

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 25

THURSDAY, 22 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 TEMPORARY CHAIRS OF COMMITTEES

The President tabled a warrant, dated 22 August 2002, nominating Senators Collins and Hutchins as additional temporary chairs of committees.

3 PETITION

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

From 113 petitioners, 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.

4 NOTICES

Notices of motion:

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

- (a) congratulates the Australian Capital Territory Legislative Assembly:
 - (i) on becoming the first state or territory legislature to remove abortion from the criminal code, and
 - (ii) for repealing the appalling law which required women seeking abortions to first look at pictures of foetuses;
- (b) notes that this landmark legislation should serve to encourage all remaining states and territories to enact similar legislative changes; and
- (c) notes that the Australian Capital Territory legislation recognises that abortion is a decision for women and is not something that should carry the threat of a jail term. (*general business notice of motion no. 139*)

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

- (a) notes that 26 August 2002 is the anniversary of the beginning of one of the most shameful chapters in Australia's recent history, the turning away of the MV *Tampa*;
- (b) acknowledges that the Australian Government acted callously and against international convention in turning away the asylum seekers, who had been rescued by the MV *Tampa* on the request of our own Coastwatch;
- (c) condemns the Howard Government for its ongoing scare mongering and cynical manipulation of public opinion against refugees and asylum seekers;
- (d) calls for an end to the system of mandatory detention, which is inhumane, inefficient and an international embarrassment to Australia;
- (e) calls on the Government to abandon the 'Pacific Solution', which is designed to avoid Australia's international responsibilities, and to rule out any expansion of this approach including the excision of Australian islands for migration purposes; and
- (f) reaffirms Australia's commitment to its international obligations to shelter and assist humanitarian refugees. (*general business notice of motion no. 140*)

Notice of motion withdrawn: Senator Bartlett, pursuant to notice of intention given on 21 August 2002, withdrew business of the Senate notice of motion no. 1 standing in his name for today 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*.

5 ORDER OF BUSINESS—REARRANGEMENT

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth) moved—That the following government business orders of the day be considered from 12.45 pm till not later than 2 pm today:

- No. 3 Australian Radiation Protection and Nuclear Safety (Licence Charges) Amendment Bill 2002.
- No. 4 Family Law Amendment (Child Protection Convention) Bill 2002.
- No. 5 Jurisdiction of Courts Legislation Amendment Bill 2002.
- No. 6 Health Legislation Amendment (Private Health Industry Measures) Bill 2002.

Question put and passed.

Senator Troeth moved—That the order of general business for consideration today be as follows:

- (a) general business notice of motion no. 137 standing in the name of Senator Ludwig, relating to the family tax payment system; and
- (b) consideration of government documents.

Question put and passed.

Senator Ferris, by leave and at the request of the Chair of the Employment, Workplace Relations and Education Legislation Committee (Senator Tierney), moved—That business of the Senate order of the day no. 2, relating to the presentation of the report of the committee on the provisions of the Higher Education Funding Amendment Bill 2002, be postponed till a later hour.

Question put and passed.

6 POSTPONEMENTS

Items of business were postponed as follows:

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 26 August 2002.

7 HEALTH—CANCER RESEARCH—DAFFODIL DAY

Senator Harris amended his 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. 138—That the Senate—

- (a) notes that:

- (i) Friday, 23 August 2002 is Daffodil Day, the largest national fundraising event for cancer research, education and patient support in the southern hemisphere,
- (ii) cancer affects one in three Australians, and the two in three who are not directly affected by cancer will know someone who is,
- (iii) in 2001, Daffodil Day helped raise over \$8.6 million, and
- (iv) the target for Daffodil Day in 2002 is \$8.7 million; and

(b) asks each senator to give his or her financial support to this worthy cause.

Question put and passed.

8 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Ferris, at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 136—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.

Question put and passed.

9 FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Ferris, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Mason) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 135—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.

Question put and passed.

