

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 **MARRIAGE AMENDMENT BILL 2002**

Order of the day read for the further consideration of the bill in committee of the whole.

In the committee

Consideration resumed of the bill—and of the amendments moved by the Acting Leader of the Australian Democrats (Senator Greig):

Schedule 1, page 12 (after line 28), after item 18, insert:

18A After section 23B

Insert:

23C Same sex marriages permitted

For the avoidance of doubt, nothing in this or any other Act prevents the marriage of any two persons solely on the grounds of their sex.

Schedule 1, page 12 (after line 28), after item 18, insert:

18B Subsection 45(2)

After “to be my lawful wedded wife (or husband)”, insert “(or partner)”.

Schedule 1, page 12 (after line 28), after item 18, insert:

18C Subsection 46(1)

Omit “is the union of a man and a woman”, substitute “is the union of two persons”.

Debate resumed.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 9

Senators—

Allison (Teller)
Bartlett
Brown

Cherry
Greig

Lees
Murray

Nettle
Ridgeway

NOES, 40

Senators—

Barnett	Crossin	Kirk	Payne
Bishop	Denman	Knowles	Reid
Brandis	Eggleston	Lightfoot	Scullion
Buckland (Teller)	Ellison	Ludwig	Sherry
Calvert	Forshaw	Marshall	Tchen
Campbell, George	Harradine	Mason	Tierney
Carr	Harris	McGauran	Troeth
Colbeck	Hogg	McLucas	Vanstone
Collins	Johnston	Moore	Watson
Cook	Kemp	Patterson	Webber

Question negatived.

Bill agreed to.

Bill to be reported without amendment.

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

On the motion of the Minister for Justice and Customs (Senator Ellison) the report from the committee was adopted and the bill read a third time.

3 PROCEEDS OF CRIME BILL 2002

PROCEEDS OF CRIME (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) 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 these bills be now read a second time—*and on the amendment moved by Senator Ludwig in respect of the Proceeds of Crime Bill 2002:*

At the end of the motion, add “but the Senate:

- (a) notes that the courts have recently affirmed the principle that a drug dealer may be allowed a tax deduction where the proceeds from illegal drug dealing are stolen;
- (b) further notes that this treatment effectively frees from tax the proceeds of illegal drug dealing;
- (c) confirms that this grave matter was brought to the attention of the Parliament more than 2 years ago by the Australian Labor Party;
- (d) condemns the Treasurer for his inaction in attacking drug dealing by allowing this anomaly to stand for years; and
- (e) calls on the Government to amend the taxation law to ensure criminals and drug dealers are no longer able to claim a tax deduction where the proceeds of drug deals are stolen”.

Debate resumed.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 27

Senators—

Bishop	Conroy	Harradine	O'Brien
Bolkus	Cook	Hogg	Ray
Brown	Crossin	Ludwig	Sherry
Buckland (Teller)	Denman	Lundy	Stephens
Campbell, George	Evans	Mackay	Webber
Carr	Faulkner	Moore	Wong
Collins	Forshaw	Nettle	

NOES, 37

Senators—

Abetz	Colbeck	Kemp	Reid
Allison	Coonan	Knowles	Ridgeway
Alston	Eggleston (Teller)	Lees	Scullion
Barnett	Ellison	Lightfoot	Tchen
Bartlett	Ferguson	Macdonald, Ian	Troeth
Boswell	Ferris	Mason	Vanstone
Brandis	Greig	Minchin	Watson
Calvert	Harris	Murray	
Campbell, Ian	Hill	Patterson	
Cherry	Johnston	Payne	

Question negatived.

Main question put and passed.

Bills read a second time.

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

In the committee

PROCEEDS OF CRIME BILL 2002—

Bill taken as a whole by leave.

The Acting Leader of the Australian Democrats (Senator Greig) moved the following amendment:

Clause 80, page 59 (lines 4 to 11), omit the clause, substitute:

80 No double jeopardy

No *forfeiture order may be made under section 47 or 49 against a person in relation to an offence for which they have been acquitted.

Debate ensued.

At 2 pm: The President resumed the chair and the Temporary Chair of Committees (Senator Watson) reported progress.

4 QUESTIONS

Questions without notice were answered.

5 TRANSPORT—ETHANOL—ANSWER TO QUESTION

Senator O'Brien moved—That the Senate take note of the answer given by the Minister for Revenue and Assistant Treasurer (Senator Coonan) to a question without notice asked by Senator O'Brien today relating to the use of ethanol in automotive fuel.

