS AND STAFFING—STANDING COMMITTEE—36TH REPORT**

The Deputy President (Senator West) tabled the following report received on 22 May 2002:

Appropriations and Staffing—Standing Committee—36th report—Estimates for the Department of the Senate 2002-03, dated May 2002.

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

**14 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—INTERIM REPORT—MIGRATION LEGISLATION AMENDMENT (PROCEDURAL FAIRNESS) BILL 2002**

The Deputy President (Senator West) tabled the following report received on 22 May 2002:

Legal and Constitutional Legislation Committee—Migration Legislation Amendment (Procedural Fairness) Bill 2002—Interim report, dated 22 May 2002.

**15 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—INTERIM REPORT—MIGRATION LEGISLATION AMENDMENT BILL (NO. 1) 2002**

The Deputy President (Senator West) tabled the following report received on 22 May 2002:

Legal and Constitutional Legislation Committee—Migration Legislation Amendment Bill (No. 1) 2002—Interim report, dated 22 May 2002.

**16 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—MIGRATION LEGISLATION AMENDMENT (PROCEDURAL FAIRNESS) BILL 2002**

The Deputy President (Senator West) tabled the following report and documents received on 5 June 2002:

Legal and Constitutional Legislation Committee—Migration Legislation Amendment (Procedural Fairness) Bill 2002—Report, dated June 2002, *Hansard* record of proceedings [2 vols], documents presented to the committee and submissions [16].

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

**17 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—MIGRATION LEGISLATION AMENDMENT BILL (NO. 1) 2002**

The Deputy President (Senator West) tabled the following report and documents received on 5 June 2002:

Legal and Constitutional Legislation Committee—Migration Legislation Amendment Bill (No. 1) 2002—Report, dated June 2002, *Hansard* record of proceedings [2 vols], documents presented to the committee and submissions [12].

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

**18 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—AUSTRALIAN PROTECTIVE SERVICE AMENDMENT BILL 2002**

The Deputy President (Senator West) tabled the following report and documents received on 13 June 2002:

Legal and Constitutional Legislation Committee—Australian Protective Service Amendment Bill 2002—Report, dated June 2002, *Hansard* record of proceedings and submissions [4].

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

**19 FINANCE AND PUBLIC ADMINISTRATION REFERENCES COMMITTEE—GOVERNMENT RESPONSE—ACCOUNTABILITY TO THE SENATE IN RELATION TO GOVERNMENT CONTRACTS**

The Deputy President (Senator West) tabled the following document received on 5 June 2002:

Finance and Public Administration References Committee—Mechanism for providing accountability to the Senate in relation to government contracts—Final report—Commonwealth contracts: A new framework for accountability, dated September 2001—Government response, dated June 2002.

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

The Deputy President (Senator West) tabled the following document received on 3 June 2002:

Advisory Panel on the Marketing of Infant Formula in Australia—Report for 2000-01.

**21 AUDITOR-GENERAL—AUDIT REPORTS NOS 51 TO 58 OF 2001-02—DOCUMENTS**

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

Auditor-General—Audit report for 2001-02—

No. 51—Performance audit—Research project management: Commonwealth Scientific and Industrial Research Organisation (CSIRO). [Received 23 May 2002]

No. 52—Financial control and administration audit—Internal budgeting. [Received 24 May 2002]

No. 53—Assurance and control assessment audit—Goods and services tax administration by Commonwealth organisations. [Received 29 May 2002]

No. 54—Performance audit—Drug detection in air and containerised sea cargo and small craft: Australian Customs Service. [Received 6 June 2002]

No. 55—Performance audit—Administration of tobacco excise: Australian Taxation Office. [Received 6 June 2002]

No. 56—Performance audit—Workforce planning in the Department of Immigration and Multicultural and Indigenous Affairs. [Received 13 June 2002]

No. 57—Performance audit—Management framework for preventing unlawful entry into Australian territory: Department of Immigration and Multicultural and Indigenous Affairs. [*Received 14 June 2002*]

No. 58—Performance audit—Defence property management: Department of Defence. [*Received 17 June 2002*]

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

The Deputy President (Senator West) tabled the following document 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—Communications, Information Technology and the Arts portfolio. [*Received 13 June 2002*]

**23 HEALTH—NUCLEAR TESTING—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**

Pursuant to the order of the Senate of 20 March 2002, the Deputy President (Senator West) tabled the following documents received on 28 May 2002:

Health—Nuclear testing—Copies of—

Radioactivity in wheat.