**10 HIGHER EDUCATION FUNDING AMENDMENT BILL 2002
HIGHER EDUCATION LEGISLATION AMENDMENT BILL (NO. 2) 2002
CUSTOMS LEGISLATION AMENDMENT BILL (NO. 1) 2002
IMPORT PROCESSING CHARGES (AMENDMENT AND REPEAL) BILL 2002
PLANT HEALTH AUSTRALIA (PLANT INDUSTRIES) FUNDING BILL 2002**

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

Message no. 123, dated 20 August 2002—A Bill for an Act to amend the *Higher Education Funding Act 1988* and the *Australian Research Council Act 2001*, and for other purposes.

Message no. 124, dated 21 August 2002—A Bill for an Act to amend the *Higher Education Funding Act 1988* and the *Australian Research Council Act 2001*, and for other purposes.

Message no. 125, dated 21 August 2002—A Bill for an Act to amend the law relating to customs, and for other purposes.

Message no. 126, dated 21 August 2002—A Bill for an Act to make provision in relation to the repeal of the *Import Processing Charges Act 1997*, to impose charges in relation to that provision, to amend the *Import Processing Charges Act 2001*, and for other purposes.

Message no. 127, dated 21 August 2002—A Bill for an Act to direct funds to Plant Health Australia Limited, and for related purposes.

The Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry (Senator Troeth) 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 Troeth moved—That these bills be now read a second time.

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

Consideration of legislation: Senator Troeth moved—That—

- (a) the Higher Education Funding Amendment Bill 2002 and the Higher Education Legislation Amendment Bill (No. 2) 2002; and
- (b) the Customs Legislation Amendment Bill (No. 1) 2002 and the Import Processing Charges (Amendment and Repeal) Bill 2002,

be listed on the *Notice Paper* as two orders of the day, and the Plant Health Australia (Plant Industries) Funding Bill 2002 be listed as a separate order of the day.

Question put and passed.

11 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 while Senator McLucas was speaking.

12 ORDER OF BUSINESS—REARRANGEMENT

The Minister for Revenue and Assistant Treasurer (Senator Coonan) moved—That government business order of the day no. 3 (Australian Radiation Protection and Nuclear Safety (Licence Charges) Amendment Bill 2002) be postponed till a later hour.

Question put and passed.

13 FAMILY LAW AMENDMENT (CHILD PROTECTION CONVENTION) BILL 2002

Order of the day read for the adjourned debate on the motion of the Minister for Revenue and Assistant Treasurer (Senator Coonan)—That this bill be now read a second time.

Debate resumed.

Senator Bartlett moved the following amendment:

At the end of the motion, add “but the Senate recognises that the Child Protection Convention:

- (a) stresses the need to improve the protection of children in international situations;
- (b) recalls the importance of international cooperation for the protection of children;
- (c) confirms that the best interests of the child are to be a primary consideration; and
- (d) reinforces the obligation of Australia to protect refugee and internationally displaced children,

and therefore:

- (a) condemns the practice of mandatory detention of child asylum seekers which fails to meet our protection obligations; and
- (b) calls on the Government to detain children only as a measure of last resort, and then only for the shortest appropriate period of time, necessary to conduct background health and identity checks”.

Debate ensued.

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

Main question, as amended, put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Parliamentary Secretary to the Treasurer (Senator Ian Campbell) the bill was read a third time.

14 JURISDICTION OF COURTS LEGISLATION AMENDMENT BILL 2002

Order of the day read for the adjourned debate on the motion of the Minister for Revenue and Assistant Treasurer (Senator Coonan)—That this bill be now read a second time.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Parliamentary Secretary to the Treasurer (Senator Ian Campbell) the bill was read a third time.

15 HEALTH LEGISLATION AMENDMENT (PRIVATE HEALTH INDUSTRY MEASURES) 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.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of Senator Ian Campbell the bill was read a third time.

Suspension of sitting: On the motion of Senator Ian Campbell the sitting of the Senate was suspended till 2 pm.

At 2 pm—

16 GOVERNMENT WHIPS—APPOINTMENT

The Leader of the Government in the Senate (Senator Hill), by leave, informed the Senate of the appointment of Senator Ferris as Government Whip in the Senate and the appointment of Senator Eggleston as Government Deputy Whip.

17 QUESTIONS

Questions without notice were answered.