Debate ensued.

Question put and passed.

6 SCIENCE AND TECHNOLOGY—SCIENCE PROGRAMS—ANSWER TO QUESTION

Senator Stott Despoja 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 Stott Despoja today relating to the funding of science programs.

Question put and passed.

7 ALLEGED ALTERCATION—PERSONAL EXPLANATION

Senator Forshaw, by leave, made a personal explanation relating to an article in the *Australian Financial Review* of 20 September 2002 purporting to describe an altercation between Senator Forshaw and the Member for Solomon (Mr Tollner).

8 SUPERANNUATION—COMMERCIAL NOMINEES OF AUSTRALIA LTD—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 28 August 2002 for the production of documents relating to applications for financial assistance for superannuation funds where Commercial Nominees of Australia Ltd was trustee and, pursuant to that order, tabled the following documents:

Superannuation—Commercial Nominees of Australia Ltd—

Copies of letters to the Minister for Revenue and Assistant Treasurer (Senator Coonan) from the Chief Executive Officer, Australian Prudential Regulation Authority (APRA), dated 27 May, 19 July and 25 July 2002.

Statement by the Minister for Revenue and Assistant Treasurer (Senator Coonan).

9 PETITION

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

From 20 petitioners, requesting that the Senate support the Australian Democrats' motion opposing Australia's involvement in pre-emptive military action or a first strike against Iraq and call on the Government to pursue diplomatic initiatives towards disarmament in Iraq, and worldwide.

10 NOTICES

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 24 October 2002. (*general business notice of motion no. 176*)

The Chair of the Joint Standing Committee on Foreign Affairs, Defence and Trade (Senator Ferguson): To move on the next day of sitting—That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold a public meeting during the sitting of the Senate on Thursday, 26 September 2002, from 11.45 am to 1 pm, to take evidence for the committee's inquiry into aspects of the 2000-01 annual report of the Human Rights and Equal Opportunity Commission relating to conditions at immigration detention centres and the treatment of detainees. (*general business notice of motion no. 177*)

Senator Conroy: To move 14 sitting days after today—That the Telstra Carrier Charges—Price Control Arrangements, Notification and Disallowance Determination No. 1 of 2002, made under subsections 154(1), 155(1) and 157(1) of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*, be disallowed.

Senator Forshaw: To move on 22 October 2002—That Standard 9: Employment conditions, in item 9 of Schedule 1 of the Disability Services (Disability Employment and Rehabilitation Program) Standards 2002, made under paragraphs 5A (1)(b) and (c) and subsection 5A (2) of the *Disability Services Act 1986*, be disallowed.

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

- (a) notes that the National Council of Women of Victoria has expressed great concern at the threatened invasion of Iraq without United Nations sanction and without measuring the incalculable costs to the countless innocents who would suffer as a result of this violence; and
- (b) reminds the Government that countless women and children will suffer as a result of any military action against Iraq. (*general business notice of motion no. 178*)

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

- (a) notes that:
 - (i) in September 2001, the United Nations (UN) General Assembly unanimously adopted Resolution 55/282, establishing the United Nations International Day of Peace as an annual day of global cease-fire and non-violence, now fixed in the calendar as 21 September from 2002,
 - (ii) the UN General Assembly has invited the people of the world to honour and celebrate the day on 21 September, with the vision of the day extending far beyond the cessation of violent conflict and representing an opportunity for the people of the world to create a moment of global unity, and
 - (iii) individuals, governments, regional and non-government organisations, educational establishments and religious/spiritual organisations all over the world, including Australia, have responded to the invitation from the UN General Assembly, by organising events and actions designed to improve public awareness and strengthen the ideals of peace both within and amongst all nations and peoples;

- (b) congratulates Mr Jeremy Gilley and all those individuals and organisations whose voluntary efforts and vision have driven the initiative to establish and observe the United Nations International Day of Peace as a day of global cease-fire and non-violence; and
- (c) welcomes the international observance of the International Day of Peace as an important means of strengthening the ideals of peace and alleviating the tensions and causes of conflict that exist around the world. (*general business notice of motion no. 179*)

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell): To move on the next day of sitting—That the provisions of paragraphs (5) to (7) of standing order 111 not apply to the ACIS Administration Amendment Bill 2002, allowing it to be considered during this period of sittings.