R009.011—Weapons—Atomic Test Program—Investigation of safety procedures and health effects.

R010.002—Comparison of UK personnel listings against exposure records in Australia.

R065.015—Likelihood of clandestine introduction of nuclear weapons into Australia.

R065.046—UK testing at Woomera of missiles with nuclear warheads.

R100.018—DCMO Brisbane and Amberley.

R208.010—Certificates for wounds and hurts.

R210.004—Radiation dose records.

R216.010—Chemical warfare testing sites—Report by Joint Australia/US survey team of visit to Iron Range, Maralinga to investigate suitability of area.

R228.022—Weapons—Atomic Test Program—Investigation of safety procedures and health effects.

**24 CONSIDERATION OF DOCUMENTS**

Senator Calvert, by leave, moved—That consideration of the report of the Standing Committee on Appropriations and Staffing and the government response to a committee report tabled earlier today (*see entries nos 13 and 19*) be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

**25 ESTIMATES OF PROPOSED EXPENDITURE FOR 2002-03—PORTFOLIO BUDGET STATEMENTS—DEPARTMENT OF THE SENATE—DOCUMENT**

The Deputy President (Senator West) tabled the following document:

Estimates of proposed expenditure for 2002-03—Portfolio budget statements—Department of the Senate—Corrigendum.

**26 ESTIMATES OF PROPOSED EXPENDITURE FOR 2002-03—PORTFOLIO BUDGET STATEMENTS—PORTFOLIOS AND EXECUTIVE DEPARTMENTS—DOCUMENTS**

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

Estimates of proposed expenditure for 2002-03—Portfolio budget statements—Portfolios and executive departments—

Education, Science and Training portfolio—Corrigendum.

Employment and Workplace Relations portfolio—Corrigendum.

**27 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ADDITIONAL ESTIMATES 2001-02**

Senator Calvert, at the request of the Chair of the Community Affairs Legislation Committee (Senator Knowles), tabled additional information received by the committee (Additional estimates 2001-02—vol. 6).

**28 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—REPORT—AUSTRALIAN SECURITY INTELLIGENCE ORGANISATION LEGISLATION AMENDMENT (TERRORISM) BILL 2002**

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

Legal and Constitutional Legislation Committee—Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002—Report, dated June 2002.

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

**29 ASIO, ASIS AND DSD—JOINT COMMITTEE—REPORT NO. 1—AUSTRALIAN SECURITY INTELLIGENCE ORGANISATION LEGISLATION AMENDMENT (TERRORISM) BILL 2002**

Senator Calvert, on behalf of the Parliamentary Joint Committee on ASIO, ASIS and DSD, tabled the following report:

ASIO, ASIS and DSD—Joint Committee—Report no. 1—Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002—Advisory report, dated May 2002.

Senator Calvert, by leave, moved—That the Senate take note of the report and the report of the Legal and Constitutional Legislation Committee on the same bill tabled earlier today (*see entry no. 28*).

Debate ensued.

Debate adjourned till the next day of sitting, Senator Harris in continuation.

**30 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—  
REPORT—AUSTRALIAN MOTOR VEHICLE STANDARDS**

Senator Ellison, at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Crane), tabled the following report and documents:

Rural and Regional Affairs and Transport Legislation Committee—Administration by the Department of Transport and Regional Services of Australian motor vehicle standards under the *Motor Vehicle Standards Act 1989* and regulations—Report, dated June 2002, *Hansard* record of proceedings, document presented to the committee and submissions [9].

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

Senator Harris, by leave, moved—That the Senate take note of the report.

Debate adjourned till the next day of sitting, Senator Harris in continuation.

**31 AUSTRALIAN PARLIAMENTARY DELEGATION TO THE ASIA PACIFIC PARLIAMENTARY  
FORUM—DOCUMENT**

Senator Ferris, by leave, tabled the following document:

Asia Pacific Parliamentary Forum—Report of the Australian parliamentary delegation to the 10th annual meeting held in Honolulu, United States of America, 6 to 9 January 2002, dated May 2002.

**32 DOCUMENTS**

The following documents were tabled by the Clerk:

A New Tax System (Goods and Services Tax) Act—

GST-free Supply (In-home Care) Amendment Determination 2002 (No. 1).