18 COMMUNICATIONS—TELSTRA—ANSWER TO QUESTION

Senator Mackay moved—That the Senate take note of the answer given by the Minister for Communications, Information Technology and the Arts (Senator Alston) to a question without notice asked by Senator Mackay today relating to the appointment of members of the inquiry into Telstra services in regional Australia.

Debate ensued.

Question put and passed.

19 LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—GOVERNMENT RESPONSE—HUMAN RIGHTS (MANDATORY SENTENCING OF JUVENILE OFFENDERS) BILL 1999

The Minister for Justice and Customs (Senator Ellison) tabled the following document:

Legal and Constitutional References Committee—Report—Human Rights (Mandatory Sentencing of Juvenile Offenders) Bill 1999—Government response.

Senator Ludwig, by leave, moved—That the Senate take note of the document.

Debate ensued.

Question put and passed.

20 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION LEGISLATION COMMITTEE—REPORT—HIGHER EDUCATION FUNDING AMENDMENT BILL 2002

Pursuant to order, Senator McGauran, at the request of the Chair of the Employment, Workplace Relations and Education Legislation Committee (Senator Tierney), tabled the following report and documents:

Employment, Workplace Relations and Education Legislation Committee—Higher Education Funding Amendment Bill 2002—Report, dated August 2002, *Hansard* record of proceedings, documents presented to the committee and submissions [16].

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

21 DOCUMENTS

The following documents were tabled by the Clerk:

Broadcasting Services Act—Broadcasting Services (Events) Notice No. 1 of 1994 (Amendment No. 3 of 2002).

Civil Aviation Act—Civil Aviation Regulations—

Civil Aviation Amendment Order (No. 12) 2002.

Exemptions Nos CASA EX 14/2002-CASA EX 16/2002.

Instrument No. CASA 493/02.

Class Rulings CR 2002/50 and CR 2002/51.

Product Ruling PR 2002/107.

Remuneration Tribunal Act—Determination—

2002/12: Remuneration and allowances for holder of public offices.

2002/13: Remuneration and allowances of the Australian Securities Investments Commission.

Veterans' Entitlements Act—Veterans' Entitlements (Treatment Principles – Overseas Treatment for Non-War Caused Conditions) Repeal Instrument 2/2002.

22 COMMITTEES—APPOINTMENT OF MEMBERS

The Acting Deputy President (Senator McLucas) informed the Senate that the President had received letters nominating senators to be members of various committees.

The Minister for Justice and Customs (Senator Ellison), by leave, moved—That senators be appointed to committees as follows:

Community Affairs Legislation Committee—

Participating member: Senator Stott Despoja for the consideration of the provisions of the Research Involving Embryos and Prohibition of Human Cloning Bill 2002

Foreign Affairs, Defence and Trade—Joint Standing Committee—

Appointed: Senator Johnston

Foreign Affairs, Defence and Trade Legislation and References Committees—

Participating member: Senator Stott Despoja

Public Works—Joint Statutory Committee—

Appointed: Senator Colbeck.

Question put and passed.

General business was called on.

23 SOCIAL SECURITY—FAMILY TAX BENEFITS

Senator Bishop, at the request of Senator Ludwig and pursuant to notice, moved general business notice of motion no. 137—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.

Debate ensued.

At 6 pm: Debate was interrupted while Senator Tierney was speaking.

24 GOVERNMENT DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION

The following orders of the day relating to government documents were considered:

Australian Law Reform Commission—Reports—No. 92—The judicial power of the Commonwealth—A review of the *Judiciary Act 1903* and related legislation. Motion of Senator Ludwig to take note of document agreed to.

Aged Care Act 1997—Report for 2000-01 on the operation of the Act. Motion to take note of document agreed to.

Wet Tropics Management Authority—Report for 2000-01. Motion of Senator Bartlett to take note of document agreed to.

Aged Care Standards and Accreditation Agency Limited—Report for 2000-01. Motion of Senator Buckland to take note of document agreed to.

Tiwi Land Council—Report for 2000-01. Motion of Senator Ludwig to take note of document agreed to.

Torres Strait Regional Authority—Report for 2000-01. Motion of Senator Ludwig to take note of document called on. On the motion of Senator Buckland debate was adjourned till Thursday at general business.