Document: Senator Ian Campbell tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the ACIS Administration Amendment Bill 2002 in the 2002 spring sittings.

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

- (a) notes the demonstration of 4 000 people on the weekend of 21 and 22 September 2002 to protest against the development of the proposed charcoal plant in Mogo, near Batemans Bay, New South Wales; and
- (b) expresses its objection to this polluting and unsustainable development, which is based on massive new logging operations that will adversely impact upon the local environment, and the local community's lifestyle and economic security. (*general business notice of motion no. 180*)

The Acting Leader of the Australian Democrats (Senator Greig): To move on 24 October 2002—That the Therapeutic Goods (Charges) Amendment Regulations 2002 (No. 1), as contained in Statutory Rules 2002 No. 144 and made under the *Therapeutic Goods (Charges) Act 1989*, be disallowed.

11 CONSIDERATION OF LEGISLATION

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), by leave, moved—That government business orders of the day no. 3 (Workplace Relations Amendment (Genuine Bargaining) Bill 2002) and no. 4 (Workplace Relations Amendment (Secret Ballots for Protected Action) Bill 2002) may be taken together for their remaining stages.

Question put and passed.

12 POSTPONEMENTS

Items of business were postponed as follows:

Business of the Senate notice of motion no. 1 standing in the name of Senator Murray for 25 September 2002, relating to the reference of matters to the Community Affairs References Committee, postponed till 23 October 2002.

Business of the Senate notice of motion no. 2 standing in the name of Senator Murray for 25 September 2002, relating to the reference of matters to the Economics References Committee, postponed till 13 November 2002.

General business notice of motion no. 110 standing in the name of Senator Stott Despoja for today, relating to Australia's involvement in any pre-emptive military action, postponed till 14 October 2002.

General business notice of motion no. 162 standing in the name of Senator Stott Despoja for today, relating to the meeting of Commonwealth leaders on Zimbabwe, postponed till 24 September 2002.

13 LEAVE OF ABSENCE

Senator Ferris, by leave, moved—That leave of absence be granted to Senator Chapman for the period 23 September to 17 October 2002, on account of parliamentary business overseas.

Question put and passed.

14 HEALTH—DRUG EDUCATION PROGRAMS

Senator Allison, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 164—That the Senate—

(a) notes:

- (i) the efforts by Philip Morris Ltd to sponsor so-called drug education programs in Asia and, most recently, in the Lao People's Democratic Republic (Lao PDR),
- (ii) previous moves in Australia by Philip Morris to sponsor school-based programs, such as the 'I've got the power' program, received such strong criticism from health and educational professionals that most school education authorities rejected or abandoned the programs,
- (iii) the cynicism of the major tobacco companies in sponsoring education 'events', when around 370 million cigarettes are illegally sold to children in Australia each year; and

(b) urges the Federal Government to:

- (i) advise the Lao PDR that tobacco companies in Australia have consistently opposed genuine measures to reduce youth smoking rates and that their offers to sponsor education activities should not be countenanced, and
- (ii) assist countries in the region by supporting a strong framework convention for tobacco control to reduce the global tobacco epidemic and to help reduce the estimated 40 000 to 50 000 Asian teenagers taking up smoking every day.

Question put and passed.

15 ENVIRONMENT—HONEYMOON TRIAL MINE—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Allison, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 171—That there be laid on the table by the Minister representing the Minister for the Environment and Heritage, no later than 5 pm on Wednesday, 25 September 2002, the following:

- (a) the further studies, ordered by Senator Hill on 1 February 2001 to be conducted by the proponent of the Honeymoon trial mine, on ground water and waste disposal issues;
- (b) the independent reviews of these further studies ordered by Environment Australia;
- (c) the Honeymoon trial mine reports for 1998 to 2000, as reported to the South Australian Government by the proponent;
- (d) the evidence of ground water monitoring and waste disposal records from the trial mine; and
- (e) any South Australian Government reporting to the Federal Government on the trial mine.

Question put and passed.

**16 TRADE PRACTICES AMENDMENT (PUBLIC LIABILITY INSURANCE) BILL 2002 [No. 2]
CORPORATIONS AMENDMENT (IMPROVING CORPORATE GOVERNANCE) BILL
2002 [No. 2]
TRADE PRACTICES AMENDMENT (CREDIT CARD REFORM) BILL 2002 [No. 2]**

Senator Conroy, pursuant to notices of motion not objected to as formal motions, moved general business notices of motion nos 172, 173 and 174—That the following bills be introduced:

A Bill for an Act to amend the *Trade Practices Act 1974* to give the Australian Competition and Consumer Commission power to deal with any price exploitation arising from changes in the law in relation to public liability, and for related purposes.

