

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 24

WEDNESDAY, 21 AUGUST 2002

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**1 MEETING OF SENATE**

The Senate met at 9.30 am. The President (Senator the Honourable Paul Calvert) took the chair and read prayers.

**2 GOVERNMENT DOCUMENTS**

The following government documents were tabled:

Australian River Co. Limited—Report for 1 December 2000 to 30 November 2001.

Australian Broadcasting Authority—Online content co-regulatory scheme—Report for the period 1 July to 31 December 2001.

**3 GOVERNOR-GENERAL'S OPENING SPEECH—ADDRESS-IN-REPLY**

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), pursuant to notice, moved government business notice of motion no. 1—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.

Question put and passed.

*Presentation to the Governor-General:* The President informed the Senate that His Excellency the Governor-General would be pleased to receive the address-in-reply at Government House on Wednesday, 28 August 2002 at 6.30 pm, and invited honourable senators to accompany him on the occasion of its presentation.

**4 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.

*After 10.30 am:* Debate was interrupted.

**5 FIRST SPEECH**

Pursuant to order (*see entry no. 12, 20 August 2002*), Senator Nettle made her first speech.

**6 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.

Question put and passed.

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.

Senator Harris moved the following amendments together by leave:

Schedule 1, item 4, page 3 (after line 24), after the definition of **bargaining services fee**, insert:

**endorsed bargaining services fee** is:

- (a) a bargaining services fee which according to the terms of a certified agreement may be payable by every employee and contractor that is not a member of the industrial association if the levy of that fee is approved by the majority of combined employees and independent contractors prior to the provision of the bargaining services; and

Note: The approval of a majority of employees and independent contractors is to be established through a formal vote.

- (b) subject to paragraph (c), an amount equivalent to the proportionate share of an individual employee's or independent contractor's share of an industrial association's expenditures that are incurred to support solely representational activities in the provision of bargaining services; and

Note: This amount is to be calculated only by reference to the disclosed accounting records of the industrial association that demands the payment of the endorsed bargaining services fee.

- (c) an amount which (together with any other endorsed bargaining services fee payable in respect of the same year) does not exceed the membership dues that would be payable to the industrial association if the individual employee or contractor were instead a member for that year.

Schedule 1, item 6, page 4 (line 4), at the end of paragraph (o), add "other than an endorsed bargaining services fee".

Schedule 1, item 7, page 4 (line 17), at the end of subsection (2), add "other than an endorsed bargaining services fee".

Schedule 1, item 8, page 4 (line 33), at the end of subsection (4), add "other than an endorsed bargaining services fee".

Schedule 1, item 9, page 5 (line 5), at the end of subsection (1), insert "other than an endorsed bargaining services fee".

Schedule 1, item 9, page 5 (line 19), at the end of section 298SB, add "other than an endorsed bargaining services fee".

Schedule 1, item 11, page 6 (line 10), at the end of subsection (2), add "other than an endorsed bargaining services fee".

Schedule 1, item 12, page 6 (line 20), at the end of paragraph (5)(b), add "other than an endorsed bargaining services fee".

Debate ensued.

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

Senator Murray moved the following amendment:

Schedule 1, item 9, page 5 (lines 2 to 14), omit section 298SA, substitute:

**298SA Permissible bargaining fees**

- (1) An organisation may charge a permissible bargaining fee:
  - (a) in connection with an agreement certified under section 170LJ or Division 3 where:
    - (i) the agreement's beneficiaries include those who have not made a contribution to the costs of reaching the agreement by means of paying a union membership fee; and
    - (ii) this permissible bargaining fee is explained in clear language, and in writing, to all employees in advance of the vote on the agreement; and
    - (iii) details of the permissible bargaining fee, and the services for which it is payable, are set out in the agreement; and
    - (iv) all employees affected by the agreement are advised, prior to bargaining commencing, whether it is proposed to include a permissible bargaining services fee in the agreement, and that they may make submissions to the AIRC under subparagraph (vii) in relation to this fee; and
    - (v) in addition to the requirement in subsection 170LT(5), a valid majority of persons employed at the time, whose employment would be subject to the agreement, have genuinely agreed to the provision; and
    - (vi) the agreement provides for the method and timing of the fee to be paid; and
    - (vii) the AIRC is satisfied that the fee is fair and reasonable; and
    - (viii) the agreement provides that new employees pay the fee only for the pro rata period of the agreement from the time that their employment commences; or
  - (b) in connection with an agreement certified under section 170LK where:
    - (i) the employee has agreed to pay for the provision of bargaining services in respect of the certified agreement; and
    - (ii) the employee has agreed to the total amount to be paid and this total amount covers all the bargaining services that may be provided in relation to the employee in respect of the certified agreement; and
    - (iii) the agreement was entered into before the bargaining services were provided.
- (2) An organisation of employers may charge a bargaining services fee in connection with an agreement certified under section 170LJ or 170LK or Division 3 where:

- (a) the employer has agreed to pay for the provision of bargaining services in respect of the certified agreement; and
- (b) the employer has agreed to the total amount to be paid and this total amount covers all the bargaining services that may be provided in relation to the employer in respect of the certified agreement; and
- (c) the agreement was entered into before the bargaining services were provided.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 38

Senators—

Allison	Cook	Kirk	O'Brien
Bartlett	Crossin (Teller)	Lees	Ray
Bishop	Denman	Ludwig	Ridgeway
Bolkus	Faulkner	Lundy	Sherry
Brown	Forshaw	Mackay	Stephens
Campbell, George	Greig	Marshall	Stott Despoja
Carr	Harradine	McLucas	Webber
Cherry	Harris	Moore	Wong
Collins	Hogg	Murray	
Conroy	Hutchins	Nettle	

NOES, 33

Senators—

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

Question agreed to.

Question—That the bill, as amended, be agreed to—divided in respect of Schedule 1, items 11, 12, 14 and 15.

Schedule 1, items 11, 12, 14 and 15 debated.

Question—That Schedule 1, items 11, 12, 14 and 15 stand as printed—put and negatived.

On the motion of Senator Murray the following amendment was debated and agreed to:

Schedule 1, item 10, page 6 (lines 1 to 6), omit Division 5A, substitute:

**Division 5A—False or misleading representations about bargaining services fees etc.**

**298SC False or misleading representations about bargaining services fees etc.**

A person must not make a false or misleading representation about:

- (a) another person's liability to pay a bargaining services fee; or
- (b) another person's obligation to enter into an agreement to pay a bargaining services fee; or
- (c) another person's obligation to join an industrial association.

Bill, as amended, agreed to.

Bill to be reported with amendments.

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The Deputy President (Senator Hogg) resumed the chair and the Temporary Chair of Committees (Senator Watson) reported accordingly.

On the motion of the Minister for Communications, Information Technology and the Arts (Senator Alston) the report from the committee was adopted.

Senator Alston moved—That this bill be now read a third time.

Question put.

The Senate divided—

AYES, 37

Senators—

Allison	Cook	Lees	Ray
Bartlett	Crossin (Teller)	Ludwig	Ridgeway
Bishop	Denman	Lundy	Sherry
Bolkus	Faulkner	Mackay	Stephens
Brown	Greig	Marshall	Stott Despoja
Campbell, George	Harradine	McLucas	Webber
Carr	Harris	Moore	Wong
Cherry	Hogg	Murray	
Collins	Hutchins	Nettle	
Conroy	Kirk	O'Brien	

NOES, 32

Senators—

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

Question agreed to.

Bill read a third time.

## 7 COMMONWEALTH ELECTORAL AMENDMENT BILL (NO. 1) 2002

Order of the day read for the adjourned debate on the motion of the Special Minister of State (Senator Abetz)—That this bill be now read a second time.

Debate resumed.

*At 12.45 pm:* Debate was interrupted.

**8 MATTERS OF PUBLIC INTEREST**

Matters of public interest were discussed.

*Suspension of sitting:* On the motion of the Parliamentary Secretary to the Minister for Transport and Regional Services (Senator Boswell) the sitting of the Senate was suspended till 2 pm.

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*At 2 pm—*

**9 QUESTIONS**

Questions without notice were answered.

