

2002

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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1 MEETING OF SENATE

The Senate met at 12.30 pm. The President (Senator the Honourable Paul Calvert) took the chair and read prayers.

2 RESOURCES—STANWELL MAGNESIUM PROJECT—ANSWER TO QUESTION—STATEMENT BY LEAVE

The Minister for Finance and Administration (Senator Minchin), by leave, made a statement clarifying the answer he gave to a question without notice asked by Senator Mason on 22 August 2002 relating to the Stanwell magnesium project.

3 LEADER OF THE AUSTRALIAN DEMOCRATS—STATEMENT BY LEAVE

Senator Allison, by leave, informed the Senate of the appointment of Senator Greig as Acting Leader of the Australian Democrats.

4 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 2 pm: Debate was interrupted while Senator Lundy was speaking.

5 QUESTIONS

Questions without notice were answered.

6 SUPERANNUATION—TAXATION—ANSWERS TO QUESTIONS

Senator Sherry moved—That the Senate take note of the answers given by the Minister for Revenue and Assistant Treasurer (Senator Coonan) to questions without notice asked by Senators Sherry and Conroy today relating to superannuation and taxation.

Debate ensued.

Question put and passed.

7 PRIMARY INDUSTRIES—SUGAR INDUSTRY—ANSWER TO QUESTION

Senator Cherry moved—That the Senate take note of the answer given by the Minister for Forestry and Conservation (Senator Ian Macdonald) to a question without notice asked by Senator Cherry today relating to the sugar industry in Queensland.

Question put and passed.

8 PETITIONS

The following 2 petitions, lodged with the Clerk by the senators indicated, were received:

Senator Barnett, from 815 petitioners, requesting that the Senate acknowledge the contribution to medical science of adult stem cell research and take action to prohibit any research which results in the destruction of human embryos.

Senator Ludwig, from 2 235 petitioners, requesting that the Senate support the reopening of the Biggera Waters Post Office and the expansion of Australia Post's community service obligations.

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

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), by leave, made a statement relating to the order of the Senate of 21 August 2002 for the production of documents relating to financial information on higher education institutions and, pursuant to that order, tabled the following documents:

Finance—Higher education—

Budget estimates 2002-03—DEST question no. E075_03—Copies of—
Answer.

Letter to Senator Carr from the Secretary, Department of Education, Science and Training, dated 12 August 2002.

Department of Education, Science and Training—

Higher education—Report for the 2002 to 2004 triennium.

Selected higher education statistics—

Finance 2000.

Students 2000.

Senator Carr, by leave, moved—That the Senate take note of the documents.

Question put and passed.

10 **NOTICES**

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

- (1) That the following matter be referred to the Legal and Constitutional References Committee for inquiry and report by March 2003:

Progress towards national reconciliation, including an examination of the adequacy and effectiveness of the Commonwealth Government's response to, and implementation of, the recommendations contained in the following documents:

- (a) *Reconciliation: Australia's Challenge: Final Report of the Council for Aboriginal Reconciliation to the Prime Minister and the Commonwealth Parliament;*
- (b) the Council for Aboriginal Reconciliation's *Roadmap for Reconciliation* and the associated *National Strategies to Advance Reconciliation*; and
- (c) the Aboriginal and Torres Strait Islander Social Justice Commissioner's social justice reports in 2000 and 2001 relating to reconciliation.

- (2) That, in examining this matter, the committee have regard to the following:

- (a) whether processes have been developed to enable and require government agencies to review their policies and programs against the documents referred to above;
- (b) effective ways of implementing the recommendations of the documents referred to above, including an examination of funding arrangements;
- (c) the adequacy and effectiveness of any targets, benchmarks, monitoring and evaluation mechanisms that have been put in place to address Indigenous disadvantage and promote reconciliation, with particular reference to the consistency of these responses with the documents referred to above; and

- (d) the consistency of the Government's responses to the recommendations contained in the documents referred to above with the needs and aspirations of Indigenous Australians as Australian citizens and First Nation Peoples.