A Bill for an Act to amend the *Corporations Act 2001* to improve corporate governance, and for related purposes.

A Bill for an Act to amend the *Trade Practices Act 1974* to give the Australian Competition and Consumer Commission power to deal with any price exploitation arising from changes in the regulation of credit card fees, and for related purposes.

Question put and passed.

Senator Conroy presented the bills and 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 Conroy moved—That these bills be now read a second time.

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

Consideration of legislation: Senator Conroy moved—That the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

17 FOREIGN AFFAIRS—INDONESIA—MS LESLEY McCULLOCH

Senator Brown 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. 170—That the Senate calls on the Government of Indonesia to ensure that Ms Lesley McCulloch is given full and immediate consular access and that she and her colleagues are treated fairly and in accordance with international human rights standards and released from custody as early as possible.

Question put and passed.

18 ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES—NATIONAL CENSUS—DOCUMENT

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

Aboriginal and Torres Strait Islander peoples—National census—Letter to the President of the Senate from the Minister for Education, Science and Training (Dr Nelson) responding to the resolution of the Senate of 25 June 2002, dated 17 September 2002.

19 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—REPORT—REVIEW OF FOREIGN AFFAIRS, TRADE AND DEFENCE ANNUAL REPORTS 2000-01

Senator Ferguson, on behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, tabled the following report:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Review of Foreign Affairs, Trade and Defence annual reports 2000-01—Report, dated September 2002, *Hansard* record of proceedings and submissions [3 vols].

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

Question put and passed.

20 DOCUMENTS

The following documents were tabled by the Clerk:

Australian Meat and Live-stock Industry Act—Australian Meat and Live-stock Industry (Live Cattle Exports to Republic of Korea) Order 2002.

Australian Sports Drug Agency Act—Australian Sports Drug Agency Regulations—Australian Sports Drug Agency Drug Testing (Scheme A) Amendment Orders 2002 (No. 1).

Australian Sports Drug Agency Drug Testing (Scheme B) Amendment Orders 2002 (No. 1).

Judiciary Act—Rules of Court—Statutory Rules 2002 No. 223.

Telecommunications Act—Determination under subsection 51(1) (No. 1 of 2002).

Therapeutic Goods Act—Therapeutic Goods (Manufacturing Principles) Determination No. 2 of 2002—MP2/2002.

21 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 3 on December 1998:

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

Australian Trade Commission.

Commonwealth Ombudsman.

22 COMMITTEES—APPOINTMENT OF MEMBERS

The Deputy President (Senator Hogg) 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:

Appropriations and Staffing—Standing Committee—

Appointed: Senator Ferris

Library—Standing Committee—

Appointed: Senator Tchen.

Question put and passed.

23 FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (DISABILITY REFORM) 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. 140, dated 19 September 2002—A Bill for an Act to amend the law relating to social security in its application to disabled persons, and for related purposes.

The Minister for Justice and Customs (Senator Ellison) 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 Ellison 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.

24 EGG INDUSTRY SERVICE PROVISION BILL 2002
EGG INDUSTRY SERVICE PROVISION (TRANSITIONAL AND CONSEQUENTIAL PROVISIONS) BILL 2002
DAIRY INDUSTRY LEGISLATION AMENDMENT BILL 2002
ACIS ADMINISTRATION AMENDMENT BILL 2002
STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) AMENDMENT BILL (NO. 2) 2002

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

Message no. 143, dated 19 September 2002—A Bill for an Act relating to service provision for the egg industry.

Message no. 142, dated 19 September 2002—A Bill for an Act to deal with transitional and consequential matters related to the enactment of the *Egg Industry Service Provision Act 2002*, and for related purposes.

Message no. 141, dated 19 September 2002—A Bill for an Act to amend legislation relating to the dairy industry and farm household support, and for related purposes.

Message no. 144, dated 19 September 2002—A Bill for an Act to amend the *ACIS Administration Act 1999*, and for related purposes.

Message no. 146, dated 19 September 2002—A Bill for an Act to amend the *States Grants (Primary and Secondary Education Assistance) Act 2000*, and for related purposes.

