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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:

Advance to the Finance Minister—Statement and supporting applications for funds for February 2003.

Crimes Act 1914—Independent review of Part 1D: Forensic procedures, March 2003.

Hepatitis C and plasma in 1990—Report of the expert advisory group, May 2003.

Treaties—

Bilateral—

Text, together with national interest analysis and annexures—

Agreement between the Government of Australia and the Government of the Democratic Republic of Timor-Leste relating to the Unitisation of the Sunrise and Troubadour Fields, done at Dili on 6 March 2003.

Agreement between the Government of Australia and the Government of the Democratic Socialist Republic of Sri Lanka for the Promotion and Protection of Investments, done at Canberra on 12 November 2002.

Agreement on Social Security between the Government of Australia and the Government of the Republic of Slovenia, done at Vienna on 19 December 2002.

Text, together with national interest analysis, regulation impact statement and annexures—

Agreement on Social Security between Australia and the Kingdom of Belgium, done at Canberra on 20 November 2002.

Agreement on Social Security between the Government of Australia and the Government of the Republic of Chile, done at Canberra on 25 March 2003.

Multilateral—

Text, together with national interest analysis and annexures—International Labour Organization Conventions: No. 83 Labour Standards (Non-Metropolitan Territories) Convention, 1947; No. 85 Labour Inspectorates (Non-Metropolitan Territories) Convention, 1947; No. 86 Contracts of Employment (Indigenous Workers) Convention, 1947.

Text, together with national interest analysis, regulation impact statement and annexures—Amendments to the Annex to the International Convention for the Safety of Life at Sea, 1974, including consideration and adoption of the International Ship and Port Facility Security (ISPS) Code (London on 12 December 2002).

3 GOVERNOR-GENERAL

Leave was granted for general business order of the day no. 59 for the adjourned debate on a motion relating to the Governor-General to be called on immediately and to have precedence over all other business until determined.

Order of the day read for the adjourned debate on the motion of the Leader of the Opposition in the Senate (Senator Faulkner)—That the Senate—

- (a) notes with concern that:
- (i) the Government has failed to respond to evidence of sexual abuse of children in our society and within our public institutions,
 - (ii) the independent report of the Diocesan Board of Inquiry found that Dr Peter Hollingworth, while occupying a position of public trust as Archbishop of Brisbane, allowed a priest to remain in the ministry after an admission of sexual abuse, and the Board of Inquiry found this decision to be ‘untenable’,
 - (iii) the Governor-General has admitted that he made a serious error in doing so,
 - (iv) Dr Peter Hollingworth, through his actions while in the Office of Governor-General, in particular his interview on ‘Australian Story’ and his apparent ‘reconstruction’ of evidence before the Diocesan Board of Inquiry, has shown himself not to be a person suitable to hold the Office of Governor-General,
 - (v) members of the House of Representatives, senators, and premiers and members of state parliaments have called upon the Governor-General to resign, or failing that, to be dismissed by the Prime Minister,
 - (vi) the Governor-General is now no longer able to fulfil his symbolic role as a figure of unity for the Australian people,
 - (vii) the Governor-General is now no longer able to exercise the constitutional powers of the Office in a manner that will be seen as impartial and non-partisan,
 - (viii) the Governor-General’s action in standing aside until the current Victorian Supreme Court action is resolved, does not address any of the issues surrounding his behaviour as Archbishop of Brisbane, and is therefore inadequate,
 - (ix) the Governor-General has failed to resign and the Prime Minister has failed to advise the Queen of Australia to dismiss him, and
 - (x) the Australian Constitution fails to set out any criteria for the dismissal of a Governor-General or a fair process by which this can be achieved; and
- (b) urges:
- (i) the Prime Minister to establish a Royal Commission into child sexual abuse in Australia, and
 - (ii) the Governor-General to immediately resign or, if he does not do so, the Prime Minister to advise the Queen of Australia to terminate the Commission of the Governor-General.

Debate resumed.

