

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

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1 MEETING OF SENATE

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

2 GOVERNMENT DOCUMENTS

The following government documents were tabled:

Air Passenger Ticket Levy (Collection) Act 2001—Report for the period 1 October 2001 to 31 March 2002.

Australian Land Transport Development Program—Progress reports—
1998-99.
1999-2000.

Civil Aviation Safety Authority—Corporate plan 2002-03 to 2004-05.

Commonwealth Grants Commission—Report—Indigenous funding 2001—
Government response, June 2002.

Department of Defence—Special purpose flights—Schedule for the period 1 July to
31 December 2001.

Department of the Prime Minister and Cabinet—Expenditure on travel by former
Governors-General paid by the Department of the Prime Minister and Cabinet between
1 July and 31 December 2001.

Indigenous Business Australia—Corporate plan 2002-2005.

Office of the Renewable Energy Regulator—Report for 2001.

Productivity Commission—

Report—No. 14—Review of the *Prices Surveillance Act 1983*, 14 August 2001.

Report—No. 14—Review of the *Prices Surveillance Act 1983*—Government
response.

3 QUESTIONS

Questions without notice were answered.

4 FINANCE—CORPORATE GOVERNANCE—ANSWERS TO QUESTIONS

Senator Conroy moved—That the Senate take note of the answers given by the Minister
for Finance and Administration (Senator Minchin) and the Minister for Revenue and
Assistant Treasurer (Senator Coonan) to questions without notice asked by Senator Conroy
today relating to corporate governance.

Debate ensued.

Question put and passed.

5 COALITION PARTY ROOM—BALLOT—PERSONAL EXPLANATION

Senator Reid, by leave, made a personal explanation relating to an article in the *Age* today
concerning a Coalition party room ballot.

6 HEALTH—TOBACCO—ANSWER TO QUESTION

Leave was granted for the time for motions to take note of answers to be extended for 5 minutes.

Senator Allison moved—That the Senate take note of the answer given by the Minister for Health and Ageing (Senator Patterson) to a question without notice asked by Senator Allison today relating to tobacco.

Question put and passed.

7 PETITION

The following petition, lodged with the Clerk by Senator Heffernan, was received:

From 447 petitioners, requesting that the Senate oppose the destruction of human embryos by scientists extracting embryonic stem cells.

8 NOTICES

Senator Sherry: To move on the next day of sitting—That there be laid on the table, on the next day of sitting, the advice by the Australian Prudential Regulation Authority, to the Assistant Treasurer, under section 230A of the *Superannuation Industry (Supervision) Act 1993* in relation to applications for financial assistance for superannuation funds where Commercial Nominees of Australia Ltd was trustee. (*general business notice of motion no. 126*)

Senator Sherry: To move on the next day of sitting—That there be laid on the table, on the next day of sitting, the report presented to the Government by the Superannuation Working Group on 28 March 2002. (*general business notice of motion no. 127*)

The Chair of the Employment, Workplace Relations and Education Legislation Committee (Senator Tierney): To move on the next day of sitting—That the Employment, Workplace Relations and Education Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 22 August 2002, from 3.30 pm to 5 pm, to take evidence for the committee's inquiry into the Workplace Relations Amendment (Paid Maternity Leave) Bill 2002. (*general business notice of motion no. 128*)

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

- (1) There be laid on the table, not later than the conclusion of question time on Monday, 26 August 2002, the documents described in paragraph (2), relating to financial information and forward financial projections and actuals, routinely prepared by the Department of Education, Science and Training pursuant to ministerial determination under section 14 of the *Higher Education Funding Act 1988*, for the higher education institutions listed on Table A, section 4, of the Act (as amended).
- (2) The documents to be provided must include those containing information on the financial health of the Commonwealth-funded university system, in the form of charts and text, presenting details as follows:
 - (a) the 4-page report showing the summary position, including graphs, sent by the department to each university pursuant to section 14 of the Act to assist in the discussion of the agenda item 'Resource management' in the profile discussions of late 2001;