Aboriginal Hostels Limited—Report for the period 25 June 2000 to 23 June 2001. Motion of Senator Ludwig to take note of document agreed to.

Indigenous Land Corporation—Report for 2000-01. Motion of Senator Ludwig to take note of document agreed to.

Northern Land Council—Report for 2000-01. Motion of Senator Ludwig to take note of document agreed to.

Australian Postal Corporation (Australia Post)—Report for 2000-01. Motion of Senator Mackay to take note of document agreed to.

Centrelink—Report for 2000-01. Motion to take note of document agreed to.

Department of Immigration and Multicultural Affairs—Report for 2000-01, including reports pursuant to the *Immigration (Education) Act 1971* and the *Australian Citizenship Act 1948*. Motion of Senator Bartlett to take note of document agreed to.

Department of Reconciliation and Aboriginal and Torres Strait Islander Affairs—Report for the period 30 January to 30 June 2001. Motion of Senator Ludwig to take note of document agreed to.

Australian Customs Service—Report for 2000-01. Motion of Senator Ludwig to take note of document agreed to.

Australian Federal Police—Report for 2000-01, including a report pursuant to the *Complaints (Australian Federal Police) Act 1981*. Motion of Senator Ludwig to take note of document agreed to.

Department of Foreign Affairs and Trade—Reports for 2000-01—Volume 1—Department of Foreign Affairs and Trade. Motion to take note of document agreed to.

Department of Foreign Affairs and Trade—Reports for 2000-01—Volume 2—Australian Agency for International Development (AusAid). Motion to take note of document agreed to.

Insolvency and Trustee Service Australia—Report for 2000-01. Motion of Senator Ludwig to take note of document agreed to.

Bankruptcy Act 1966—Inspector-General in Bankruptcy—Report for 2000-01 on the operation of the Act. Motion of Senator Ludwig to take note of document agreed to.

Office of Film and Literature Classification—Classification Board and Classification Review Board—Reports for 2000-01. Motion of Senator Ludwig to take note of document agreed to.

Department of the Environment and Heritage—Report for 2000-01, including the report of the Supervising Scientist and reports on the operation of the *Hazardous Waste (Regulation of Exports and Imports) Act* and the *Ozone Protection Act 1989*. Motion of Senator Bartlett to take note of document agreed to.

National Oceans Office—Report for 2000-01. Motion of Senator Bartlett to take note of document agreed to.

Defence Force Retirement and Death Benefits Authority—Report for 2000-01. Motion to take note of document agreed to.

Department of Family and Community Services—Report for 2000-01. Motion to take note of document agreed to.

Health Insurance Commission—Report for 2000-01. Motion to take note of document agreed to.

Crimes Act 1914—Report on controlled operations for 2000-01. Motion of Senator Hogg to take note of document agreed to.

National Library of Australia—Report for 2000-01. Motion of Senator Tierney to take note of document agreed to.

Australia New Zealand Food Authority—Report for 2000-01. Motion to take note of document agreed to.

Witness Protection Act 1994—Report for 2000-01 on the operation of the Act. Motion of Senator Hogg to take note of document agreed to.

Refugee Review Tribunal—Report for 2000-01. Motion of Senator Hogg to take note of document agreed to.

Australian Radiation Protection and Nuclear Safety Agency—Report for 2000-01. Motion of Senator Bartlett to take note of document agreed to.

Department of Employment, Workplace Relations and Small Business—Report for 2000-01. Motion of Senator Hutchins to take note of document agreed to.

Inspector-General of Intelligence and Security—Report for 2000-01. Motion to take note of document agreed to.

Australian Fisheries Management Authority—Report for 2000-01. Motion of Senator Bartlett to take note of document agreed to.

Fisheries Research and Development Corporation and Fisheries Research and Development Corporation Selection Committee—Reports for 2000-01. Motion of Senator Bartlett to take note of document agreed to.

Grains Research and Development Corporation—Report for 2000-01. Motion of Senator Bartlett to take note of document agreed to.

Migration Review Tribunal—Report for 2000-01. Motion of Senator Bartlett to take note of document agreed to.

Comcare—Report for 2000-01, including the report of QWL Corporation Pty Limited. Motion of Senator Hogg to take note of document agreed to.