Senator Murphy moved the following amendment:

Omit all words after “That”, substitute “the Senate—

- (a) notes with concern that:
- (i) Dr Peter Hollingworth, while in the Office of Governor-General, gave in an interview on ‘Australian Story’, a version of events which have been found by the Diocesan Board of Inquiry to be untrue, and
 - (ii) the same Board of Inquiry found that they could not accept Dr Hollingworth had a belief that the child sexual abuse was an isolated incident and that his handling of the matters was untenable;

- (b) finds that:
- (i) the circumstances that have developed around the Office of Governor-General are doing irreparable damage to the Office and must be resolved,
 - (ii) the conclusions of the report of the Anglican Church clearly demonstrates that Dr Hollingworth failed in his duty as Archbishop,
 - (iii) such failing in a position of significant public trust renders Dr Hollingworth an unsuitable person to fill the Office of Governor-General,
 - (iv) the Governor-General's action in standing aside until the current Victorian Supreme Court action is resolved does not address any of the issues surrounding his behaviour as Archbishop of Brisbane, and is therefore inadequate,
 - (v) the Governor-General is now no longer able to fulfil his symbolic role as a figure of unity for the Australian people, and
 - (vi) the Governor-General is now no longer able to exercise the constitutional powers of the Office in a manner that will be seen as impartial and non-partisan; and
- (c) therefore, in light of these unacceptable circumstances, urges:
- (i) the Governor-General to immediately resign or, if he does not do so, the Prime Minister to advise the Queen of Australia to terminate the Commission of Governor-General, and
 - (ii) the Prime Minister to establish a Royal Commission into child sexual abuse in Australia.

Debate ensued.

At 12.45 pm: Debate was interrupted while Senator McGauran was speaking.

4 MATTERS OF PUBLIC INTEREST

Matters of public interest were discussed.

At 2 pm—

5 QUESTIONS

Questions without notice were answered.

6 QUESTION ON NOTICE—ANSWER AND EXPLANATION

Senator Harris, pursuant to standing order 74, asked the Minister representing the Attorney-General (Senator Ellison) for an explanation of an answer not being provided to question on notice no. 1392 (notice given 16 April 2003) relating to privacy.

Senator Ellison indicated that an explanation would be provided.

Senator Harris moved—That the Senate take note of the minister's response.

Question put and passed.

7 BUDGET 2003-04—ANSWERS TO QUESTIONS

Senator Conroy moved—That the Senate take note of the answers given by ministers to questions without notice asked today relating to the 2003-04 Budget.

Debate ensued.

Question put and passed.

8 DEATH OF FORMER MEMBER LEONARD STANLEY REID, DFC

The Deputy President (Senator Hogg) informed the Senate of the death, on 22 April 2003, of Leonard Stanley Reid, DFC, a member of the House of Representatives for the division of Holt from 1969 to 1972.

9 NOTICES

Notices of motion:

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

- (a) notes that:
 - (i) 11 May to 18 May 2003 is National Autism Awareness Week,
 - (ii) Autism Spectrum Disorder has a profound impact on the individuals affected by it, their families, friends and communities,
 - (iii) there is a great deal of research being conducted into the causes of Autism Spectrum Disorder, and
 - (iv) the Autism Association of South Australia Inc. is providing valuable support and information to people affected by Autism Spectrum Disorder; and
- (b) urges the Government to increase funding to families with high support needs in relation to children and adults with autism. (*general business notice of motion no. 462*)

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

- (a) notes that:
 - (i) 26 May 2003 is National Sorry Day, and that this date commemorates the anniversary of the handing down of the *Bringing Them Home* report on 26 May 1997, and
 - (ii) National Sorry Day is an opportunity for all Australians to acknowledge and help to heal the wounds of the many Aboriginal and Torres Strait Islander people and their families who suffered as a result of the forced removal policies of successive Australian governments between 1910 and 1970;
- (b) congratulates those involved in the ‘Journey of Healing’ and other community-based organisations which are holding events across the country to help all Australians understand the ongoing impact of the removal policies and to rebuild relations between Indigenous and non-Indigenous Australians in the spirit of reconciliation;
- (c) notes further that 27 May to 3 June 2003 is National Reconciliation Week, the theme of which is ‘*Reconciliation. Together we’re doing it*’, and which is designed to reflect the real progress being made in communities around Australia, where partnerships between people in schools, government, private businesses and Indigenous organisations are showing what can be achieved when real effort is made in achieving reconciliation;
- (d) acknowledges that despite these efforts, the progress of reconciliation in Australia has remained extremely slow;
- (e) notes that the Legal and Constitutional References Committee inquiry into progress towards national reconciliation is in the process of conducting public hearings and is due to report by 11 August 2003; and
- (f) urges the Government to take note of this report and give careful consideration to its recommendations. (*general business notice of motion no. 463*)