The Chair of the Environment, Communications, Information Technology and the Arts References Committee (Senator Allison): To move on the next day of sitting—That the time for the presentation of the report of the Environment, Communications, Information Technology and the Arts References Committee on urban water management be extended to 26 September 2002. (*general business notice of motion no. 141*)

The Chair of the Legal and Constitutional References Committee (Senator Bolkus): To move on the next day of sitting—That the time for the presentation of the report of the Legal and Constitutional References Committee on the Migration Legislation Amendment (Further Border Protection Measures) Bill 2002 and related issues be extended to 26 September 2002. (*general business notice of motion no. 142*)

The Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Heffernan): To move on the next day of sitting—That the Rural and Regional Affairs and Transport Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 28 August 2002, from 5 pm, to take evidence for the committee's inquiry into the Australian meat industry and export quotas. (*general business notice of motion no. 143*)

The Chair of the Community Affairs Legislation Committee (Senator Knowles): To move on the next day of sitting—That the Community Affairs Legislation Committee be authorised to hold public meetings during the sitting of the Senate from 3.30 pm to take evidence for the committee's inquiry into the provisions of the Research Involving Embryos and Prohibition of Human Cloning Bill 2002 on the following days:

Thursday, 29 August 2002

Tuesday, 17 September 2000

Thursday, 19 September 2002

Tuesday, 24 September 2002

Thursday, 26 September 2002. (*general business notice of motion no. 144*)

The Chair of the Economics References Committee (Senator Collins): To move on the next day of sitting—That the time for the presentation of the report of the Economics References Committee on public liability and professional indemnity insurance be extended to 24 September 2002. (*general business notice of motion no. 145*)

Senator Harris: To move 15 sitting days after today—That the Great Barrier Reef Marine Park Amendment Regulations 2002 (No. 1) and the Great Barrier Reef Marine Park Amendment Regulations 2002 (No. 2), as contained in Statutory Rules 2002 Nos 72 and 73, respectively, and made under the *Great Barrier Reef Marine Park Act 1975*, be disallowed.

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

- (1) That the Great Barrier Reef Marine Park Amendment Regulations 2002 (No. 1) and the Great Barrier Reef Marine Park Amendment Regulations 2002 (No. 2), as contained in Statutory Rules 2002 Nos 72 and 73, respectively, and made under the *Great Barrier Reef Marine Park Act 1975*, be referred to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 15 October 2002.

- (2) That, in considering the Regulations, the committee have regard to:
- (a) the process followed in formulating the Regulations;
 - (b) the lack of consultation in formulating the Regulations;
 - (c) the social impact of the Regulations; and
 - (d) the economic impact of the Regulations.

The Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen): To move 15 sitting days after today—That the Public Employment (Consequential and Transitional) Amendment Regulations 2002 (No. 1), as contained in Statutory Rules 2002 No. 87 and made under the *Public Employment (Consequential and Transitional) Amendment Act 1999*, be disallowed.

Senator Tchen, by leave, made a statement relating to the notice of motion.

11 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 28 August 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 27 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 27 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 27 August 2002.

12 NOTICE OF MOTION WITHDRAWN

Senator Mackay, at the request of Senator Sherry, withdrew 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.

13 IMMIGRATION—PACIFIC SOLUTION

Senator Nettle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 140—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.

Question put.

The Senate divided—

AYES, 10

Senators—

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

NOES, 48

Senators—

Barnett	Crossin	Knowles	Payne
Bishop	Denman	Ludwig	Ray
Bolkus	Eggleston	Lundy	Reid
Boswell	Ferguson	Macdonald, Sandy	Scullion
Brandis	Ferris (Teller)	Mackay	Stephens
Buckland	Forshaw	Marshall	Tchen
Calvert	Harris	Mason	Tierney
Campbell, George	Herron	McGauran	Troeth
Campbell, Ian	Hutchins	McLucas	Vanstone
Carr	Johnston	Moore	Watson
Colbeck	Kemp	O’Brien	Webber
Collins	Kirk	Patterson	Wong

Question negatived.

14 URGENCY MOTION—IMMIGRATION—PACIFIC SOLUTION

The President informed the Senate that he had received a letter from Senator Bartlett advising that today he intended to move—That, in the opinion of the Senate, the following is a matter of urgency:

Given that, one year on from the incident involving the turning away of the *MV Tampa* from Australian waters, the Government’s so-called ‘Pacific Solution’ is directly resulting in:

- (a) the continuing enforced separation of families;
- (b) the ongoing detention of men, women and children on Nauru and Manus Island, including many people who have been determined to be refugees;
- (c) huge and unnecessary costs which remain undisclosed but are likely to exceed one billion dollars; and
- (d) stresses on our relationships with Papua New Guinea, Nauru and our other Pacific neighbours and a major distortion to Australia’s aid program,

the need for the Government to:

- (a) allow all people on Manus Island and Nauru who have been determined to be refugees to be released into the Australian community; and

- (b) immediately end the practice of detaining children, by exploring methods such as placing unaccompanied children in appropriate foster or community care and allowing family groups to live in a model like the Woomera alternate detention trial.

The proposal was supported by 4 senators.