Attorney-General's Department—Report for 2000-01. Motion of Senator Ludwig to take note of document agreed to.

Defence—Report for 2000-01. Motion to take note of document agreed to.

Safety, Rehabilitation and Compensation Commission—Report for 2000-01. Motion of Senator Hogg to take note of document agreed to.

Australian Industrial Relations Commission and Australian Industrial Registry—Reports for 2000-01. Motion of Senator Hogg to take note of document agreed to.

Federal Court of Australia—Report for 2000-01. Motion of Senator Hogg to take note of document agreed to.

Office of Parliamentary Counsel—Report for 2000-01. Motion of Senator Hogg to take note of document agreed to.

Department of Health and Aged Care—Report for 2000-01, including a report on the administration and operation of Therapeutic Goods Administration—Volumes 1 and 2. Motion to take note of document agreed to.

Australian Research Council—Report for 2000-01. Motion of Senator Tierney to take note of document agreed to.

Social Security Appeals Tribunal—Report for 2000-01. Motion of Senator Bartlett to take note of document agreed to.

Great Barrier Reef Marine Park Authority—Report for 2000-01. Motion of Senator Bartlett to take note of document agreed to.

Forest and Wood Products Research and Development Corporation—Report for 2000-01. Motion of Senator Bartlett to take note of document agreed to.

Federal Magistrates Service—Report for 2000-01. Motion of Senator Hogg to take note of document agreed to.

Family Court of Australia—Report for 2000-01. Motion of Senator Hogg to take note of document agreed to.

Australian Communications Authority—Report for 2000-01. Motion of Senator Mackay to take note of document agreed to.

Report on Indigenous funding, 2001—Commonwealth Grants Commission—Government response, June 2002. Motion of Senator Crossin to take note of document agreed to.

Office of the Renewable Energy Regulator—Report for 2001. Motion of Senator Bartlett to take note of document agreed to.

General business orders of the day nos 53-268 relating to government documents were called on but no motion was moved.

General business concluded.

**25 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—ORDERS OF THE DAY—
CONSIDERATION**

The following orders of the day relating to committee reports and government responses were considered:

Scrutiny of Bills—Standing Committee—Report—Work of the committee during the 39th Parliament, November 1998-October 2001. Motion of Senator Ray to take note of report agreed to.

Rural and Regional Affairs and Transport Legislation Committee—Interim report—Administration of AusSAR in relation to the search for the *Margaret J.* Motion of Senator Calvert to take note of report agreed to.

Rural and Regional Affairs and Transport Legislation Committee—Interim report—Proposed importation of fresh apple fruit from New Zealand. Motion of Senator Calvert to take note of report agreed to.

Rural and Regional Affairs and Transport Legislation Committee—Interim report—Administration of the Civil Aviation Safety Authority. Motion of Senator Calvert to take note of report agreed to.

Rural and Regional Affairs and Transport Legislation Committee—Report—The introduction of quota management controls on Australian beef exports to the United States by the Minister for Agriculture, Fisheries and Forestry. Motion to take note of report agreed to.

Community Affairs References Committee—Report (on the inquiry into nursing)—The patient profession: Time for action. Motion to take note of report agreed to.

Privileges—Standing Committee—105th report—Execution of search warrants in senators' offices – Senator Harris. Motion of the chair of the committee (Senator Ray)—That the Senate endorse the finding at paragraph 22 of the 105th report—agreed to.

Privileges—Standing Committee—104th report—Possible false or misleading evidence before the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund. Motion of the chair of the committee (Senator Ray)—That the Senate endorse the finding at paragraph 65 of the 104th report—agreed to.

Privileges—Standing Committee—103rd report—Possible improper influence and penalty on a senator. Motion of the chair of the committee (Senator Ray)—That the Senate endorse the findings at paragraphs 1.60 to 1.62 of the 103rd report—agreed to.

Privileges—Standing Committee—102nd report—Counsel to the Senate. Motion of the chair of the committee (Senator Ray) to take note of report agreed to.

Senators' Interests—Standing Committee—Report—2/2002: Proposed changes to resolutions relating to declarations of senators' interests and gifts to the Senate and the Parliament. Motion of the chair of the committee (Senator Denman) to take note of report agreed to.