- (b) in the case of each university, a copy of the formal minutes of the 2001 profile discussions;
- (c) the summary report prepared by the department, pursuant to section 14 of the Act, in advance of the visit to each university as part of the profiles process relating to funding under the Act; in particular, a sector overview of the financial performance and financial position of the institutions for 2000, including total and non-government revenue, revenue analysis by source, total and non-government revenue including projections to 2004, operating result, cash and investments and external debt, current ratio, debt-equity ratio, net capital expenditure, capital funding, comparative position of groups (categories) of institutions, comparative enrolment profile, comparative research performance (share of research performance measures), and a commentary on the financial standing of the sector as a whole including forward projections to 2004;
- (d) the operating result of all listed institutions for 2000;
- (e) changes in the year 2000 operating result from the average for the previous 4-year average of all institutions; and
- (f) for each listed institution, separately, as prepared pursuant to section 14 of the Act, a revenue analysis by source for 2000, total and non-government revenue including projections to 2004, operating margin, cash and investments and external debt, current ratio, debt-equity ratio, net capital expenditure, capital funding, comparative enrolment profile, research performance including research income (compared to sector average and relevant group average), research load and completions (compared to sector average and relevant group average) and a commentary on the financial standing of the institution including forward projections to 2004. (*general business notice of motion no. 129*)

The Chair of the Legal and Constitutional References Committee (Senator Bolkus): To move on the next day of sitting—That the Legal and Constitutional References Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 22 August 2002, from 3.30 pm to 4.45 pm, to take evidence for the committee's inquiry into the Migration Legislation Amendment (Further Border Protection Measures) Bill 2002 and related issues. (*general business notice of motion no. 130*)

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

- (1) That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report:
All matters related to a possible military attack against Iraq by the United States of America, with particular emphasis on Australia's potential role.
- (2) That the committee call for public submissions and hold public hearings as promptly as possible, with the aim of ensuring as much information as possible is made available to the Australian public to ensure the most comprehensive and informed public debate on the matter can occur.
- (3) That the committee report to the Senate at a time, or times, and in a form it deems to be appropriate, taking into account any local or international developments, as long as a report is presented by 13 December 2002.

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

- (a) notes:
- (i) that the clean-up of the Maralinga atomic test site resulted in highly plutonium-contaminated debris being buried in shallow earth trenches and covered with just one to two metres of soil,
 - (ii) that large quantities of radioactive soil were blown away during the removal and relocation of that soil into the Taranaki burial trenches, so much so that the contaminated airborne dust caused the work to be stopped on many occasions and forward area facilities to be evacuated on at least one occasion, and
 - (iii) that americium and uranium waste products are proposed to be stored in an intermediate waste repository and that both these contaminants are buried in the Maralinga trenches;
- (b) rejects the assertion by the Minister for Science (Mr McGauran) on 14 August 2002 that this solution to dealing with radioactive material exceeds world's best practice;
- (c) contrasts the Maralinga method of disposal of long-lived, highly radioactive material with the Government's proposals to store low-level waste in purpose-built lined trenches 20 metres deep and to store intermediate waste in a deep geological facility;
- (d) calls on the Government to acknowledge that long-lived radioactive material is not suitable for near surface disposal; and
- (e) urges the Government to exhume the debris at Maralinga, sort it and use a safer, more long-lasting method of storing this material. (*general business notice of motion no. 131*)

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

- (a) notes that:
- (i) wheelchair passengers currently experience an ongoing and unresolved issue in relation to carriage of wheelchairs on Qantas flights,
 - (ii) people who use wheelchairs are required to have their chairs loaded and stowed as general cargo on Qantas flights,
 - (iii) this frequently results in damage to wheelchairs, which cost thousands of dollars, and the inability to use the chair at the point of arrival, and
 - (iv) for persons who are dependent on wheelchairs, the chair represents their sole mobility and its safe transport, free from damage, is essential for travel; and
- (b) urges Qantas to develop or acquire a special container to provide safe and secure transport of wheelchairs to ensure peace of mind for travellers with disabilities. (*general business notice of motion no. 132*)

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

- (a) the address-in-reply be presented to His Excellency the Governor-General by the President and such senators as may desire to accompany him; and

- (b) on Wednesday, 28 August 2002, the Senate adjourn at 6.10 pm without any question being put, for the purposes of presenting the address-in-reply to the Governor-General.