Senator Bartlett moved the motion.

Debate ensued.

Question put.

The Senate divided—

AYES, 35

Senators—

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

NOES, 32

Senators—

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

Question agreed to.

15 AUDITOR-GENERAL—AUDIT REPORT NO. 5 OF 2002-03—DOCUMENT

The Acting Deputy President (Senator Collins) tabled the following document received on 23 August 2002:

Auditor-General—Performance audit—The strategic partnership agreement between the Department of Health and Ageing and the Health Insurance Commission: Department of Health and Ageing; Health Insurance Commission (Report no. 5 of 2002-03).

16 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

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

Departmental and agency contracts—Order for production of documents—Letter to the Clerk of the Senate from the Executive Director, Assurance Audit Services Group relating to the resolution of the Senate of 20 June 2001 as amended, dated 22 August 2002.

17 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ESTIMATES

Senator McGauran, at the request of the Chair of the Employment, Workplace Relations and Education Legislation Committee (Senator Tierney), tabled additional information received by the committee (Additional estimates 1998-99—vol. 9; Additional estimates 2000-01—vols 3 and 4; Budget supplementary estimates 2000-01—vols 10 to 12; Additional estimates 2001-02—vol. 6; Budget estimates 2002-03—vols 1 and 2).

18 LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2002-03

Senator McGauran, at the request of the Chair of the Legal and Constitutional Legislation Committee (Senator Payne), tabled additional information received by the committee (Budget estimates 2002-03—vols 1 to 4).

19 RURAL AND REGIONAL AND TRANSPORT LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—BUDGET ESTIMATES 2002-03

Senator McGauran, at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Heffernan), tabled additional information received by the committee (Budget estimates 2002-03—vols 1 and 2).

20 NATIONAL CAPITAL AND EXTERNAL TERRITORIES—JOINT STANDING COMMITTEE—REPORT—NORFOLK ISLAND ELECTORAL MATTERS

Senator McGauran, at the request of the Chair of the Joint Standing Committee on the National Capital and External Territories (Senator Lightfoot), tabled the following report:

National Capital and External Territories—Joint Standing Committee—Norfolk Island electoral matters—Report, dated June 2002.

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

Question put and passed.

21 TREATIES—JOINT STANDING COMMITTEE—47TH REPORT

Senator Kirk, on behalf of the Joint Standing Committee on Treaties, tabled the following report and documents:

Treaties—Joint Standing Committee—47th report—Treaties tabled on 18 and 25 June 2002, dated August 2002 and minutes of proceedings.

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

Question put and passed.

22 DOCUMENTS

The following documents were tabled by the Clerk:

Aboriginal and Torres Strait Islander Commission Act—Statement under subsection 122A(3)—Suspension from office of a regional councillor.

Civil Aviation Act—Civil Aviation Regulations—Airworthiness Directives—Part—105, dated 15 [5], 19 [3], 23 [5], 24 [7], 25 [6], 26 [5], 29 [6] and 31 [3] July 2002; and 7 August 2002.

106, dated 26 [3] and 29 [2] July 2002; and 19 August 2002.

107, dated 29 [2] July 2002.

Class Rulings CR 2002/52-CR 2002/55.

Commonwealth Authorities and Companies Act—Notice under paragraphs 45(1)(b) and (f)—Disposal of shares and cessation of membership in Sydney Airports Corporation Limited (SACL).

Product Ruling PR 2002/108.

Superannuation Industry (Supervision) Act—Request from Minister to APRA under section 230A, dated 1 July 2002.

Telecommunications Act—Telecommunications Numbering Plan Amendment 2002 (No. 2).

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

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

Indexed lists of departmental and agency files for the period 1 January to 30 June 2002—Statements of compliance—

Aboriginal and Torres Strait Islander Commission.

Civil Aviation Safety Authority (CASA).

24 COMMITTEES—CHANGES IN MEMBERSHIP

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

The Special Minister of State (Senator Abetz), by leave, moved—That senators be discharged from and appointed to committees as follows:

Environment, Communications, Information Technology and the Arts Legislation Committee—

Participating member: Senator Nettle

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

Participating member: Senator Nettle

Substitute member: Senator Buckland to replace Senator Lundy for the committee's inquiry into environmental performance at the Ranger, Jabiluka, Beverley and Honeymoon uranium operations

Selection of Bills—Standing Committee—

Appointed: Senator Eggleston.

Question put and passed.