The Minister for Justice and Customs (Senator Ellison) 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 Ellison moved—That these bills be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the first day in the next period of sittings.

Senator Ellison moved—That the Egg Industry Service Provision Bill 2002 and the Egg Industry Service Provision (Transitional and Consequential Provisions) Bill 2002 be listed on the *Notice Paper* as one order of the day, and the remaining bills be listed as separate orders of the day.

Question put and passed.

25 COMMONWEALTH ELECTORAL AMENDMENT BILL (NO. 1) 2002

A message from the House of Representatives was reported agreeing to the amendments made by the Senate to the following bill:

Message no. 145, dated 19 September 2002—Commonwealth Electoral Amendment Bill (No. 1) 2002.

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

Order read for the further consideration of the bills in committee of the whole.

In the committee

PROCEEDS OF CRIME BILL 2002—

Consideration resumed of the bill—and of the amendment moved by the Acting Leader of the Australian Democrats (Senator Greig) (see entry no. 3).

Debate resumed.

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

Senator Greig moved the following amendments together by leave:

Page 122 (after line 12), at the end of Division 1, add:

182A Limitations of examination order

No *examination order authorised in accordance with this Act may be used for the purpose of obtaining information to advance a criminal prosecution.

Page 141 (after line 27), at the end of Part 3-2, add:

212A Limitations of production order

No *production order authorised in accordance with this Act may be used for the purpose of obtaining a document to advance a criminal prosecution.

Page 133 (after line 11), after clause 198, insert:

198A Immunity of certain answers

- (1) Any information, document or thing obtained as a direct or indirect consequence of a statement or disclosure made in the course of an *examination conducted in contravention of section 182A or 212A is not admissible against the person in any criminal proceedings except a proceeding for giving false or misleading information in the course of the examination.
- (2) Where the Crown seeks to introduce in criminal proceedings any information, document or thing that has been obtained as a direct or indirect consequence of a statement or disclosure made in the course of an *examination, the Crown bears the onus of establishing that the information, document or thing was not obtained in contravention of section 182A or 212A.

Debate ensued.

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

Bill agreed to.

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

Bill, taken as a whole by leave, debated and agreed to.

Bills to be reported without amendments.

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

On the motion of the Minister for Justice and Customs (Senator Ellison) the report from the committee was adopted.

Senator Ellison moved—That these bills be now read a third time.

The Senate divided—

AYES, 51

Senators—

Abetz	Coonan	Knowles	Payne
Barnett	Crossin	Ludwig	Ray
Bishop	Denman	Lundy	Reid
Bolkus	Eggleston	Macdonald, Sandy	Scullion
Boswell	Ellison	Mackay	Sherry
Brandis	Evans	Marshall	Stephens
Buckland	Ferguson	Mason	Tchen
Calvert	Ferris (Teller)	McGauran	Tierney
Campbell, George	Forshaw	McLucas	Troeth
Carr	Hogg	Moore	Watson
Colbeck	Hutchins	Murphy	Webber
Collins	Johnston	O'Brien	Wong
Cook	Kirk	Patterson	

NOES, 10

Senators—

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

Question agreed to.

Bills read a third time.

**27 WORKPLACE RELATIONS AMENDMENT (GENUINE BARGAINING) BILL 2002
WORKPLACE RELATIONS AMENDMENT (SECRET BALLOTS FOR PROTECTED ACTION)
BILL 2002**

Order of the day read for the adjourned debate on the motions of the Minister for Revenue and Assistant Treasurer (Senator Coonan) and the Minister for Justice and Customs (Senator Ellison)—That these bills be now read a second time.

Debate resumed.

Senator Sherry moved the following amendment in respect of the Workplace Relations Amendment (Genuine Bargaining) Bill 2002:

At the end of the motion, add “but the Senate condemns the Government for:

- (a) unreasonably emasculating the powers of the Australian Industrial Relations Commission to resolve industrial disputes in the interests of the parties;
- (b) interfering with the commission’s discretion to deal with industrial disputes in the most appropriate way; and
- (c) failing to put forward constructive proposals to enable the commission to direct parties to bargain in good faith”.

Debate ensued.

At 9.50 pm: Debate was interrupted while Senator Murphy was speaking.

28 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 10.20 pm till Tuesday, 24 September 2002 at 2 pm.

29 ATTENDANCE

Present, all senators except Senators Chapman* and Heffernan* (* on leave).

HARRY EVANS
Clerk of the Senate