**10 QUESTION TIME—RULES FOR QUESTIONS—STATEMENT BY PRESIDENT**

The President made a statement relating to the rules for questions contained in standing order 73, and a matter raised by the Special Minister of State (Senator Abetz) during question time on 20 August 2002.

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

Debate ensued.

Question put and passed.

**11 SOCIAL SECURITY—FAMILY TAX BENEFITS—FINANCE—CORPORATE GOVERNANCE—ANSWERS TO QUESTIONS**

Senator Bishop moved—That the Senate take note of the answers given by the Minister for Family and Community Services (Senator Vanstone) and the Minister for Revenue and Assistant Treasurer (Senator Coonan) to questions without notice asked today relating to family tax benefits and to corporate governance.

Debate ensued.

Question put and passed.

**12 NOTICES**

The Chair of the Finance and Public Administration Legislation Committee (Senator Mason): To move on the next day of sitting—That the time for the presentation of the report of the Finance and Public Administration Legislation Committee on the provisions of the Members of Parliament (Life Gold Pass) Bill 2002 be extended to 19 September 2002. (*general business notice of motion no. 135*)

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 statutory powers and functions of the Australian Law Reform Commission be extended to 19 September 2002. (*general business notice of motion no. 136*)

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

- (a) condemns the Howard Government's decision to strip, without warning, the tax returns of Australian families who have been overpaid family payments as callous and unfair to parents trying to survive under increasing financial pressures;
- (b) notes that this is not consistent with the statement of the Minister for Family and Community Services (Senator Vanstone) in July 2001, in which she assured families that, 'The Government has also decided that it would be easier for any family who still had an excess payment to have it recovered by adjusting their future payments, rather than taking it from their tax refund. This is because people may have earmarked their refund for use for specific things';
- (c) considers that the Government's 2-year-old family payments system is deeply flawed, given that it delivered average debts of \$850 to 650 000 Australian families in the 2001-02 financial year and continues to punish families who play by the rules; and
- (d) condemns the Howard Government and its contemptible attack on Australian families. (*general business notice of motion no. 137*)

### 13 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 6 OF 2002

Senator Mason, at the request of the Acting Chairman of the Selection of Bills Committee (Senator Ferris), tabled the following report:

**SELECTION OF BILLS COMMITTEE**  
**REPORT NO. 6 OF 2002**

1. The committee met on Tuesday, 20 August 2002.
2. The committee resolved to recommend—That—
  - (a) the *provisions* of the following bills be ***referred immediately*** to committees:

Bill title	Committee	Reporting date
Research Involving Embryos and Prohibition of Human Cloning Bill 2002	Community Affairs Legislation	24 October 2002
Superannuation (Government Co-contribution for Low Income Earners) Bill 2002	Select Committee on Superannuation	26 September 2002
Superannuation Legislation Amendment Bill 2002		
Superannuation Legislation Amendment (Choice of Superannuation Funds) Bill 2002	Select Committee on Superannuation	26 September 2002

- (b) the following bills ***not*** be referred to committees:
  - Communications Legislation Amendment Bill (No. 1) 2002
  - Customs Legislation Amendment Bill (No. 1) 2002
  - Import Processing Charges (Amendment and Repeal) Bill 2002
  - Family and Community Services Legislation Amendment (Disability Reform) Bill (No. 2) 2002
  - Family Law Amendment (Joint Residency) Bill 2002

Family Law Legislation Amendment (Superannuation) (Consequential Provisions) Bill 2002  
 Health Legislation Amendment (Private Health Industry Measures) Bill 2002  
 Industry, Tourism and Resources Legislation Amendment Bill 2002  
 Intellectual Property Laws Amendment Bill 2002  
 National Environment Protection Council Amendment Bill 2002  
 Plant Health Australia (Plant Industries) Funding Bill 2002  
 Sex Discrimination Amendment Bill 2002  
 Taxation Laws Amendment Bill (No. 5) 2002  
 Trade Practices Amendment (Liability for Recreational Services) Bill 2002  
 Veterans' Affairs Legislation Amendment Bill (No. 2) 2002  
 Veterans' Affairs Legislation Amendment (2002 Budget Measures) Bill 2002  
 Workplace Relations Amendment (Improved Remedies for Unprotected Action) Bill 2002  
 Workplace Relations Amendment (Simplifying Agreement-making) Bill 2002.