The Leader of the Opposition in the Senate (Senator Faulkner) and the Leader of the Australian Democrats (Senator Stott Despoja): To move on the next day of sitting—That the Senate calls upon the Government to define the circumstances under which Australia would consider diplomatic or military support for a United States led attack on Iraq, in particular, to outline the evidence linking Iraq to international terrorism or evidence of a significant expansion in the threat from Iraq's nuclear, chemical or biological weapons programs. (*general business notice of motion no. 133*)

Senator O'Brien: To move on the next day of sitting—That the Senate—

- (a) notes that:
- (i) 19 August to 25 August 2002 is National Landcare Week,
 - (ii) Labor established Landcare in 1989,
 - (iii) Landcare is a program of community-based land care projects directed by landholders, community groups and individuals who contribute to grass roots conservation activity,
 - (iv) according to Landcare Australia, 43 per cent of Australian farmers are now involved in Landcare initiatives to help improve our environmental health,
 - (v) Landcare has made an invaluable contribution to tackling the decline in Australia's land and water quality, but significant challenges remain, and
 - (vi) the 2002 National Landcare Awards recognise organisations and individuals making an outstanding contribution to the protection and rehabilitation of Australia's land and waterways; and
- (b) congratulates finalists in the 2002 National Landcare Awards and thanks all Landcare volunteers for their magnificent contribution to our environment. (*general business notice of motion no. 134*)

9 LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Mackay, by leave and at the request of the Chair of the Legal and Constitutional References Committee (Senator Bolkus), moved—That the Legal and Constitutional References Committee be authorised to hold a public meeting during the sitting of the Senate on 21 August 2002, from 10 am to 12.30 pm, to take evidence for the committee's inquiry into the Migration Legislation Amendment (Further Border Protection Measures) Bill 2002 and related issues.

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 21 August 2002, relating to the disallowance of the Environment Protection and Biodiversity Conservation Amendment Regulations 2001 (No. 2), postponed till 22 August 2002.

Business of the Senate notice of motion no. 2 standing in the name of Senator Conroy for 21 August 2002, relating to the disallowance of certain Corporations Amendment Regulations, postponed till 28 August 2002.

Business of the Senate notice of motion no. 1 standing in the name of Senator Bartlett for 22 August 2002, relating to the disallowance of the Environment Protection and Biodiversity Conservation Amendment Regulations 2001 (No. 3), postponed till 28 August 2002.

General business notice of motion no. 109 standing in the name of Senator Sherry for today, relating to the reference of matters to the Select Committee on Superannuation, postponed till 21 August 2002.

General business notice of motion no. 110 standing in the name of the Leader of the Australian Democrats (Senator Stott Despoja) for today, relating to Australia's involvement in any pre-emptive military action, postponed till 28 August 2002.

General business notice of motion no. 115 standing in the name of the Chair of the Standing Committee of Senators' Interests (Senator Denman) for 21 August 2002, proposing amendments to the resolutions on senators' interests, postponed till 19 September 2002.

General business notice of motion no. 125 standing in the names of Senators Brown and Nettle for today, proposing the establishment of a select committee on the possible support by Australia of a United States invasion of Iraq, postponed till 22 August 2002.

11 ANIMAL WELFARE—CATTLE—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Bartlett, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 116—That there be laid on the table, no later than 4 pm on Wednesday, 21 August 2002, the following documents:

- (a) the Livestock Officer's report on the voyage of the *Maysora*, a Jordanian flagged vessel, travelling from Australia on 28 February 2001 carrying live cattle; and
- (b) the Master's reports from the same voyage.