Environment, Communications, Information Technology and the Arts Legislation Committee—Report—Broadcasting Services Amendment (Media Ownership) Bill 2002. Motion of Senator Mackay to take note of report agreed to.

Rural and Regional Affairs and Transport Legislation Committee—Report—Administration by the Department of Transport and Regional Services of Australian Motor Vehicle Standards under the *Motor Vehicle Standards Act 1989* and Regulations. Motion of Senator Harris to take note of report agreed to.

Legal and Constitutional Legislation Committee—Report—Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002. Motion of Senator Calvert to take note of report agreed to.

Parliamentary Joint Committee on ASIO, ASIS and DSD—Advisory report—Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002. Motion of Senator Calvert to take note of report agreed to.

Legal and Constitutional References Committee—Report—Outsourcing of the Australian Customs Service's information technology. Motion of Senator Ludwig to take note of report agreed to.

Treaties—Joint Standing Committee—

Report 44—Four nuclear safeguards treaties tabled in August 2001

Report 45—The Statute of the International Criminal Court.

Motion to take note of reports agreed to.

Legal and Constitutional References Committee—Report—Inquiry into s. 46 and s. 50 of the *Trade Practices Act 1974*. Motion to take note of report agreed to.

Regulations and Ordinances—Standing Committee—110th report—Annual report 2000-01. Motion of the chairman of the committee (Senator Tchen) to take note of report agreed to.

Legal and Constitutional References Committee—Report—Human Rights (Mandatory Sentencing for Property Offences) Bill 2000. Motion to take note of report agreed to.

Economics References Committee—Report—Inquiry into mass marketed tax effective schemes and investor protection. Motion to take note of report agreed to.

Superannuation and Financial Services—Select Committee—Report—Early access to superannuation benefits. Motion of Senator Sherry to take note of report agreed to.

Employment, Workplace Relations, Small Business and Education References Committee—Report—Universities in crisis: Report into the capacity of public universities to meet Australia's higher education needs—Addendum. Motion to take note of document agreed to.

Australian Security Intelligence Organisation—Joint Statutory Committee—Report—A watching brief: The nature, scope and appropriateness of ASIO's public reporting activities—Government response. Motion of Senator Sandy Macdonald to take note of document agreed to.

Foreign Affairs, Defence and Trade References Committee—Report—Recruitment and retention of ADF personnel. Motion of Senator Hogg to take note of report agreed to.

Employment, Workplace Relations, Small Business and Education References Committee—Report—The education of gifted children. Motion of Senator Tierney to take note of report agreed to.

Community Affairs References Committee—Report—Healing our hospitals: Report on public hospital funding—Government response. Motion to take note of document agreed to.

Orders of the day nos 1-4, 19, 20 and 24-28 relating to committee reports and government responses were called on but no motion was moved.

26 AUDITOR-GENERAL'S REPORTS—ORDERS OF THE DAY—CONSIDERATION

The following orders of the day relating to reports of the Auditor-General were considered:

Auditor-General—Audit report no. 16 of 2001-02—Performance audit—Defence Reform Program management and outcomes: Department of Defence. Motion of Senator Hogg to take note of document agreed to.

Auditor-General—Audit report no. 24 of 2001-02—Performance audit—Status reporting of major defence acquisition projects: Department of Defence. Motion of Senator Hogg to take note of document agreed to.

Auditor-General—Audit report no. 26 of 2001-02—Performance audit—Management of fraud and incorrect payment in Centrelink. Motion to take note of document agreed to.

Auditor-General—Audit report no. 30 of 2001-02—Performance audit—Test and evaluation of major defence equipment acquisitions: Department of Defence. Motion of Senator Hogg to take note of document agreed to.

Orders of the day nos 5-45 relating to reports of the Auditor-General were called on but no motion was moved.

27 ADJOURNMENT

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

Debate ensued.

Time expired: The debate reached the limit of 40 minutes.

The Senate adjourned at 6.47 pm till Monday, 26 August 2002 at 12.30 pm.

28 ATTENDANCE

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

HARRY EVANS
Clerk of the Senate