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

- (a) congratulates the Government on confirming its support for the resolution on human rights and sexual orientation that was recently introduced to the 59th session of the United Nations Commission on Human Rights;
- (b) notes that the resolution was introduced by Brazil and seconded by Poland; and
- (c) urges the Government to maintain its commitment to addressing the issue of persecution and violations of human rights on the grounds of sexuality at international fora. (*general business notice of motion no. 464*)

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 Therapeutic Goods Amendment Bill (No. 1) 2003, 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 Therapeutic Goods Amendment Bill (No. 1) 2003 in the 2003 budget sittings.

Notices of motion withdrawn:

The Leader of the Australian Democrats (Senator Bartlett), pursuant to notice of intention given on 13 May 2003, withdrew business of the Senate notice of motion no. 1 standing in his name for today for the disallowance of items [2356], [2357] and [2358] of Schedule 2 to the Migration Amendment Regulations 2002 (No. 10), as contained in Statutory Rules 2002 No. 348 and made under the *Migration Act 1958*.

Senator Stott Despoja withdrew general business notice of motion no. 406 standing in her name for today, relating to breastfeeding in the Senate chamber.

10 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 5 OF 2003

The Chairman of the Selection of Bills Committee (Senator Ferris) tabled the following report:

SELECTION OF BILLS COMMITTEE REPORT NO. 5 OF 2003

1. The committee met on Tuesday, 13 May 2003.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Family Law Amendment Bill 2003 be *referred immediately* to the Legal and Constitutional Legislation Committee for inquiry and report on 13 August 2003; and
 - (b) the following bills *not* be referred to committees:
 - Electoral Amendment (Political Honesty) Bill 2003
 - Export Control Amendment Bill 2003
 - Maritime Legislation Amendment (Prevention of Pollution from Ships) Bill 2003
 - National Residue Survey (Customs) Levy Amendment Bill (No. 2) 2003
 - National Residue Survey (Excise) Levy Amendment Bill (No. 2) 2003.

The committee recommends accordingly.

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

Bill deferred from meeting of 20 August 2002

Occupational Health and Safety (Commonwealth Employment)
Amendment (Employee Involvement and Compliance) Bill 2002.

Bills deferred from meeting of 19 November 2002

Workplace Relations Amendment (Award Simplification) Bill 2002
Workplace Relations Amendment (Choice in Award Coverage) Bill 2002.

Bill deferred from meeting of 4 March 2003

Workplace Relations Amendment (Compliance with Court and Tribunal
Orders) Bill 2003.

Bills deferred from meeting of 13 May 2003

Defence Amendment (Parliamentary approval for Australian involvement in
overseas conflicts) Bill 2003

Defence Legislation Amendment Bill 2003

Health and Ageing Legislation Amendment Bill 2003

Health Legislation Amendment Bill (No. 1) 2003

National Health Amendment (Private Health Insurance Levies) Bill 2003

Private Health Insurance (ACAC Review Levy) Bill 2003

Private Health Insurance (Collapsed Organisation Levy) Bill 2003

Private Health Insurance (Council Administration Levy) Bill 2003

Private Health Insurance (Reinsurance Trust Fund Levy) Bill 2003

Product Stewardship (Oil) Legislation Amendment Bill (No. 1) 2003

Sexuality Anti-Vilification Bill 2003

Taxation Laws Amendment Bill (No. 5) 2003

Trade Practices Amendment (Personal Injuries and Death) Bill 2003

Trade Practices Legislation Amendment Bill 2003.