Question put and passed.

12 ROUTINE OF BUSINESS—VARIATION—FIRST SPEECHES

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 2—That consideration of the business before the Senate on the following days be interrupted, but not so as to interrupt a senator speaking, to enable senators to make their maiden speeches without any question before the chair, as follows:

- (a) Tuesday, 20 August 2002 at 5 pm—Senators Johnston and Webber;
- (b) Wednesday, 21 August 2002 at 10.30 am—Senator Nettle, and at 5 pm—Senators Wong and Marshall;
- (c) Tuesday, 27 August 2002 at 5 pm—Senator Moore; and
- (d) Wednesday, 28 August 2002 at 5 pm—Senators Stephens and Kirk.

Senator Mackay, by leave, moved the following amendment:

Omit "maiden", substitute "first".

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

Main question, as amended, put and passed.

13 SCRUTINY OF BILLS—STANDING COMMITTEE—LEAVE TO MEET WITH OTHERS IN ATTENDANCE

The Acting Chairman of the Standing Committee for the Scrutiny of Bills (Senator Crossin), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 121—That so much of standing order 36 be suspended as would prevent the Scrutiny of Bills Committee holding a private deliberative meeting on 21 August 2002, from 8 am to 9.30 am, with members of the Regulation Review Committee of the New South Wales Parliament in attendance.

Question put and passed.

14 A CERTAIN MARITIME INCIDENT—SELECT COMMITTEE—EXTENSION OF TIME TO REPORT

The Chair of the Select Committee on a Certain Maritime Incident (Senator Cook), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 122—That the time for the presentation of the report of the Select Committee on a Certain Maritime Incident be extended to 25 September 2002.

Question put and passed.

15 SPORT—AUSTRALIAN COMMONWEALTH GAMES TEAM

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), at the request of the Minister for the Arts and Sport (Senator Kemp) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That the Senate—

- (a) recognises the outstanding success of the Australian Commonwealth Games team competing at the 2002 Manchester Commonwealth Games;
- (b) congratulates the Australian Commonwealth Games team for an exceptional effort in topping the medal table for the fourth consecutive Commonwealth Games and, in doing so, achieving the best ever result for an Australian team in these games;
- (c) conveys, on behalf of all Australians, the nation's pride and congratulations to all Australian athletes, particularly for the outstanding performances of our medal winners;
- (d) expresses Australia's thanks and gratitude to the Australian Commonwealth Games Association and the team support staff and others who have worked so hard to prepare Australia's most successful Commonwealth Games teams to date; and
- (e) notes the Commonwealth's support for the preparation of Australian athletes, through the Australian Sports Commission and the Australian Institute of Sport.

Question put and passed.

16 INDIGENOUS AUSTRALIANS—NAIDOC WEEK

Senator Ridgeway, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 117—That the Senate—

- (a) recognises NAIDOC Week 2002, from 7 July to 13 July 2002, and National Aborigines Day on 12 July 2002, as events of national importance to all Australians, and which celebrate the survival of Aboriginal and Torres Strait Islander cultures and the contribution they make to the national identity;

- (b) recognises and congratulates the ‘silent achievers’ who received National NAIDOC Awards for the outstanding and inspiring contributions they have made to their communities and the nation:
- (i) ATSIC Commissioner for the Western Zone, New South Wales, Mr Steve Gordon, Aboriginal and Torres Strait Islander Person of the Year,
 - (ii) Mr Lyall Munro Senior (New South Wales) and Mr Peter Coppin (Western Australia), Aboriginal and Torres Strait Islander Male Elders of the Year,
 - (iii) Ms Ida West (Tasmania), Aboriginal and Torres Strait Islander Female Elder of the Year,
 - (iv) Dr Shane Fernando, Outstanding Achievement Award,
 - (v) Ms Tracy Westerman (Western Australia), Aboriginal and Torres Strait Islander Scholar of the Year,
 - (vi) Mr Bruce ‘Borro’ Johnson McLean (Queensland), Aboriginal and Torres Strait Islander Youth of the Year,
 - (vii) Ms Michelle Tyhuis (Torres Strait), Aboriginal and Torres Strait Islander Apprentice of the Year, and
 - (viii) Ms Bo Delacruz (Northern Territory), Aboriginal and Torres Strait Islander Sportsperson of the Year;
- (c) notes that the theme for NAIDOC Week 2002 was the ‘Three R’s: Recognition, Rights, Reform’, in keeping with the tradition that National Aboriginal and Islander Day of Celebration is an opportunity for the Indigenous community to bring to the attention of governments and all Australians the issues that are of concern to them; and
- (d) reaffirms its commitment to the goal of true and lasting national reconciliation between Indigenous and non-Indigenous Australians.