25 GOVERNOR-GENERAL'S MESSAGE—ASSENT TO LAW

A message from His Excellency the Governor-General was reported, informing the Senate that he had assented to the following law:

22 August 2002—Message No. 19—*New Business Tax System (Consolidation) Act (No. 1) 2002* (Act No. 68, 2002).

26 VETERANS' AFFAIRS LEGISLATION AMENDMENT BILL (NO. 2) 2002

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

Message no. 128, dated 22 August 2002—A Bill for an Act to amend the law with respect to veterans' entitlements, and for related purposes.

The Special Minister of State (Senator Abetz) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

Senator Abetz moved—That this bill be now read a second time.

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

27 HEALTH INSURANCE COMMISSION AMENDMENT BILL 2002

A message from the House of Representatives was reported agreeing to the following bill without amendment:

Message no. 129, dated 22 August 2002—Health Insurance Commission Amendment Bill 2002.

28 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.

Proposed reference to committee: Senator Lundy moved the following amendment:

Omit all words after "That", substitute "the following matters be referred to the Joint Standing Committee on Electoral Matters for inquiry and report by Thursday, 24 October 2002:

- (a) any amendments to the Commonwealth Electoral Amendment Bill (No. 1) 2002 circulated in the Senate chamber; and
- (b) the Commonwealth Electoral Amendment Bill (No. 1) 2002".

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 28

Senators—

Bolkus	Cook	Kirk	Nettle
Brown	Crossin (Teller)	Ludwig	O'Brien
Buckland	Denman	Lundy	Ray
Campbell, George	Faulkner	Marshall	Sherry
Carr	Forshaw	McLucas	Stephens
Collins	Hogg	Moore	Webber
Conroy	Hutchins	Murphy	Wong

NOES, 40

Senators—

Abetz	Coonan	Kemp	Patterson
Allison	Ellison	Knowles	Payne
Barnett	Ferguson	Lees	Reid
Bartlett	Ferris	Lightfoot	Ridgeway
Boswell	Greig	Macdonald, Ian	Scullion
Brandis	Harris	Macdonald, Sandy	Stott Despoja
Calvert	Heffernan	Mason	Tchen
Campbell, Ian	Herron	McGauran (Teller)	Tierney
Cherry	Hill	Minchin	Troeth
Colbeck	Johnston	Murray	Watson

Question negatived.

Main question put.

The Senate divided—

AYES, 40

Senators—

Abetz	Coonan	Kemp	Patterson
Allison	Ellison	Knowles	Payne
Barnett	Ferguson	Lees	Reid
Bartlett	Ferris	Lightfoot	Ridgeway
Boswell	Greig	Macdonald, Ian	Scullion
Brandis	Harris	Macdonald, Sandy	Stott Despoja
Calvert	Heffernan	Mason	Tchen
Campbell, Ian	Herron	McGauran (Teller)	Tierney
Cherry	Hill	Minchin	Troeth
Colbeck	Johnston	Murray	Watson

NOES, 28

Senators—

Bishop	Cook	Kirk	Nettle
Brown	Crossin (Teller)	Ludwig	O'Brien
Buckland	Denman	Lundy	Ray
Campbell, George	Faulkner	Marshall	Sherry
Carr	Forshaw	McLucas	Stephens
Collins	Hogg	Moore	Webber
Conroy	Hutchins	Murphy	Wong

Question agreed to.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

Senator Murray moved the following amendments together by leave:

Schedule 1, page 3 (before line 5), before item 1, insert:

1AA Subsection 287(1)

Insert:

designated federal party has the meaning given by subsection 287B(1).

Schedule 1, page 3 (after line 9), after item 1, insert:

1A At the end of Division 1 of Part XX

Add:

287B Designated federal party

- (1) For the purposes of this Part, a *designated federal party* is a registered political party (other than the Liberal Party), where:
 - (a) there are 2 or more State branches of the party; and
 - (b) there is in force a choice under subsection (2) that the party be treated as a designated federal party for the purposes of this Part.
- (2) The registered officer of a registered political party may, on behalf of the party, give the Electoral Commission a written notice stating that the party chooses to be treated as a designated federal party for the purposes of this Part.
- (3) A choice under subsection (2) may be revoked at any time by the registered officer by written notice given to the Electoral Commission.
- (4) Despite subsection (3), a choice under subsection (2) must not be revoked during the period:
 - (a) beginning at the start of the polling day for an election; and
 - (b) ending on the 14th day after the day on which the writ for that election is returned.