GST-free Supply (Long Day Care) Determination 2002.

Aboriginal and Torres Strait Islander Commission Act—Aboriginal and Torres Strait Islander Commission (Regional Council Election) Amendment Rules 2002 (No. 3).

Admiralty Act—Rules—Statutory Rules 2002 No. 109.

Air Navigation Act—Regulations—Statutory Rules 2002 No. 123.

Air Services Act—Direction under section 16—Instrument TREG 09/2002.

Australia New Zealand Food Authority Act—Regulations—Statutory Rules 2002 No. 119.

Australian National University Act—

Board of The Faculties Statute 2002.

Board of the Institute of Advanced Studies Statute 2002.

Deputy Vice-Chancellorship Statute 2002.

Faculties Statute 2002.

Institute of the Arts Statute 2002.

Interpretation Statute 2002.

Programs and Awards Statute 2002.

University Seal Statute 2002.

Vice-Chancellorship Statute 2002.

- Australian Prudential Regulation Authority Act—  
Australian Prudential Regulation Authority (Commonwealth Costs) Determination 2002.  
Instrument under section 51—Instrument fixing charges to be paid to APRA, dated 13 May 2002.
- Australian Research Council Act—Determination—  
No. 9—Determination under section 51, dated 7 March 2002.  
No. 10—Determinations under section 51, dated 24 April; and 3 and 10 May 2002.
- Australian Securities and Investments Commission Act—Regulations—Statutory Rules 2002 No. 124.
- Authorised Deposit-taking Institutions Supervisory Levy Imposition Act—Authorised Deposit-taking Institutions Supervisory Levy Imposition Determination 2002.
- Authorised Non-operating Holding Companies Supervisory Levy Imposition Act—Authorised Non-operating Holding Companies Supervisory Levy Imposition Determination 2002.
- Banking Act—Regulations—Statutory Rules 2002 No. 125.
- Broadcasting Services Act—Notice of reservation of capacity for national radio broadcasting services (No. 1 of 2002).
- Civil Aviation Act—Civil Aviation Regulations—  
Airworthiness Directives—Part—  
105, dated 11 [4], 15, 18, 29 [2] and 30 [2] April; and 1 [4], 3 [8], 8 [2], 16 and 21 May 2002.  
106, dated 12 [2] and 15 [2] April; and 1 [5] and 3 [3] May 2002.  
107, dated 10 [2] April; and 1 [3], 3 and 16 May 2002.  
Exemption No. CASA EX11/2002.  
Instruments Nos CASA 253/02, CASA 255/02, CASA 300/02, CASA 301/02, CASA 311/02, CASA 312/02, CASA 320/02 and CASA 323/02.
- Class Rulings CR 2002/3 (Addendum) and CR 2002/26-PR 2002/31.
- Commonwealth Electoral Act and Referendum (Machinery Provisions) Act—Regulations—Statutory Rules 2002 No. 117.
- Commonwealth Places (Mirror Taxes) Act 1998—Commonwealth Places (Mirror Taxes) Modification of Applied Laws (Queensland) Amendment Notice 2002 (No. 1).
- Corporations Act—Regulations—Statutory Rules 2002 No. 126.
- Currency Act—  
Currency (Perth Mint) Determination 2001 (No. 2) Amendment Determination 2002 (No. 1).  
Currency (Royal Australian Mint) Determination 2002 (No. 3).
- Customs Act—  
CEO Instruments of Approval Nos 16 and 17 of 2002.  
Regulations—Statutory Rules 2002 No. 98.
- Dairy Produce Act—  
Dairy Structural Adjustment Program Scheme Amendment 2000 (No. 9).  
Supplementary Dairy Assistance Scheme 2001 Variation (No. 3).