Question put and passed.

17 ECONOMICS LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Herron, at the request of the Chair of the Economics Legislation Committee (Senator Brandis) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 123—That the time for the presentation of the report of the Economics Legislation Committee on the Space Activities Amendment Bill 2002 be extended to 27 August 2002.

Question put and passed.

18 HEALTH—DRUG ACTION WEEK

Senator Ridgeway, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 118—That the Senate—

- (a) notes that:
- (i) 24 June to 29 June 2002 was Drug Action Week, which was aimed at generating community awareness about drug and alcohol abuse and the solutions being used to tackle these issues,
 - (ii) each day of Drug Action Week highlighted a different theme, with 27 June focusing on Indigenous issues,

- (iii) the misuse of alcohol and other drugs has long been linked to the deep levels of emotional and physical harm suffered by Indigenous communities since the colonisation of Australia,
 - (iv) alcohol and tobacco consumption rates continue to remain high in the Indigenous population, against declining rates in the general population, and the increasing use of heroin in urban, regional and rural Indigenous communities is of particular concern,
 - (v) substance misuse is probably the biggest challenge facing Indigenous communities today, as it affects almost everybody either directly or indirectly and is now the cause as well as the symptom of much grief and loss experienced by Indigenous communities, and
 - (vi) the demand for the services of existing Indigenous-controlled drug and alcohol rehabilitation centres far exceeds the current level of supply;
- (b) acknowledges the essential role of Indigenous community-controlled health services in providing long-term, culturally appropriate solutions for substance abuse; and
- (c) calls on the Government to:
- (i) fund the national substance misuse strategy, developed by the National Aboriginal Community Controlled Health Organisation, which is designed to build the necessary capacity within the Indigenous health sector so communities can address their health and well-being needs in a holistic and culturally appropriate manner, and
 - (ii) improve co-ordination between Commonwealth, state and territory and local governments on these issues and ensure this facilitates greater Indigenous control over the development and implementation of all health programs.

Question put and passed.

19 INDIGENOUS AUSTRALIANS—NATIONAL ABORIGINAL AND ISLANDERS CHILDREN'S DAY

Senator Ridgeway, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 119—That the Senate—

- (a) recognises 4 August 2002 as National Aboriginal and Islander Children's Day, and a time when Indigenous communities focus on the need to provide a safe and nurturing family environment for their children;
- (b) notes, with concern, the statistics on Indigenous family violence, child abuse and child neglect, which show that:
 - (i) Aboriginal and Torres Strait Islander children represent nearly half of the Indigenous population, but experience higher rates of child abuse and child neglect than non-Indigenous children,
 - (ii) Indigenous children are six times more likely to be removed from their families by welfare authorities than non-Indigenous children because of child abuse or neglect, and
 - (iii) child neglect, often associated with poverty, poor housing and unemployment, is the major reason for Indigenous children being removed from their families, with twice as many Indigenous children being removed from their families because of child neglect than child abuse;