Jeannie Ferris

Chair

14 May 2003.

Senator Ferris moved—That the report be adopted.

Question put and passed.

11 POSTPONEMENTS

Items of business were postponed as follows:

General business notice of motion no. 426 standing in the name of the Chair of the Finance and Public Administration References Committee (Senator Forshaw) for 15 May 2003, proposing to vary an order of the Senate for the production of documents relating to departmental and agency contracts, postponed till 18 June 2003.

General business notice of motion no. 460 standing in the name of Senator Allison for today, proposing the establishment of a select committee on Medicare, postponed till 15 May 2003.

12 EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION REFERENCES COMMITTEE—EXTENSIONS OF TIME TO REPORT

The Chair of the Employment, Workplace Relations and Education References Committee (Senator George Campbell), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 441—That the time for the presentation of reports of the Employment, Workplace Relations and Education References Committee be extended as follows:

- (a) the refusal of the Government to respond to the order of the Senate of 21 August 2002 for the production of documents relating to financial information concerning higher education institutions—to 19 August 2003; and
- (b) labour market skills requirements—to 28 October 2003.

Question put and passed.

13 ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Allison, by leave and at the request of the Chair of the Environment, Communications, Information Technology and the Arts References Committee (Senator Cherry), moved—That the time for the presentation of the report of the committee on environmental performance at the Ranger, Jabiluka, Beverley and Honeymoon uranium operations be extended to 24 June 2003.

Question put and passed.

14 PROCEDURE—STANDING COMMITTEE—FIRST REPORT OF 2003—CONSIDERATION

The Parliamentary Secretary to the Treasurer (Senator Ian Campbell), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That the recommendation of the Procedure Committee in its first report of 2003 relating to times of meeting on Tuesday be adopted, and standing orders be amended as set out in the report with immediate effect.

Statements by leave: Senators Brown and Allison, by leave, made statements relating to the motion.

Question put and passed.

Accordingly, the standing orders were amended to read as follows:

55 Times of meetings

- (1) The days and times of meeting of the Senate in each sitting week shall be:

Monday	12.30 pm – 6.30 pm, 7.30 pm – 10.30 pm
Tuesday	12.30 pm – adjournment
Wednesday	9.30 am – 8 pm
Thursday	9.30 am – 8.40 pm.

57 Routine of business

- (1) The routine of business shall be:
 - (b) On Tuesday:
 - (i) **Government business only**
 - (ii) **At 2 pm**, questions
 - (iii) Motions to take note of answers
 - (iv) Petitions
 - (v) Notices of motion
 - (vi) Postponement and rearrangement of business
 - (vii) Formal motions – discovery of formal business
 - (viii) Any proposal to debate a matter of public importance or urgency
 - (ix) Government business
 - (x) At 6.50 pm, consideration of government documents for up to 30 minutes under standing order 61
 - (xi) At 7.20 pm, adjournment proposed
 - (xii) Adjournment.

Senator Ian Campbell, pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 2—That the recommendation of the Procedure Committee in its first report of 2003 relating to the deadline for receipt of bills be adopted, and standing orders be amended as set out in the report with immediate effect.

Statements by leave: Senators Brown and Ian Campbell and the Leader of the Opposition in the Senate (Senator Faulkner), by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 46

Senators—

Abetz	Cook	Kirk	Patterson
Barnett	Crossin	Knowles	Santoro
Bishop	Denman	Lightfoot	Scullion
Brandis	Eggleston	Lundy	Stephens
Buckland	Evans	Macdonald, Sandy	Tchen
Campbell, George	Ferris (Teller)	Mackay	Tierney
Campbell, Ian	Forshaw	Marshall	Troeth
Carr	Hill	McGauran	Watson
Chapman	Hogg	McLucas	Webber
Colbeck	Humphries	Minchin	Wong
Collins	Hutchins	Moore	
Conroy	Johnston	O'Brien	

NOES, 11

Senators—

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

Question agreed to.