***The committee recommends accordingly.***

3. The committee **deferred** consideration of the following bills to the next meeting:

*Bill deferred from meeting of 19 March 2002*  
 Aviation Legislation Amendment Bill 2002  
*Bill deferred from meeting of 14 May 2002*  
 Great Barrier Reef Marine Park (Boundary Extension) Amendment Bill 2002  
*Bills deferred from meeting of 18 June 2002*  
 Australian Broadcasting Corporation (Scrutiny of Board Appointments) Amendment Bill 2002  
 Taxation Laws Amendment (Structured Settlements) Bill 2002  
*Bills deferred from meeting of 25 June 2002*  
 Transport Safety Investigation Bill 2002  
 Transport Safety Investigation (Consequential Amendments) Bill 2002  
*Bills deferred from meeting of 20 August 2002*  
 Environment and Heritage Legislation Amendment Bill (No. 1) 2002  
 Australian Heritage Council Bill 2002  
 Australian Heritage Council (Consequential and Transitional Provisions) Bill 2002  
 Financial Sector Legislation Amendment Bill (No. 2) 2002  
 Health Insurance Amendment (Professional Services Review and Other Matters) Bill 2002  
 Medical Indemnity Agreement (Financial Assistance—Binding Commonwealth Obligations) Bill 2002  
 New Business Tax System (Consolidation, Value Shifting, Demergers and Other Measures) Bill 2002  
 Occupational Health and Safety (Commonwealth Employment) Amendment (Employee Involvement and Compliance) Bill 2002

Renewable Energy (Electricity) Amendment Bill 2002  
Therapeutic Goods Amendment Bill (No. 2) 2002  
Workplace Relations Legislation Amendment Bill 2002.

Jeannie Ferris  
Acting Chair  
21 August 2002.

Senator Mason moved—That the report be adopted.

Debate ensued.

Question put and passed.

**14 ANIMAL WELFARE—CATTLE—ORDER FOR PRODUCTION OF DOCUMENTS—  
STATEMENT BY LEAVE**

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), by leave, made a statement relating to the order of the Senate of 20 August 2002 for the production of documents concerning the voyage of the *Maysora* (see entry no. 11, 20 August 2002).

**15 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 a matter to the Foreign Affairs, Defence and Trade References Committee, postponed till 26 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 26 August 2002.

General business notice of motion no. 126 standing in the name of Senator Sherry for today, proposing an order for the production of documents relating to superannuation, postponed till 26 August 2002.

General business notice of motion no. 127 standing in the name of Senator Sherry for today, proposing an order for the production of a report by the Superannuation Working Group, postponed till 26 August 2002.

**16 DEFENCE—MILITARY ACTION AGAINST IRAQ**

The Leader of the Opposition in the Senate (Senator Faulkner), also on behalf of Senator Stott Despoja, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 133—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.

Question put and passed. All government senators, by leave, recorded their votes for the noes.

**17 ENVIRONMENT—MARALINGA—DISPOSAL OF RADIOACTIVE MATERIAL**

Senator Allison, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 131—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.

Question put and passed.

**18 FINANCE—HIGHER EDUCATION—ORDER FOR PRODUCTION OF DOCUMENTS**

Senator Carr, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 129—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.

Question put and passed.

**19 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION LEGISLATION COMMITTEE—  
LEAVE TO MEET DURING SITTING**

Senator McGauran, 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. 128—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.

Question put and passed.

**20 LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Mackay, at the request of the Chair of the Legal and Constitutional References Committee (Senator Bolkus), amended Senator Bolkus' notice of motion by leave and, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 130—That the Legal and Constitutional References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) 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.

Question put and passed.

**21 TRANSPORT—QANTAS—CARRIAGE OF WHEELCHAIRS**

Senator Allison, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 132—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.

Question put and passed.

**22 ENVIRONMENT—NATIONAL LANDCARE WEEK**

Senator O'Brien, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 134—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.

Question put and passed.