- Defence Act—Determination under section—  
58B—Defence Determinations 2002/11-2002/14.  
58H—Defence Force Remuneration Tribunal—Determination No. 8 of 2002.
- Diplomatic Privileges and Immunities Act—Diplomatic Privileges and Immunities Regulations—Certificates under regulation 5A, dated 9 May 2002 [2].
- Environment Protection and Biodiversity Conservation Act—  
Instrument amending list of—  
Exempt native specimens under section 303DB, dated 14 May 2002.  
Threatened species under section 178, dated 2 August 2001.  
Lord Howe Island Marine Park (Commonwealth Waters)—  
Comments on representations on the draft management plan, dated April 2002.  
Management Plan.  
Notice of proposed accreditation of the Heard Island and McDonald Islands Fishery Management Plan 2002, dated 14 May 2002.
- Export Control Act—Export Control (Orders) Regulations—Export Meat Amendment Orders 2002 (No. 1).
- Family Law Act—Regulations—Statutory Rules 2002 No. 110.
- Federal Court of Australia Act—Rules of Court—Statutory Rules 2002 No. 130.
- Financial Management and Accountability Act—Regulations—Statutory Rules 2002 No. 113.
- Fisheries Management Act and Fishing Levy Act—Regulations—Statutory Rules 2002 No. 104.
- Fisheries Management Act—  
Heard Island and McDonald Islands Fishery Management Plan 2002.  
Regulations—Statutory Rules 2002 No. 115.
- Fuel Quality Standards Act—Regulations—Statutory Rules 2002 No. 116.
- General Insurance Supervisory Levy Imposition Act—General Insurance Supervisory Levy Imposition Determination 2002.
- Goods and Services Tax Determination GSTD 2002/2.
- Goods and Services Tax Ruling GSTR 2002/1.
- Great Barrier Reef Marine Park Act—Regulations—Statutory Rules 2002 No. 112.
- Health Insurance Act—  
Determination—HIA/s3GC(3)/No. 1 of 2002.  
Health Insurance (Eligible Collection Centres) Approval Principles 2002.
- Higher Education Funding Act—  
Bridging for Overseas-Trained Professionals Loan Scheme Guidelines, dated May 2002.  
Determination under section—  
15—Determinations Nos T35-2001 and T37-2001.  
16—Determination No. T36-2001.  
98S—Determination No. 2002-001.



- Research and Research Training Management Reports Guidelines for Higher Education Institutions 2002.
- Immigration (Education) Act—Regulations—Statutory Rules 2002 No. 120.
- Income Tax Assessment Act 1936*—Regulations—Statutory Rules 2002 Nos 101 and 111.
- Insurance Act and General Insurance Reform Act—Regulations—Statutory Rules 2002 No. 127.
- Insurance Act—Regulations—Statutory Rules 2002 No. 103.
- Lands Acquisition Act—Statements describing property acquired by agreement under sections 40 and 125 of the Act for specified public purposes [2].
- Life Insurance Supervisory Levy Imposition Act—Life Insurance Supervisory Levy Imposition Determination 2002.
- Migration Act—  
Direction under section 499—Direction No. 28.  
Notice under subsection 501C(8), dated 28 May 2002.  
Regulations—Statutory Rules 2002 No. 121.  
Statement under section 91D—Prescription of the People’s Republic of China as a safe third country.
- National Health Act—  
Determination under—  
Schedule 1—HSR 8/2002, HSR 9/2002 and HSR 11/2002.  
Section 5D—HSR 10/2002.
- Ombudsman Act—Regulations—Statutory Rules 2002 No. 122.
- Passports Act—Regulations—Statutory Rules 2002 No. 118.
- Patents Act—Regulations—Statutory Rules 2002 No. 100.
- Primary Industries (Customs) Charges Act—Regulations—Statutory Rules 2002 No. 106.
- Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2002 No. 107.
- Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 2002 No. 108.
- Privacy Act—Regulations—Statutory Rules 2002 No. 105.
- Product Ruling—  
Addendum—  
PR 2001/89.  
PR 2002/26 and PR 2002/33.  
PR 2002/62-PR 2002/83.
- Radiocommunications Act—  
Mobile-Satellite Service (2GHz) Frequency Band Plan 2002.  
Radiocommunications (118MHz to 137MHz Amplitude Modulated Equipment — Aeronautical Radio Service) Standard 2002.