Accordingly, standing order 111 was amended to read as follows:

111 Initiation

- (5) Where a bill:
- is first introduced in the Senate by a minister in a period of sittings; or
 - is received from the House of Representatives and was introduced in that House in the same period of sittings; or
 - is received from the House of Representatives after the expiration of two-thirds of the total number of days of sitting of the Senate scheduled for that period of sittings,
- and a motion is moved for the second reading of the bill, debate on that motion shall be adjourned at the conclusion of the speech of the senator moving the motion and resumption of the debate shall be made an order of the day for the first day of sitting in the next period of sittings without any question being put.
- (6) Paragraph (5) does not apply to a bill introduced in the Senate or received from the House of Representatives within the first two-thirds of the total number of days of sitting of the Senate scheduled for the first period of sittings after a general election of the House of Representatives, but consideration of such a bill shall not be resumed

after the second reading is moved in the Senate unless 14 days have elapsed after the first introduction of the bill in either House.

- (7) **Paragraph (5) does not apply to a bill received by the Senate again in the circumstances described in the first paragraph of section 57 of the Constitution.**
- (8) In paragraphs (5) and (6) “period of sittings” means a period during which the Senate adjourns for not more than 20 days.

Senator Ian Campbell, pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 3—That the recommendation of the Procedure Committee in its first report of 2003 relating to committee meetings during adjournment debate be adopted, and standing orders be amended as set out in the report with immediate effect.

Question put and passed.

Accordingly, standing order 33 was amended to read as follows:

33 Meetings during sitting

- (1) A committee of the Senate and a joint committee of both Houses of the Parliament may meet during sittings of the Senate for the purpose of deliberating in private session, but shall not make a decision at such a meeting unless:
- (a) all members of the committee are present; or
 - (b) a member appointed to the committee on the nomination of the Leader of the Government in the Senate and a member appointed to the committee on the nomination of the Leader of the Opposition in the Senate are present, and the decision is agreed to unanimously by the members present.
- (2) **The restrictions on meetings of committees contained in paragraph (1) do not apply after the question for the adjournment of the Senate has been proposed by the President at the time provided on any day.**
- (3) A committee shall not otherwise meet during sittings of the Senate except by order of the Senate.
- (4) Proceedings of a committee at a meeting contrary to this standing order shall be void.

15 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—REPORT— MATERIEL ACQUISITION AND MANAGEMENT IN DEFENCE—ADOPTION OF RECOMMENDATIONS—ORDER FOR PRODUCTION OF DOCUMENT—REFERENCE

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Cook), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 443—That the Senate adopt the following recommendations of the Foreign Affairs, Defence and Trade References Committee in its report on materiel acquisition and management in Defence:

- (a) that the Senate request the Auditor-General to direct that the proposed 2003-04 audit of the Defence Materiel Organisation (DMO) by the Australian National Audit Office include a cultural audit that will assess:
- (i) DMO’s espoused corporate values and standards and staff compliance with these,
 - (ii) management and staff values, behaviours and competencies measured against the capability requirement,

- (iii) employee attitudes, morale, beliefs, motivation,
 - (iv) employee understanding of, for example, the DMO's customers, industry partners, strategies, business plans, roles and contributions to the overall mission of Defence,
 - (v) communication processes,
 - (vi) the effectiveness of change management programs, employee commitment to them and the extent of the benefits materialising, and
 - (vii) compliance with health and safety regulations;
- (b) that the Senate request the Auditor-General:
- (i) to produce, on an annual basis, a report on progress in major defence projects, detailing cost, time and technical performance data for each project,
 - (ii) to model the report on that ordered by the British House of Commons and produced by the United Kingdom Comptroller and Auditor General, and
 - (iii) to include in the report such analysis of performance and emerging trends as will enable the Parliament to have high visibility of all current and pending major projects; and
- (c) that the Senate, under standing order 164, order the production, upon its completion, of the report by the Director of Trials of the Review of Test and Evaluation in Defence, and refer the document to the Foreign Affairs, Defence and Trade References Committee for examination and report.