Schedule 1, item 2, page 3 (after line 30), after paragraph (b), insert:

- (ba) if:
 - (i) the party is a designated federal party or a State branch of a designated federal party; and
 - (ii) a notice for the election is in force under subsection (5H) in relation to the State branch of the designated federal party that is organised on the basis of the State or Territory in which the candidate or candidates stood for election;

pay the applicable federal percentage of the amount to the agent of the designated federal party and the applicable State percentage of the amount to the agent of the State branch of the designated federal party mentioned in subparagraph (ii); or
- (bb) if:
 - (i) paragraph (ba) does not apply; and
 - (ii) the party is a designated federal party or a State branch of a designated federal party;

pay the amount to the agent of the designated federal party; or

Schedule 1, item 3, page 4 (after line 23), after paragraph (aa), insert:

- (aaa) if:

- (i) the members of the group were endorsed by one registered political party and that party is a designated federal party or a State branch of a designated federal party; and
- (ii) a notice for the election is in force under subsection (5H) in relation to the State branch of the designated federal party that is organised on the basis of the State or Territory in which the members of the group stood for election;

pay the applicable federal percentage of the amount to the agent of the designated federal party and the applicable State percentage of the amount to the agent of the State branch of the designated federal party mentioned in subparagraph (ii); or

(aab) if:

- (i) paragraph (aaa) does not apply; and
- (ii) the members of the group were endorsed by one registered political party and that party is a designated federal party or a State branch of a designated federal party;

pay the amount to the agent of the designated federal party; or

Schedule 1, item 3, page 4 (line 24), omit “and (aa)”, substitute “, (aa), (aaa) and (aab)”.

Schedule 1, item 3, page 5 (after line 37), after paragraph (ad), insert:

- (ae) if the members of the group were endorsed by 2 registered political parties, only one of those parties is a designated federal party or a State branch of a designated federal party, and a notice for the election is in force under subsection (5H) in relation to the State branch of the designated federal party that is organised on the basis of the State or Territory in which the members of the group stood for election:
 - (i) divide the payment into such shares as are agreed upon between the agents of the State branches of those parties that are organised on the basis of the State or Territory in which the members of the group stood for election or, in the absence of agreement, into such shares as the Electoral Commission determines; and
 - (ii) in the case of the share applicable to a State branch of the designated federal party in accordance with that agreement or determination, as the case may be—pay the applicable federal percentage of the share to the agent of the designated federal party and the applicable State percentage of the share to the agent of the State branch of the designated federal party; and
 - (iii) in the case of the share applicable to the agent of the other party in accordance with that agreement or determination, as the case may be—pay the share to the agent of the other party; or
- (af) if paragraph (ae) does not apply, the members of the group were endorsed by 2 registered political parties, and only one of those parties is a designated federal party or a State branch of a designated federal party:

- (i) divide the payment into such shares as are agreed upon between the agents of the State branches of those parties that are organised on the basis of the State or Territory in which the members of the group stood for election or, in the absence of agreement, into such shares as the Electoral Commission determines; and
- (ii) in the case of the share applicable to a State branch of the designated federal party in accordance with that agreement or determination, as the case may be—pay the share to the agent of the designated federal party; and
- (iii) in the case of the share applicable to the agent of the other party in accordance with that agreement or determination, as the case may be—pay the share to the agent of the other party; or

Schedule 1, item 4, page 6 (line 1), omit “and (ad)”, substitute “, (ad), (ae) and (af)”.

Schedule 1, item 5, page 6 (line 4), after “(ad)(i)”, insert “, (ae)(i), (af)(i)”.

Schedule 1, item 6, page 6 (line 15), omit “The”, substitute “For the purposes of subsection (5E), the”.

Schedule 1, page 6 (after line 21), at the end of item 6, add:

- (5H) The registered officer of a designated federal party may, before the polling day for an election, give the Electoral Commission a written notice determining that, for the purposes of the application of this section to the election:
 - (a) a specified percentage is the federal percentage applicable to a specified State branch of the party; and
 - (b) a specified percentage is the State percentage applicable to a specified State branch of the party.
- (5J) For the purposes of subsection (5H), the sum of:
 - (a) the federal percentage applicable to a particular State branch of a designated federal party; and
 - (b) the State percentage applicable to the State branch of the party;must be 100%.
- (5K) A notice under subsection (5H) has effect accordingly.

Debate ensued.

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

29 ADJOURNMENT

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

Document: Senator Marshall, by leave, tabled the following document:

Employment—Textile, clothing and footwear industry—Copy of article from the
Herald Sun of 1 August 2002—‘It’s a fair job, no sweat’.

Debate continued.

The Senate adjourned at 10.37 pm till Tuesday, 27 August 2002 at 2 pm.

30 ATTENDANCE

Present, all senators except Senator Chapman.

HARRY EVANS
Clerk of the Senate