- (c) congratulates the Secretariat for National Aboriginal Islander Child Care on its:
 - (i) 20 years of advocacy and service to Indigenous communities and Indigenous children, and
 - (ii) recent release of the report, *Through Young Black Eyes: Indigenous Family Violence, Child Abuse and Child Neglect Prevention Resources*, which aims to protect Indigenous children from all forms of abuse and neglect by providing information and advice to community workers, community leaders and parents; and
- (d) calls on:
 - (i) state and Commonwealth governments to allocate additional funding for Indigenous children's services and family support mechanisms as advocated by SNAICC, including the development of a national Indigenous children's and family resource centre to implement long-term child abuse prevention campaigns, and
 - (ii) all Indigenous leaders to exercise their responsibility to do all that they can to protect children from abuse and violence and to respond to children's needs if they have been abused or harmed or are at risk of being abused or harmed.

Question put and passed.

20 NOTICE OF MOTION WITHDRAWN

Senator Mackay, at the request of Senator Conroy, withdrew general business notice of motion no. 56 standing in the name of Senator Conroy for today, proposing an order for the production of documents by the Minister representing the Treasurer (Senator Minchin).

21 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Herron, at the request of the Chair of the Employment, Workplace Relations and Education Legislation Committee (Senator Tierney) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 124—That the time for the presentation of the report of the Employment, Workplace Relations and Education Legislation Committee on the provisions of the Higher Education Funding Amendment Bill 2002 be extended to 22 August 2002.

Question put and passed.

22 BUILDING AND CONSTRUCTION INDUSTRY—ROYAL COMMISSION—FIRST REPORT—DOCUMENTS

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

Building and Construction Industry—Royal Commission—

First report by the Royal Commissioner the Honourable TRH Cole, RFD, QC, dated August 2002.

Statement by the Minister for Employment and Workplace Relations (Mr Abbott), dated 20 August 2002.

23 DOCUMENTS

The following documents were tabled by the Clerk:

- Aboriginal and Torres Strait Islander Commission Act—
 - Aboriginal and Torres Strait Islander Commission (Regional Council Election) Amendment Rules 2002 (No. 4).
 - Aboriginal and Torres Strait Islander Commission (Regional Council Election) Amendment Rules 2002 (No. 5).
 - Aboriginal and Torres Strait Islander Commission (Regional Council Election) Amendment Rules 2002 (No. 6).
- Australian Bureau of Statistics Act—Proposal No. 14 of 2002.
- Australian Meat and Live-stock Industry Act—Australian Meat and Live-stock Industry (Beef Export to the United States of America) Order 2002.
- Bounty (Ships) Act—Return for 2001-2002.
- Cocos (Keeling) Islands Act—Utilities and Services Ordinance—
 - Water and Sewerage Services Fees Amendment Determination No. 1 of 2002.
 - Water and Sewerage Services Fees Amendment Determination No. 2 of 2002.
- Defence Act—Defence Determination 2002 (Employer Support Payments).
- Disability Discrimination Act—
 - Disability Standards for Accessible Public Transport 2002.
 - Disability Standards for Accessible Public Transport Guidelines 2002.

24 AUSTRALIAN MEAT AND LIVE-STOCK INDUSTRY ACT—AUSTRALIAN MEAT AND LIVE-STOCK INDUSTRY (BEEF EXPORT TO THE UNITED STATES OF AMERICA) ORDER 2002—DOCUMENT

Senator O'Brien, by leave, moved—That the Senate take note of the document tabled earlier today (*see entry no. 23*):

- Australian Meat and Live-stock Industry Act—Australian Meat and Live-stock Industry (Beef Export to the United States of America) Order 2002.

Question put and passed.

25 UNPROCLAIMED LEGISLATION—ORDER FOR PRODUCTION OF DOCUMENT—DOCUMENT

The following document was tabled pursuant to standing order 139(2):

- Unproclaimed legislation—Document providing details of all provisions of Acts which come into effect on proclamation and which have not been proclaimed, including statements of reasons for their non-proclamation and information relating to the timetable for their operation, as at 31 July 2002.

26 SUPERANNUATION—SELECT COMMITTEE—CHANGE IN MEMBERSHIP

The Acting Deputy President (Senator Lightfoot) informed the Senate that the President had received a letter requesting a change in the membership of a committee.