Question put and passed.

**16 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—
EXTENSIONS OF TIME TO REPORT**

Senator McGauran, at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Heffernan), amended Senator Heffernan's 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. 457—That the time for the presentation of reports of the Rural and Regional Affairs and Transport Legislation Committee be extended as follows:

- (a) provisions of the Aviation Transport Security Bill 2003 and a related bill—to 16 June 2003; and
- (b) provisions of the Civil Aviation Amendment Bill 2003—to 16 June 2003.

Question put and passed.

**17 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—LEAVE TO MEET DURING
SITTING**

Senator McGauran, at the request of the Chair of the Community Affairs Legislation Committee (Senator Knowles) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 442—That the Community Affairs Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 15 May 2003, from 3.30 pm, to take evidence for the committee's inquiry into the Health Legislation Amendment (Private Health Insurance Reform) Bill 2003.

Question put and passed.

18 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Cook), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 444—That the Foreign Affairs, Defence and Trade References Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 19 June 2003, from 7 pm to 11 pm, to take evidence for the committee's inquiry into the examination of the Government's foreign and trade policy strategy.

Question put and passed.

19 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Cook), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 445—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade References Committee on an examination of the Government's foreign and trade policy strategy be extended to 20 August 2003.

Question put and passed.

20 SUPERANNUATION—SELECT COMMITTEE—LEAVE TO MEET DURING SITTING

Senator McGauran, at the request of the Chair of the Select Committee on Superannuation (Senator Watson) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 446—That the Select Committee on Superannuation be authorised to hold a public meeting during the sitting of the Senate on Thursday, 15 May 2003, from 3.30 pm, to take evidence for the committee's inquiry into planning for retirement.

Question put and passed.

21 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Cook), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 447—That the time for the presentation of the report of the Foreign Affairs, Defence and Trade References Committee on the performance of government agencies in the assessment and dissemination of security threats in South East Asia in the period 11 September 2001 to 12 October 2002 be extended to 4 November 2003.

Question put and passed.

22 LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTINGS

Senator Mackay, at the request of the Chair of the Legal and Constitutional References Committee (Senator Bolkus) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 448—That the Legal and Constitutional References Committee be authorised to hold public meetings during the sittings of the Senate on Wednesday, 14 May 2003, from 4.30 pm to 6 pm, and on Thursday, 15 May 2003, from 9.30 am to 11.30 am, to take evidence for the committee's inquiry into progress towards national reconciliation.

Question put and passed.

23 LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Mackay, at the request of the Chair of the Legal and Constitutional References Committee (Senator Bolkus) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 449—That the time for the presentation of the report of the Legal and Constitutional References Committee on its inquiry on progress towards national reconciliation be extended to 11 August 2003.

Question put and passed.

24 ENVIRONMENT—RADIOACTIVE WASTE—NATIONAL STORE—ORDER FOR PRODUCTION OF DOCUMENT

Senator Stott Despoja, also on behalf of Senator Allison, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 450—That there be laid on the table by the Minister representing the Minister for Science, no later than 1 pm on 15 May 2003, the document containing the list of potential sites for the location of a national store for intermediate level radioactive waste that has been prepared by the National Store Advisory Committee, referred to in the media release prepared by the Minister for Science, 'SA Ruled Out', dated 9 May 2003.

Question put and passed.

25 DEFENCE—POINT NEPEAN—LAND SALE—ORDER FOR PRODUCTION OF DOCUMENT

Senator Allison amended her 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. 452—That there be laid on the table by the Minister for Defence, no later than noon on Thursday, 15 May 2003, the 'further information' CD-rom which is obtainable from Colliers International (Vic) Pty Ltd, regarding the expressions of interest in Defence land for sale at Point Nepean.

Question put and passed.

26 HEALTH—TOBACCO ADVERTISING—AUSTRALIAN GRAND PRIX—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. 451—That there be laid on the table, no later than 4 pm on Thursday, 15 May 2003, the most recent application documents from the Australian Grand Prix Corporation to the Federal Government for exemption from the *Tobacco Advertising Prohibition Act 1992* on the grounds of economic hardship, and the documents detailing the Government's reasons for being satisfied that the case for economic hardship was met.