**23 MATTER OF PUBLIC IMPORTANCE—FINANCE—CORPORATE GOVERNANCE**

The Deputy President (Senator Hogg) informed the Senate that Senator Conroy had proposed that the following matter of public importance be submitted to the Senate for discussion:

The failure of the Government to protect ordinary Australians – investors, employees and creditors – and respond in a timely or adequate manner to:

- (a) the series of high profile corporate collapses in Australia;
- (b) the awarding of often extravagant and unjustified remuneration packages and other perks to corporate executives;
- (c) the failure of many companies to fully comply with the requirement to disclose details of executive remuneration;
- (d) the restatement of various company accounts by the Australian Securities and Investments Commission (ASIC);
- (e) public questions about the independence of brokers;
- (f) funding shortages for ASIC, the corporate regulator; and
- (g) the recommendations of the Ministerial Council of Corporations and Professor Ramsay on auditor independence,

while punishing struggling Australian families who do the right thing in regard to their family benefit payments.

The proposal was supported by 4 senators and the matter was discussed.

*At 5 pm:* Debate was interrupted.

**24 FIRST SPEECHES**

Pursuant to order (*see entry no. 12, 20 August 2002*), Senators Marshall and Wong made their first speeches.

**25 MATTER OF PUBLIC IMPORTANCE—FINANCE—CORPORATE GOVERNANCE**

Discussion of the matter of public importance proposed by Senator Conroy (*see entry no. 23*) concluded.

**26 SCRUTINY OF BILLS—STANDING COMMITTEE—8TH REPORT AND ALERT DIGEST NO. 7 OF 2002**

The Chairman of the Standing Committee for the Scrutiny of Bills (Senator McLucas) tabled the following report and document:

Scrutiny of Bills—Senate Standing Committee—

8th report of 2002, dated 21 August 2002.

Alert Digest No. 7 of 2002, dated 21 August 2002.

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

**27 DOCUMENTS**

The following documents were tabled by the Clerk:

Aged Care Act—

    Accreditation Grant Amendment Principles 2002 (No. 1).

    Information Amendment Principles 2002 (No. 1).

Currency Act—Currency (Royal Australian Mint) Determination 2002 (No. 4).

Customs Act—CEO Instruments of Approval Nos 24-38 of 2002.

Lands Acquisition Act—Statements describing property acquired by agreement under sections 40 and 125 of the Act for specified public purposes [2].

Therapeutic Goods Act—Therapeutic Goods Order No. 67A.

**28 COMMITTEES—CHANGES IN MEMBERSHIP**

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

The Minister for Health and Ageing (Senator Patterson), by leave, moved—That senators be discharged from and appointed to committees as follows:

**Community Affairs Legislation Committee—**

Appointed: Senator Herron

Discharged: Senator Tchen

**Privileges—Standing Committee—**

Appointed: Senator Reid

Discharged: Senator Eggleston.

Question put and passed.

**29 COMMONWEALTH ELECTORAL AMENDMENT BILL (NO. 1) 2002**

Order of the day read for the adjourned debate on the motion of the Special Minister of State (Senator Abetz)—That this bill be now read a second time.

Debate resumed.

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*Document:* Senator Ray, by leave, tabled the following document:

Australian 45c stamp.

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Debate continued.

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

**30 NOTICES**

Senator Harris, by leave, gave a notice of motion as follows: To move on the next day of sitting—That the Senate—

- (a) notes that Friday, 23 August 2002 is Daffodil Day; and
- (b) congratulates all those who organise and support the promotion of research for cancer. (*general business notice of motion no. 138*)

*Intention to withdraw:* Senator Bartlett, by leave, gave notice pursuant to standing order 78 of his intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notice of motion no. 1 standing in his name for the next day of sitting for the disallowance of the Environment Protection and Biodiversity Conservation Amendment Regulations 2001 (No. 2), as contained in Statutory Rules 2001 No. 306 and made under the *Environment Protection and Biodiversity Conservation Act 1999*.

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*At 6.50 pm—*

**31 GOVERNMENT DOCUMENTS—CONSIDERATION**

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

**32 ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 7.17 pm till Thursday, 22 August 2002 at 9.30 am.

**33 ATTENDANCE**

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

**HARRY EVANS**  
Clerk of the Senate