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), by leave, moved—That Senator Allison be discharged from and Senator Cherry be appointed to the Select Committee on Superannuation

Question put and passed.

27 **PROCEEDS OF CRIME BILL 2002**

PROCEEDS OF CRIME (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL 2002

WORKPLACE RELATIONS AMENDMENT (GENUINE BARGAINING) BILL 2002

JURISDICTION OF COURTS LEGISLATION AMENDMENT BILL 2002

FAMILY LAW AMENDMENT (CHILD PROTECTION CONVENTION) BILL 2002

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

Message no. 116, dated 19 August 2002—A Bill for an Act to provide for confiscation of the proceeds of crime, and for other purposes.

Message no. 117, dated 19 August 2002—A Bill for an Act to deal with consequential and transitional matters arising from the enactment of the *Proceeds of Crime Act 2002*, and for other purposes.

Message no. 118, dated 19 August 2002—A Bill for an Act to amend the *Workplace Relations Act 1996*, and for related purposes.

Message no. 119, dated 19 August 2002—A Bill for an Act to amend the law relating to the jurisdiction of courts, and for other purposes.

Message no. 120, dated 19 August 2002—A Bill for an Act to implement the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, and for related purposes.

The Minister for Revenue and Assistant Treasurer (Senator Coonan) 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 Coonan moved—That these bills be now read a second time.

Explanatory memoranda: Senator Coonan tabled revised explanatory memoranda [5] relating to the bills.

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

Consideration of legislation: Senator Coonan moved—That the Proceeds of Crime Bill 2002 and the Proceeds of Crime (Consequential Amendments and Transitional Provisions) Bill 2002 be listed on the *Notice Paper* as one order of the day, and the remaining bills be listed as separate orders of the day.

Question put and passed.

28 JOINT COMMITTEES—APPOINTMENT OF HOUSE MEMBERS

Messages from the House of Representatives were reported acquainting the Senate with the appointment of members of the House of Representatives to joint committees, as follows:

Message no. 121, dated 19 August 2002—Joint Standing Committee on Migration, Mr Randall in place of Mr Schultz.

Message no. 122, dated 19 August 2002—Joint Standing Committee on Electoral Matters, Mr Melham in place of Ms Hall.

29 MOTOR VEHICLE STANDARDS AMENDMENT REGULATIONS—MOTION FOR DISALLOWANCE

Senator Harris, pursuant to notice, moved business of the Senate notice of motion no. 1—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.

Debate ensued.

At 5 pm: Debate was interrupted.

30 FIRST SPEECHES

Pursuant to order (*see entry no. 12*), Senators Johnston and Webber made their first speeches.

31 MOTOR VEHICLE STANDARDS AMENDMENT REGULATIONS—MOTION FOR DISALLOWANCE

Order of the day read for the adjourned debate on the motion of Senator Harris (*see entry no. 29*).

Debate resumed.

Question put and negatived. Senator Harris, pursuant to standing order 100, recorded his vote for the ayes.

32 WORKPLACE RELATIONS AMENDMENT (PROHIBITION OF COMPULSORY UNION FEES) 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.

At 6.50 pm: Debate was interrupted while Senator Forshaw was speaking.

33 GOVERNMENT DOCUMENTS—CONSIDERATION

The following government documents tabled earlier today (*see entry no. 2*) were considered:

Commonwealth Grants Commission—Report—Indigenous funding 2001—Government response, June 2002. Motion to take note of document moved by Senator Crossin. Debate adjourned till Thursday at general business, Senator Crossin in continuation.

Office of the Renewable Energy Regulator—Report for the period 1 April to 31 December 2001. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

34 ADJOURNMENT

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

The Senate adjourned at 7.01 pm till Wednesday, 21 August 2002 at 9.30 am.

35 ATTENDANCE

Present, all senators except Senator Murphy (on leave).

HARRY EVANS
Clerk of the Senate