Question put and passed.

27 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT

Senator McGauran, at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Heffernan) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 456—That the time for the presentation of the report of the Rural and Regional Affairs and Transport Legislation Committee on the provisions of the Wheat Marketing Amendment Bill 2002 be extended to 16 June 2003.

Question put and passed.

**28 HEALTH—AUSTRALIAN TECHNICAL ADVISORY GROUP ON IMMUNISATION—
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. 453—That there be laid on the table by the Minister for Health and Ageing, no later than 3 pm on Thursday, 15 May 2003, the following documents:

- (a) the report of the Australian Technical Advisory Group on Immunisation (ATAGI), October 2002; and
- (b) the National Health and Medical Research Council report on the new ATAGI recommended vaccines, March 2003.

Question put and passed.

29 INDUSTRY—BASSLINK—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. 454—That there be laid on the table, no later than 4 pm on Thursday, 15 May 2003, the letters exchanged between the Victorian and Federal Governments since 1 July 2001 concerning the Basslink project, other than those letters relating to the planning process.

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

Senate orders for documents—Government responses—Copy of letter from Senator Allison to the Leader of the Government in the Senate (Senator Hill), dated 7 April 2003.

Question put and passed.

30 SUPERANNUATION—SEXUALITY DISCRIMINATION

Senator Greig, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 455—That the Senate—

- (a) congratulates the South Australian Parliament on the recent passage of the Statutes Amendment (Equal Superannuation Entitlements for Same-Sex Couples) Bill 2002;
- (b) welcomes South Australia in joining with Western Australia, New South Wales, Victoria, Tasmania, Queensland and the Australian Capital Territory as jurisdictions that have ended discrimination against same-sex couples under superannuation law;
- (c) regrets that the Commonwealth has failed to address this discrimination under federal law; and
- (d) calls on the Government to end the discrimination against same-sex couples that is contained within the Commonwealth Superannuation Act.

Question put and passed.

31 HEALTH—INTERNATIONAL MIDWIVES DAY

Senator Ridgeway, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 458—That the Senate—

- (a) notes that 5 May 2003 was International Midwives Day;

- (b) recognises the vital role that midwives play in the Australian health system attending approximately 250 000 births in Australia each year, or 98 per cent of births;
- (c) also recognises that midwives are the most appropriate and cost effective type of health care provider to be assigned to the care of women in normal pregnancy and birth, including the risk assessment and the recognition of complications;
- (d) notes the problems still facing independent midwives and midwifery students in securing policies providing professional indemnity insurance;
- (e) notes that the Australian College of Midwifery approached the Government for financial assistance on this matter and that its request for around one million dollars has so far been ignored, in contrast with the medical profession, whose professional indemnity interests have been advanced by the Australian Medical Association and the Government; and
- (f) calls on the Government to meet with representatives of the midwifery profession in order to assist midwives in their inability to obtain adequate insurance cover.

Question put and passed.

32 DEATH OF MR WALTER MAX ULYATE SISULU

Senator Ridgeway, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 459—That the Senate—

- (a) notes with sadness the passing of former African National Congress (ANC) Deputy President, Mr Walter Max Ulyate Sisulu;
- (b) remembers Mr Sisulu as a freedom fighter who dedicated his life to the struggle against apartheid and the oppressive former South African regime;
- (c) recognises that Mr Sisulu co-founded the Youth League of the ANC and played a major role in the anti-apartheid campaign, a role which resulted in his imprisonment from 1964 till 1989; and
- (d) pays tribute to Mr Sisulu's contribution to the freedom of black South Africans as well as being an inspiration for oppressed peoples all around the world.

Question put and passed.

33 ENVIRONMENT—NUCLEAR WASTE—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Brown, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 461—That there be laid on the table by the Minister representing the Minister for Science (Senator Alston), no later than 3.30 pm on 17 June 2003, all documents dated 1 January 2001 or later relating to the hiring out and work undertaken by the public relations company Hill and Knowlton, in relation to nuclear issues, including the nuclear waste dump.