- Radiocommunications (Cellular Mobile Telecommunications Devices) Class Licence 2002.
- Radiocommunications Devices (Compliance Labelling) Amendment Notice 2002 (No. 1).
- Radiocommunications (MF and HF Radiotelephone Equipment — International Maritime Mobile Service) Standard 2002.
- Radiocommunications (Paging Service Equipment) Standard 2002.
- Radiocommunications (Receiver Licence Tax) Act—Radiocommunications (Receiver Licence Tax) Determination 2002.
- Radiocommunications (Transmitter Licence Tax) Act—Radiocommunications (Transmitter Licence Tax) Determination 2002.
- Retirement Savings Account Providers Supervisory Levy Imposition Act—Retirement Savings Account Providers Supervisory Levy Imposition Determination 2002.
- Social Security Act—Social Security (Fares Allowance for Private Transport) Determination 2002.
- Superannuation Contributions Determinations SCD 2002/1-SCD 2002/4.
- Superannuation Guarantee Determination SGD 2002/1.
- Superannuation Supervisory Levy Imposition Act—Superannuation Supervisory Levy Imposition Determination 2002.
- Taxation Administration Act—Regulations—Statutory Rules 2002 Nos 102 and 128.
- Taxation Determinations TD 2002/6-TD 2002/14.
- Taxation Ruling TR 2000/17 (Addendum).
- Telecommunications Act—
  - Carrier Licence Conditions (Telstra Corporation Limited) Declaration 1997 (Amendment No. 1 of 2002).
  - Interception Capability Plan Determination 2002 (No. 1).
  - Regulations—Statutory Rules 2002 No. 99.
  - Telecommunications Labelling (Customer Equipment and Customer Cabling) Amendment Notice 2002 (No. 2).
  - Telecommunications (Types of Cabling Work) Amendment Declaration 2002 (No. 1).
- Telecommunications (Carrier Licence Charges) Act—
  - Telecommunications (Annual Carrier Licence Charge) Determination 2002.
  - Telecommunications (Costs Attributable to Telecommunications Functions and Powers) Determination 2002.
- Telecommunications (Consumer Protection and Service Standards) Act—
  - Special Digital Data Service Provider Determination 2002 (No. 1).
  - Telecommunications (Emergency Call Service) Determination 2002.
- Therapeutic Goods Act—
  - Regulations—Statutory Rules 2002 No. 114.
  - Therapeutic Goods (Manufacturing Principles) Determination No. 1 of 2002—MP1/2002.
  - Therapeutic Goods Order No. 70.
- Veterans' Entitlements Act—
  - Instruments under section 196B—Instruments Nos 44-51 of 2002.

Veterans' Entitlements (Treatment Principles - Dental Fees Instrument) Amendment Instrument 8/2002.

Veterans' Entitlements (Treatment Principles - Veterans' Home Care Instrument) Amendment Instrument 3/2002.

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

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

*International Transfer of Prisoners Act 1997*—Act, except for sections 1 and 2—5 June 2002 (*Gazette* No. GN 22, 5 June 2002).

### 34 MIGRATION REGULATIONS—CONSIDERATION

The Leader of the Opposition in the Senate (Senator Faulkner), by leave, moved—That the Senate—

- (a) notes that the Government has delayed the tabling of the Migration Amendment Regulations 2002 (No. 4), as contained in Statutory Rules 2002 No. 129 and made under the *Migration Act 1958*; and
- (b) calls on the Government to table these Regulations on the next day of sitting.

Debate ensued.

Question put.

The Senate divided—

#### AYES, 37

Senators—

Allison	Conroy	Harradine	O'Brien
Bartlett	Cook	Hogg	Ray
Bishop	Cooney	Hutchins	Ridgeway
Bourne	Crossin	Lees	Schacht
Brown	Crowley	Ludwig	Sherry
Buckland	Denman	Lundy	Stott Despoja
Campbell, George	Evans	Mackay (Teller)	West
Carr	Forshaw	McLucas	
Cherry	Gibbs	Murphy	
Collins	Greig	Murray	

#### NOES, 33

Senators—

Abetz	Coonan	Knowles	Scullion
Alston	Eggleston	Lightfoot	Tchen
Barnett	Ellison	Macdonald, Ian	Tierney
Boswell	Ferguson	Macdonald, Sandy	Troeth
Brandis	Ferris (Teller)	Mason	Vanstone
Calvert	Harris	Minchin	Watson
Campbell, Ian	Heffernan	Patterson	
Chapman	Herron	Payne	
Colbeck	Kemp	Reid	

Question agreed to.

---

*After 6.50 pm—*

**35 GOVERNMENT DOCUMENTS—CONSIDERATION**

The government documents tabled earlier today (*see entry no. 2*) were called on but no motion was moved.

**36 ADJOURNMENT**

The President proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 7.27 pm till Wednesday, 19 June 2002 at 9.30 am.

**37 ATTENDANCE**

Present, all senators except Senators Crane\*, McGauran and McKiernan (\* on leave).

**HARRY EVANS**  
Clerk of the Senate