Question put and passed.

34 SCRUTINY OF BILLS—STANDING COMMITTEE—4TH REPORT AND ALERT DIGEST NO. 5 OF 2003

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

Scrutiny of Bills—Standing Committee—

4th report of 2003, dated 14 May 2003.

Alert Digest No. 5 of 2003, dated 14 May 2003.

Report ordered to be printed on the motion of Senator McLucas.
Senator McLucas moved—That the Senate take note of the report.
Question put and passed.

35 ECONOMICS LEGISLATION COMMITTEE—REPORT—TERRORISM INSURANCE BILL 2002

Pursuant to order, Senator McGauran, at the request of the Chair of the Economics Legislation Committee (Senator Brandis), tabled the following report and documents:

Economics Legislation Committee—Terrorism Insurance Bill 2002—Report, dated May 2003, *Hansard* record of proceedings and submissions [12].

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

36 PUBLIC WORKS—JOINT STATUTORY COMMITTEE—REPORT—OFF-BASE HOUSING, ADAMSTOWN, NSW

Senator McGauran, on behalf of the Parliamentary Standing Committee on Public Works, tabled the following report:

Public Works—Joint Statutory Committee—Proposed development of off-base housing for Defence at Adamstown, Newcastle, NSW—Report, dated May 2003.

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

Question put and passed.

37 MIGRATION—JOINT STANDING COMMITTEE—DOCUMENTS—2003 REVIEW OF MIGRATION REGULATION 4.31B

Senator McGauran, on behalf of the Joint Standing Committee on Migration, tabled the following documents:

Migration—Joint Standing Committee—2003 Review of Migration Regulation 4.31B—Minutes of proceedings.

38 FOREIGN AFFAIRS—IRAQ—MILITARY ACTION—MINISTERIAL STATEMENT

The Minister for Defence (Senator Hill), by leave, made a statement relating to military action against Iraq.

Senator Hill, by leave, moved—That the Senate take note of the statement.

Debate ensued.

Question put and passed.

39 DEPARTMENT OF THE SENATE—SURVEY OF SENATORS' SATISFACTION—DOCUMENT

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

Department of the Senate—Survey of senators' satisfaction with the services provided by the department—Report prepared by Nexus Research, dated May 2003.

40 MICHIGAN STATE SENATE RESOLUTION OF GRATITUDE—DOCUMENT

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

Michigan State Senate Resolution of Gratitude—Letter to the President of the Senate from the Secretary of the State of Michigan Senate (Carol Morey Viventi), dated 8 April 2003 and attachment.

41 DOCUMENTS

The following documents were tabled by the Clerk:

Christmas Island Act—Utilities and Services Ordinance—Marine Traffic and Harbour Facilities Determination No. 1 of 2003.

Defence Act—Determination under section 58B—Defence Determination 2003/11.

42 MIGRATION LEGISLATION AMENDMENT (FURTHER BORDER PROTECTION MEASURES) BILL 2002 [NO. 2]

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

Message no. 300, dated 14 May 2003—A Bill for an Act to amend the *Migration Act 1958*, and for related purposes.

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

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

43 GOVERNOR-GENERAL

Order of the day read for the adjourned debate on the motion of the Leader of the Opposition in the Senate (Senator Faulkner) (*see entry no. 3*).

Debate resumed.

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

44 GOVERNMENT DOCUMENTS

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

Crimes Act 1914—Independent review of Part 1D: Forensic procedures, May 2003. Motion to take note of document moved by Senator Stott Despoja. Debate adjourned till Thursday at general business, Senator Stott Despoja in continuation.

Hepatitis C and plasma in 1990—Report of the expert advisory group, May 2003. Motion to take note of document moved by Senator Hutchins. Debate adjourned till Thursday at general business, Senator Hutchins in continuation.

45 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.26 pm till Thursday, 15 May 2003 at 9.30 am.

46 **ATTENDANCE**

Present, all senators.

HARRY EVANS
Clerk of the Senate